

95-39684

AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
WEST BEND VILLAGE SUBDIVISION

WHEREAS, the Declaration of Covenants, Conditions and Restrictions for *West Bend Village, Subdivision* was recorded May 15, 1995, in Book 373, Page 1323, Deschutes County records, Deschutes County, Oregon and

WHEREAS, the said Declarations have been Amended by consent of more than 51 percent of the owners of Lots.

NOW, THEREFORE, the Declaration of Covenants, Conditions and Restrictions for *West Bend Village Subdivision* are hereby Amended as follows:

Section 3. RESTRICTIONS

3.1 Occupancy.

No Owner shall occupy, use or permit his Lot or any part thereof to be used for any purpose other than a private, single family residence for the Owner, their family or their guests.

In the event that the City of Bend approves proposed living quarters above garages, a maximum of two persons will be allowed and only one (1) additional automobile is allowed per living unit and must be parked alongside the garage on a concrete or asphalt pad.

If the proposed, above-garage living quarters receives City of Bend approval, and the Owner wishes to build and rent a above garage unit, the Owner must occupy the Primary residence at all times.

3.2 Improvements.

Each Lot within West Bend Village Subdivision shall be maintained in a clean and attractive condition, in good repair and in such a fashion as not to create a fire hazard. Home building must be completed within one year from the start of construction. Yards and park strip must be

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BEND TITLE COMPANY
15 OREGON AVENUE, BEND

improved and landscaped not later than 90 days from occupancy including the park strip area between the sidewalk and curb; in the event that the house is completed in winter, a 60-day extension will be granted. Each owner shall attempt to preserve as many trees on each lot as possible. Builders shall not disturb adjoining lots. Each residence shall contain a minimum of 1,100 square feet. No T-1-11 or similar type of siding will be allowed on the exterior walls of any home, garage or any improvement. All exterior siding shall be approved by the Architectural Review Committee. Installation of underground sprinkler systems for front lawns and park strips of each home is mandatory. Each Owner shall install a concrete walkway or stepping stones from the curb to the sidewalk in front of each home. While the park strip in front of each home is within the street right-of-way, it is each homeowner's responsibility to install and maintain sprinklers within the park strip.

The developer will furnish each lot with a waterline pipe, which will be buried under the concrete sidewalk for hookup to the lot owner's underground sprinkler system.

3.22 Covered Porches.

All homes shall have covered porches and covered decks on the street-side of each home. Homes with front doors located in a different location other than the front, street-side of the home, must have porches and decks on the second side of the home at the front door's location. (See Section 3.18 for the lot numbers that could be affected by this provision). Enclosed front porches are not allowed.

3.25 Garages.

Lots with alley access are required to site garages and access at the rear of lot. Homes without alley access, and that face the main street, must site garages so that the front face of the garage is recessed at least eight (8') feet from the front face of the home except Lot #8, Phase #1 due to topography and consolidation of two lots to form Lot #8, Phase #1. Hillside lots may get an exception with ARC approval. Single car garages are acceptable. Garages must have a 6 in 12 roof pitch. Carports are only allowed (as an addition to full garages) and along existing garage to protect other vehicles, boats or RVs.

Section 6. ARCHITECTURAL REVIEW COMMITTEE

6.5 Liability.

The ARC shall initially consist of four members. Those members shall be Michael J. Tennant, Sandy Garner, Kurt Reynolds and Dano

Saarinen. A majority of the ARC may designate a representative to act for it. In case of death or resignation of any member, the remaining member or members shall appoint a successor. Neither the members of the ARC nor its designated representative shall be entitled to any compensation for services performed by said members. In the event of the deaths or resignations of all members of the ARC occurs without successors having been appointed, a majority of the owners shall elect the successors.

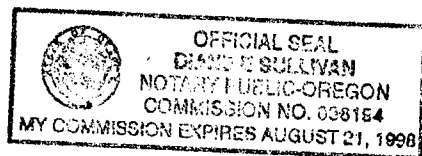
IN WITNESS WHEREOF, the Declarant has executed this Declaration this 18 day of November, 1995.

By Michael J. Tennant
Michael J. Tennant

STATE OF OREGON, County of Deschutes, ss:

The above-named MICHAEL J. TENNANT personally appeared before me and acknowledged the foregoing instrument as his voluntary act.

Before Me Diane E. Sullivan
NOTARY PUBLIC FOR OREGON



My commission expires: 8/21/98

STATE OF OREGON) SS.
COUNTY OF DESCHUTES)

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:

95 NOV 13 PM 12:31

MARY SUE PENHOLLOW
COUNTY CLERK

BY Diane E. Sullivan DEPUTY
NO 95-39684 FEE 150
DESCHUTES COUNTY OFFICIAL RECORDS