

41.00

173959-14

After Recording, Return To:

Hayden Homes, LLC  
Attention: Tammy Harty  
2464 SW Glacier Place, Suite 110  
Redmond, Oregon 97756

DESCHUTES COUNTY OFFICIAL RECORDS  
NANCY BLANKENSHIP, COUNTY CLERK

2008-27726

\$41.00



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\$15.00 \$11.00 \$10.00 \$5.00

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### ASSIGNMENT AND ASSUMPTION OF DECLARANT RIGHTS FOR VISTA DORADO

THIS ASSIGNMENT AND ASSUMPTION OF DECLARANT RIGHTS FOR VISTA DORADO (this "Assignment") is made as of July 17, 2007, by and between HAYDEN ENTERPRISES, INC., a Washington corporation ("Hayden Enterprises") and HAYDEN HOMES, LLC, an Oregon limited liability company ("Hayden Homes").

#### RECITALS:

WHEREAS, Hayden Enterprises recorded a certain Declaration of Protective Covenants, Conditions and Restrictions for Vista Dorado on July 16, 2007 as Document number 2007-39216 (the "Declaration") in the real estate records of Deschutes County, Oregon with respect to a residential subdivision known as VISTA DORADO (the "Subdivision"). The Subdivision is more particularly described on attached Exhibit A; and

WHEREAS, Hayden Enterprises desires to assign all of its rights as "Declarant" under the Declaration to Hayden Homes, and Hayden Homes desires to accept such assignment from Hayden Enterprises, as more particularly set forth herein.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **Assignment and Assumption.** Hayden Enterprises hereby assigns all of its rights as "Declarant" under the Declaration to Hayden Homes, which shall include, but is not limited to, the right to annex additional property into Subdivision pursuant to Article IX of the Declaration. Hayden Homes hereby accepts such assignment and agrees to perform all obligations of the "Declarant" under the Declaration from and after the effective date of this Assignment. This Assignment shall vest in Hayden Homes all "Declarant" rights under the Declaration, and Hayden Homes shall be considered a successor declarant.

2. **Miscellaneous.** All capitalized terms not defined in this Assignment shall have the meaning ascribed to such terms in the Declaration.

IN WITNESS WHEREOF, the parties have executed and delivered this Assignment as of the day and year first above written.

HAYDEN ENTERPRISES

HAYDEN ENTERPRISES, INC.,  
an Washington corporation

By: [Signature]  
Name: Dennis Murphy  
Title: President

HAYDEN HOMES:

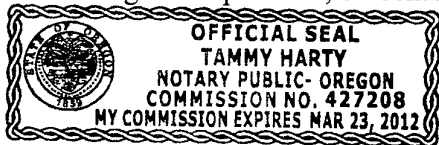
HAYDEN HOMES, LLC,  
an Oregon limited liability company

By: [Signature]  
Name: Dennis Murphy  
Title: President

ACKNOWLEDGMENTS

STATE OF OREGON           )  
  ) ss.  
County of Deschutes       )

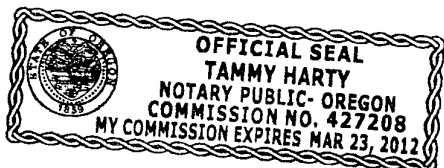
The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of June 2008, by Dennis Murphy, the President of HAYDEN ENTERPRISES, INC., a Washington corporation, on behalf of the corporation.



[Signature]  
Notary Public, State of Oregon  
My Commission Expires: Mar 23, 2012

STATE OF OREGON           )  
  ) ss.  
County of Deschutes       )

The foregoing instrument was acknowledged before me the 12<sup>th</sup> day of June 2008, by Dennis Murphy, the President of HAYDEN HOMES, LLC, an Oregon limited liability company, on behalf of the company.



[Signature]  
Notary Public, State of Oregon  
My Commission Expires: Mar 23, 2012

**EXHIBIT "A"**

Real property located in the City of Redmond, Deschutes County, Oregon and being more particularly described as follows:

Lots 1 through 55, inclusive, of VISTA DORADO, as more fully shown on the plat thereof recorded as Document Number 2007-26706 in the plat records of Deschutes County, Oregon.