

112725 10-  
94-25234

**ADDENDUM TO THE DECLARATIONS, RESTRICTIONS,  
PROTECTIVE COVENANTS AND CONDITIONS  
FOR  
VANDEVERT RANCH**

THIS ADDENDUM to the Declarations, Restrictions, Protective Covenants and Conditions for Vandever Ranch is made this 10 day of June, 1994, by JAMES A. GARDNER and CAROL W. GARDNER, husband and wife, referred to herein as "Declarant".

**RECITALS:**

A. The Declarations, Restrictions, Protective Covenants and Conditions for Vandever Ranch were recorded August 13, 1992, in Book 275, Page 0282, Deschutes County Records, (the "CC&R's") by the Declarant, James A. Gardner and Carol W. Gardner.

B. This Addendum is intended to limit and clarify certain Declarant rights set forth in said CC&R's for the benefit of the owners within Vandever Ranch.

NOW, THEREFORE, the Declarant hereby declares as follows:

1. Article III, Section 22 (e) of the CC&R's provides that the Association and all owners shall maintain and protect historical structures and artifacts on Vandever Ranch, including the "Old Homestead" and Jeanie Vandever Guest House at the center of Vandever Ranch. The Declarant hereby acknowledges that it is not the intent of the Declarant to require that the Association maintain the "Old Homestead" or the Jeanie Vandever Guest House and that the responsibility for maintenance remains with the owners of those properties. It was intended that the Association will cooperate with the protection of those historical structures and artifacts consistent with the protection afforded the other historical structures and artifacts located on Vandever Ranch.

2. Pursuant to Article VII, Section 1, the Declarant hereby represents and acknowledges that they will not annex to Vandever Ranch any properties other than what is known as Vandever Ranch Phase II, a copy of which legal description is attached hereto as Exhibit "A" and by this reference incorporated herein. This representation does not preclude the Vandever Ranch Association from purchasing and annexing additional properties to Vandever Ranch following a vote of the Association pursuant to the CC&R's.

3. Declarant hereby agrees to waive any veto rights that they have retained under Article XI, Section 3.2 (a) and (b) and Article XII, Section 2, except any amendment to Article IX, Section 11 (Assessments by Declarant).

4. Declarant hereby represents and acknowledges that they will not transfer any Declarant

1 - ADDENDUM TO CC&R'S (rsl:gard016.003)

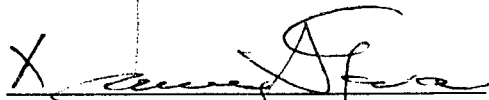
After recording, return to:  
BEND TITLE COMPANY  
1195 N.W. WALL, BEND

Holmes Hurley Bryant Lovlien & Lynch  
ATTORNEYS AT LAW

40 N.W. Greenwood P.O. Box 1151 Bend, Oregon 97709-1151 (503) 382-4331 Fax (503) 389-3386

rights reserved pursuant to Article XII, Section 5 to any successor Declarant acknowledging that these rights are personal to James A. Gardner and Carol W. Gardner.

5. Declarant hereby agrees to limit the duration of the reservation of rights under Article XII, Section 5 to five years.

X   
JAMES A. GARDNER

X   
CAROL W. GARDNER

STATE OF OREGON, County of Deschutes, ss:

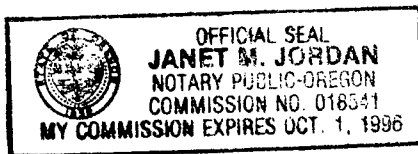
The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of June, 1994, by JAMES A. GARDNER.

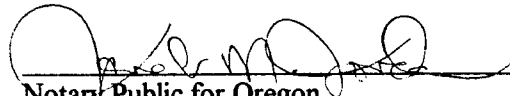


  
Notary Public for Oregon  
My Commission Expires \_\_\_\_\_

STATE OF OREGON, County Deschutes, ss:

The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of June, 1994, by CAROL W. GARDNER.



  
Notary Public for Oregon  
My Commission Expires \_\_\_\_\_

STATE OF OREGON )  
COUNTY OF DESCHUTES ) ss.

I, MARY SUE PENHOLLOW, COUNTY CLERK AND RECORDER OF CONVEYANCES, IN AND FOR SAID COUNTY, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WAS RECORDED THIS DAY:

94 JUN 23 PH 3:50

MARY SUE PENHOLLOW  
COUNTY CLERK

2 - ADDENDUM TO CC&R'S (rsl:gard016.003)

BY T. Moore DEPUTY

NO. 94-25234 FEE 10.00  
DESCHUTES COUNTY OFFICIAL RECORDS

Holmes Hurley Bryant Lowlie  Lynch  
ATTORNEYS AT LAW

40 N.W. Greenwood P.O. Box 1151 Bend, Oregon 97709-1151 (503) 382-4331 Fax (503) 389-3386