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DESCHUTES COUNTY OFFICIAL RECORDS
MARY SUE PENHOLLOW, COUNTY CLERK

2001-38341



\$51.00

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08/06/2001 11:00:07 AM

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\$25.00 \$11.00 \$10.00 \$5.00

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

→ River Bend Limited Partnership
15 SW Colorado Ave., Suite A
Bend, Oregon 97702

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SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR RIVER BEND FOR UPPER TERRACE PHASE I

This SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR RIVER BEND FOR UPPER TERRACE PHASE I ("Supplemental Declaration") shall be effective upon its recording in the real property records of Deschutes County, Oregon and is made and executed this 3rd day of August, 2001, by RIVER BEND LIMITED PARTNERSHIP, an Oregon limited partnership.

Recitals:

A. Declarant owns that certain real property located in Deschutes County, Oregon more particularly described on the attached Exhibit A (the "Property").

B. Declarant previously executed that certain Supplemental Declaration of Covenants, Conditions, and Restrictions for River Bend for Upper Terrace Phase I, recorded in the Official Records of Deschutes County, Oregon on August 11, 1998, in Book 507, Pages 249-287, Document No. 98-35329 (the "Upper Terrace Phase I Declaration").

C. The Upper Terrace Phase I Declaration permits the subjection of the Potential Expansion Property to the Upper Terrace Phase I Declaration. The Property is part of the Potential Expansion Property. As the owner of the Property, Declarant has the right, pursuant to Section 3.1 of the Upper Terrace Phase I Declaration, to annex the Property to the Upper Terrace Phase I Declaration without the approval of the Members.

D. Declarant desires that the Property be subjected to the Upper Terrace Phase I Declaration on the terms and conditions contained in this Supplemental Declaration.

Declarations:

1. Definitions. Except to the extent set forth in this Supplemental Declaration, capitalized terms used herein shall have the meaning given to such terms in the Upper Terrace Phase I Declaration.

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2. Property Subject to Upper Terrace I Declaration. The Property hereby is annexed and subjected to the Upper Terrace Phase I Declaration. From and after the date this Supplemental Declaration is recorded in the Official Records of Deschutes County, Oregon, the Property shall be subject to all of the terms, provisions, conditions and obligations set forth in the Upper Terrace Phase I Declaration, as amended or restated from time to time. This Supplemental Declaration may be amended only in accordance with the provisions set forth in Section 15.2 of the Upper Terrace Phase I Declaration with respect to amendment of the Upper Terrace Phase I Declaration. The Upper Terrace Phase I Declaration, as supplemented by this Supplemental Declaration, remains in full force and effect.

3. Severability. Each provision of this Supplemental Declaration and the Upper Terrace Phase I Declaration shall be deemed independent and severable, and the validity or partial invalidity of any provision shall not affect the validity or enforceability of the remaining part of that or any other provision of this Supplemental Declaration or the Upper Terrace Phase I Declaration.

Declarant has caused this Supplemental Declaration to be executed as of the date first set forth above.

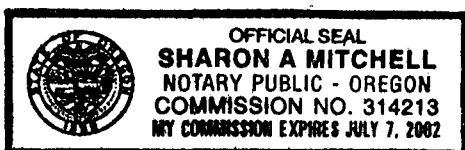
Declarant: RIVER BEND LIMITED PARTNERSHIP, an
Oregon limited partnership

By: The Bend Company, an Oregon corporation,
General Partner

By: William L. Smith
William L. Smith, President

STATE OF OREGON)
) SS
COUNTY OF DESCHUTES)

The foregoing instrument was acknowledged before me on this 3rd day of August, 2001, by William L. Smith, who is the President of The Bend Company, an Oregon corporation, general partner of River Bend Limited Partnership, an Oregon limited partnership, on behalf of the limited partnership.



Sharon A. Mitchell
Notary Public for Oregon
My Commission Expires: July 7, 2002

EXHIBIT A

A parcel of land containing 6.49 acres, more or less, located in a portion of the Northeast One-quarter of Section 5, Township 18 South, Range 12 East, Willamette Meridian, City of Bend, Deschutes County, Oregon, being more particularly described as follows:

Beginning at the southernmost corner of Lot 10 of the plat of Upper Terrace, Phase II as recorded on January 15, 1999 in plat cabinet E, Pages 156-166 in the office of the Deschutes County Clerk; thence along the south boundary line of said Lot 10 the following two (2) courses:

North 59°24'01" West a distance of 76.14 feet;

North 65°06'40" West a distance of 392.59 feet to the corner common to Lots 9 and 10 of said plat which falls on the northerly right-of-way line of Wilson Avenue;

Thence along the southerly boundary line of said Lot 9 the following two (2) courses and one (1) curve:

North 65°06'40" West a distance of 59.66 feet;

North 61°07'07" West a distance of 166.77 feet;

64.03 feet along a non-tangent curve to the left with a radius of 450.00 feet, the chord of which bears North 63°28'36" West a distance of 63.98 feet to the corner common to Lots 8 and 9 of said plat which falls on the northerly right-of-way line of Wilson Avenue;

Thence along the southerly, westerly, and northerly boundary lines of said Lot 8 the following five (5) curves and three (3) courses:

73.43 feet along the arc of a compound curve to the left with a radius of 450.00 feet, the chord of which bears North 72°13'39" West a distance of 73.35 feet;

North 76°54'08" West a distance of 137.86 feet;

36.99 feet along the arc of a tangent curve to the right with a radius of 23.00 feet, the chord of which bears North 30°49'58" West a distance of 33.13 feet;

174.83 feet along the arc of a reverse curve to the left with a radius of 636.71 feet, the chord of which bears North 07°22'13" East a distance of 174.28 feet;

79.65 feet along the arc of a reverse curve to the right with a radius of 55.00 feet, the chord of which bears North 40°59'30" East a distance of 72.87 feet;

North 82°28'45" East a distance of 126.57 feet;

39.34 feet along the arc of a tangent curve to the right with a radius of 55.00 feet, the chord of which bears South 77°01'44" East a distance of 38.51 feet;

South 56°32'13" East a distance of 2.27 feet;

Thence leaving said boundary lines of Lot 8 and along the northerly boundary line of said plat the following two (2) curves and three (3) courses:

33.89 feet along a non-tangent curve to the left with a radius of 1285.33 feet, the chord of which bears North 29°37'07" East a distance of 33.88 feet;

July 9, 2001

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South 39°41'47" East a distance of 214.49 feet;
66.88 feet along the arc of a tangent curve to the left with a radius of 200.00 feet, the
chord of which bears South 49°16'35" East a distance of 66.57 feet;
South 58°51'22" East a distance of 61.80 feet;
North 89°27'51" East a distance of 57.22 feet to the northwest corner of said Lot 10;

Thence along the northerly and easterly boundary lines of said Lot 10 the following four
(4) courses:

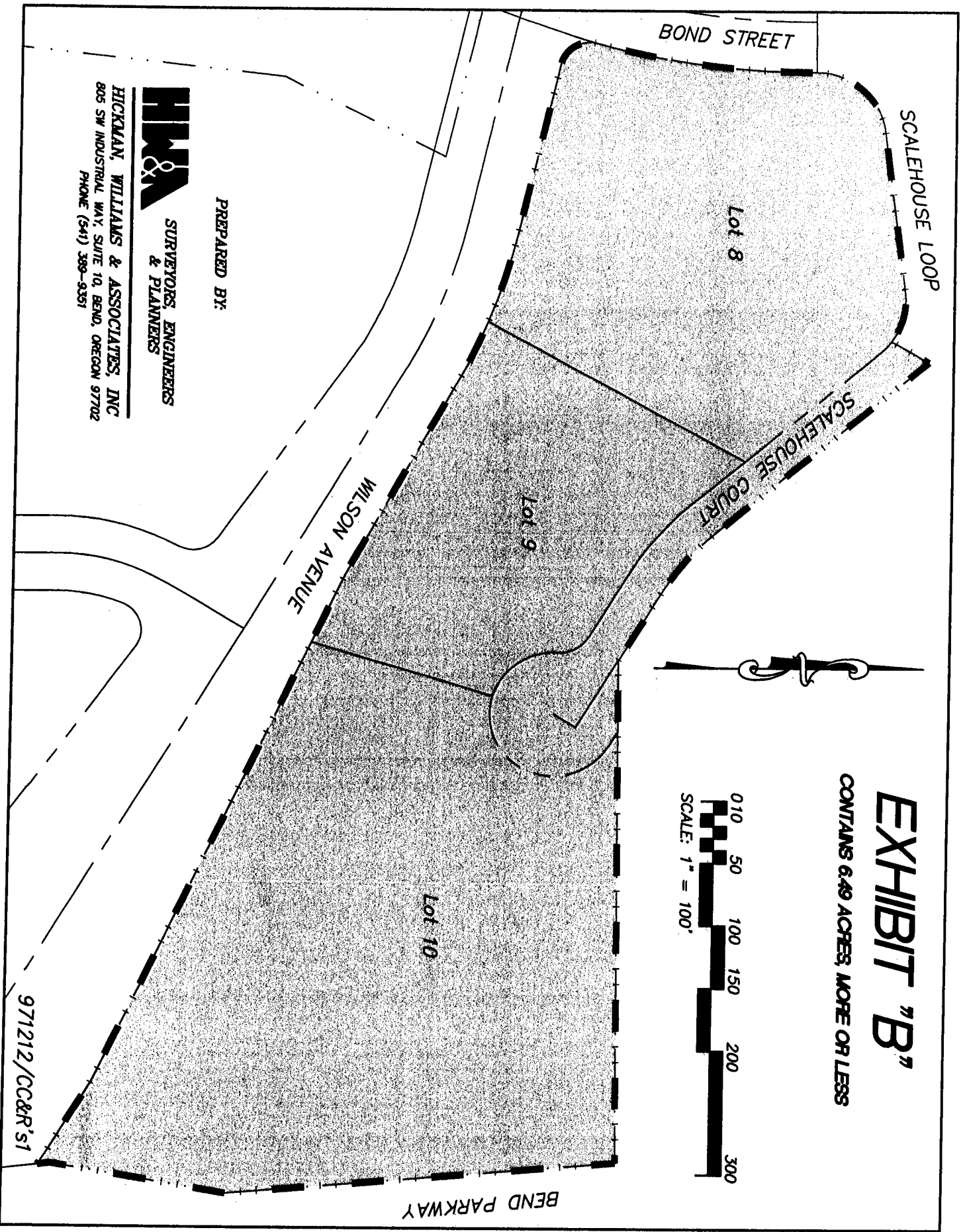
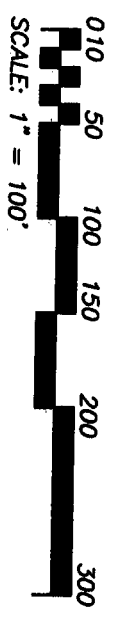
North 89°27'51" East a distance of 346.81 feet;
South 04°53'22" East a distance of 304.12 feet;
South 09°42'16" West a distance of 137.14 feet;
South 07°07'32" East a distance of 9.48 feet to the point of beginning, the terminus of this
description.

Subject to: All easements, restrictions and rights-of-way of record and those common
and apparent on the land.

See attached map entitled "EXHIBIT B", hereby incorporated by reference.

EXHIBIT "B"

CONTAINS 6.49 ACRES, MORE OR LESS



HWA
SURVEYORS, ENGINEERS
& PLANNERS
HICKMAN, WILLIAMS & ASSOCIATES, INC.
805 SW INDUSTRIAL WAY, SUITE 10, BEND, OREGON 97702
PHONE (541) 389-9361

PREPARED BY:

971212/CC&R's1