

VOL: 2000 PAGE: 20533
RECORDED DOCUMENT

STATE OF OREGON
COUNTY OF DESCHUTES



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Printed: 05/25/2000 11:46:23

DO NOT REMOVE THIS CERTIFICATE

(This certificate constitutes a part of the original instrument in accordance with ORS 205.180(2). Removal of this certificate may invalidate this certificate and affect the admissibility of the original instrument into evidence in any legal proceeding.)

I hereby certify that the attached instrument was received
and duly recorded in Deschutes County records:

DATE AND TIME: May. 25, 2000; 11:19 a.m.

RECEIPT NO: 21268

DOCUMENT TYPE: Planned Community
 Subdivision Amendment

FEE PAID: \$61.00

NUMBER OF PAGES: 4

A handwritten signature in cursive script, reading "Mary Sue Penhollow".

MARY SUE PENHOLLOW
DESCHUTES COUNTY CLERK

AFTER RECORDING RETURN TO:

Terry Anderson
Anderson Land and Development
18540 Plainview Road
Bend, OR 97701

AMENDMENT NO. 1 TO DECLARATION

OF PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS

This Amendment No. 1 to Declaration ("Amendment No. 1") is made this 23 day of May, 2000 by Anderson Land and Development Corporation, an Oregon corporation ("Declarant").

Recitals

A. On December 23, 1997, Declarant recorded a plat of Whitehorse Phase 1, in Plat Records, Plat Book 10, Page 42, Deschutes County, Oregon ("Phase 1").

B. On October 28, 1998, Declarant recorded a plat of Whitehorse, Phases 2, 3, 4 and 5, in Plat Records, Plat Book 10, Page 174, Deschutes County, Oregon ("Phases 2, 3, 4 and 5")

C. On June 30, 1998, Declarant recorded a Declaration of Protective Covenants, Conditions, Restrictions and Easements for Whitehorse as Fee No. 98-28310, Vol. 500, Page 2418, Official Records, Deschutes County against Phases 1, 2, 3, 4 and 5 (the "Declaration").

D. Declarant has recorded the plat of Whitehorse Phases 6 and 7, on March 22, 2000 as referenced under Receipt No. 18647, Volume 2000, Page 11245, Official Records, Deschutes County, Oregon ("Phases 6 and 7"). The boundary description of Phases 6 and 7, Whitehorse, is set forth on Exhibit "A", which is incorporated by reference (the "Real Property").

E. Declarant desires to provide for preservation and enhancement of the property values, amenities and enjoyment of Whitehorse, Phases 6 and 7 and therefore desires to subject Whitehorse Phases 6 and 7 to the covenants, conditions and restrictions, reservations and easements set forth in the Declaration.

F. In accordance with Article 2 of the Declaration, Declarant has the right to subject Phases 6 and 7 to the Declaration by amendment.

NOW, THEREFORE, Declarant hereby declares that all of the Real Property in Phases 6 and 7, Whitehorse shall be held, sold and conveyed subject to the following easements, covenants and restrictions, which shall run with the Real Property and shall be binding upon all parties having or acquiring any right, title or interest in the Real Property or any part thereof, and shall inure to the benefit of each thereof.

1. Declaration Encumbers Phases 6 and 7, Whitehorse. The terms, conditions, covenants, restrictions and easements of the Declaration are hereby incorporated by this reference as if fully set forth herein and all of the Real Property in Phases 6 and 7 is enumerated by the Declaration.

2. Duration. The Declaration shall run with the land and shall be and remain in full force and effect at all times with respect to all property included within the Real Property and any annexations and the Owners thereof for an initial period of thirty (30) years commencing with the date on which this document is recorded. Thereafter, the Declaration shall continue to run with the land and be and remain in full force and effect at all times with respect to all property within the Real Property, and the Owners thereof for successive additional periods of ten (10) years each. The continuation from the initial or any additional period into the next subsequent period shall be automatic and without the necessity of any notice, consent or other action whatsoever; provided, however, that the Declaration may be terminated at the end of the initial or any additional period by resolution approved not less than six (6) months prior to the intended termination date by the vote or written consent of not less than 75% of the Owners in the Real Property. Any such termination shall become effective only if a certificate of the Declarant or its successors or assigns, certifying that termination as of a specified termination date has been approved in the manner required herein, is duly acknowledged and recorded in the Deed of Records of Deschutes County, Oregon, not less than four (4) months prior to the intended termination date.

3. No Other Amendments. The Declaration remains in full force and effect and, except as expressly stated herein, is not altered, changed or modified in any way.

IN WITNESS WHEREOF, the undersigned, being Declarant herein, has executed this Amendment No. 1 to Declaration on 5/23, 2000.

DECLARANT: Anderson Land & Development Corporation

By 

Terry Anderson, President

[Acknowledgment on the Following Page]

STATE OF OREGON)
) ss.
County of Deschutes)

This instrument was acknowledged before me on May 23, 2000, by Terry Anderson,
as President of Anderson Land & Development Corporation.



Cheryl J. Scott
Notary Public for Oregon
My Commission Expires: 6-9-2001

694\001\amendment.declaration.whitehorse

COMMENCING AT A 3 1/4" ALUMINUM CAP MONUMENTING THE
 NORTHEAST CORNER OF SECTION 19, TOWNSHIP 15 SOUTH, RANGE 13
 EAST, WILLAMETTE MERIDIAN; THENCE S00°12'48"E ALONG THE EAST
 LINE OF THE NE 1/4 NE 1/4 OF SAID SECTION 19 - 1326.79 FEET
 TO A 3/4" PIPE ON THE NORTH LINE OF THE SE 1/4 NE 1/4 OF SAID
 SECTION; THENCE N89°21'22"W ALONG SAID NORTH LINE - 657.80
 FEET TO A 3/4" PIPE ON THE WEST LINE OF THE E 1/2 OF SAID
 SE 1/4 NE 1/4; THENCE S00°16'57"E ALONG SAID WEST LINE - 40.01
 FEET TO A 3/4" PIPE ON THE SOUTH RIGHT-OF-WAY (R/W) OF
 QUARTZ AVENUE, AND THE INITIAL POINT OF "WHITEHORSE - PHASES
 6 AND 7" AS WELL AS THE TRUE POINT OF BEGINNING; THENCE
 S89°21'22"E ALONG SAID R/W - 262.72 FEET TO A 3/4" PIPE ON
 THE WEST BOUNDARY OF "WHITEHORSE PHASES - 2, 3, 4, AND 5";
 THENCE SOUTH ALONG SAID BOUNDARY - 481.40 FEET TO A 3/4"
 PIPE ON THE NORTH BOUNDARY OF "WHITEHORSE PHASE - 8"; THENCE
 WEST ALONG SAID BOUNDARY OF "WHITEHORSE PHASE - 8" - 101.23
 FEET TO A 3/4" PIPE; THENCE N48°51'18"W ALONG SAID BOUNDARY
 - 78.04 FEET TO A 3/4" PIPE; THENCE WEST ALONG SAID BOUNDARY
 - 100.57 FEET TO A 3/4 PIPE ON THE WEST LINE OF THE E 1/2 OF
 SAID SE 1/4 NE 1/4 AND THE EAST BOUNDARY OF "COPPER RIDGE
 PHASE - 1"; THENCE N00°16'57"W ALONG SAID WEST LINE - 433.01
 FEET TO THE TRUE POINT OF BEGINNING.

SAME CONTAINING APPROXIMATELY 2.75 LAND ACRES, SUBJECT TO
 ALL EXISTING EASEMENTS AND RIGHTS-OF-WAY OVER AND ACROSS THE
 ABOVE DESCRIBED PARCEL OF LAND.