

VOL: 2000 PAGE: 29857
RECORDED DOCUMENT

STATE OF OREGON
COUNTY OF DESCHUTES



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Printed: 07/27/2000 11:53:22

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: Jul. 27, 2000; 11:47 a.m.

RECEIPT NO: 23895

DOCUMENT TYPE: Covenants, Conditions &
 Restrictions

FEE PAID: \$46.00

NUMBER OF PAGES: 3

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

MARY SUE PENHOLLOW
DESCHUTES COUNTY CLERK

Recording requested by and
When recorded return to:

River Bend Limited Partnership
15 SW Colorado Avenue, Suite A
Bend, OR 97702

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**SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS,
AND RESTRICTIONS FOR RIVER BEND
UPPER TERRACE PHASES II AND III**

THIS SUPPLEMENTAL DECLARATION TO SUPPLEMENTAL DECLARATION TO AMENDED AND RESTATED MASTER DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR RIVER BEND (this "Supplemental Declaration" shall be effective upon its recording in the deed records of Deschutes County, Oregon and is made and executed this 20th day of July, 2000, by RIVER BEND LIMITED PARTNERSHIP, an Oregon limited partnership ("Declarant").

Recitals:

A. Declarant owns that certain property located in Deschutes County, Oregon which was subjected to the Supplemental Declaration of Covenants, Conditions and Restrictions for River Bend Upper Terrace Phases II and III which were recorded August 11, 1998 in Book 507, Page 288, Deschutes County Records.

B. Declarant desires to supplement that certain Supplemental Declaration of Covenants, Conditions and Restrictions for River Bend Upper Terrace Phases II and II which were recorded August 11, 1998 in Book 507, Page 0288, Deschutes County records as provided below.

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 Master Declaration.

2. Declarant herewith withdraws certain property shown on Exhibit A attached hereto from the Supplemental Declaration of Covenants, Conditions and Restrictions for River Bend Upper Terrace Phases II and III which were recorded August 11, 1998 in Book 507, Page 0288, Deschutes County Records, as provided for in Section 3.2, Withdrawal of Property.

3. Declarant desires that the Property remain subjected to the Amended and Restated Master Declaration of Covenants, Conditions and Restrictions for River Bend, recorded in the Official Records of Deschutes County, Oregon on November 4, 1997 in Book 468, Page 1683, Document No. 97-41096 and re-recorded on June 26, 1998, in Book 499, Page 2948, Document No. 98-27427 (the "Master Declaration").

Linda
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4. Severability. Each provision of this Supplemental Declaration and the Master 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 Master Declaration.

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

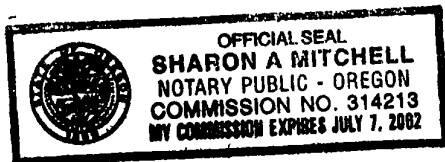
Declarant: RIVER BEND LIMITED PARTNERSHIP, an
Oregon limited partnership

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 26TH day July, 2000, 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

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EXHIBIT A

A tract of land located in a portion of Lot 27, Tract D, and Lot 32 of the plat of Upper Terrace, Phase II as recorded on January 15, 1999 in plat cabinet E, page 156-164 in the office of the Deschutes County Clerk, more particularly described as follows:

Beginning at a the corner common to Lots 27, 30 and 37 of said plat; thence along the boundary line common to said Lots 27 and 37 the following ten (10) courses:

South 29°08'16" West, 81.45 feet;
South 09°50'25" East, 22.67 feet;
South 34°48'19" West, 103.12 feet;
South 41°56'28" West, 129.60 feet;
South 37°44'13" West, 203.63 feet;
South 20°20'06" West, 24.27 feet;
South 09°15'21" West, 61.76 feet;
South 10°37'59" East, 21.65 feet;
South 22°10'16" East, 64.79 feet;
South 65°37'22" East, 55.29 feet to the corner common to Lot 27, Tract D, and Lot 37 of said plat;

Thence along the boundary line common to said Lot 37 and Tract D North 53°07'54" 129.41 feet; thence leaving said boundary line South 46°32'35" East 42.09 feet to the westernmost corner of Lot 36 of said plat; thence along the boundary line common to said Lot 36 and Tract D continuing South 46°32'35" East 41.09 feet to the northernmost corner of Lot 32 of said plat; thence along the northeasterly line of said Lot 32 continuing South 46°32'35" East 552.96 feet to the easternmost corner of said Lot 32; thence along the southeasterly boundary line of said Lot 32 South 52°40'24" West 27.17 feet; thence leaving said southeasterly boundary line North 45°32'41" West 615.46 feet; thence South 74°33'35" West 38.88 feet; thence South 55°08'42" West 104.08 feet; thence North 54°01'41" West 135.85 feet; thence North 19°54'14" East 169.63 feet; thence North 38°09'46" East 509.41 feet; thence South 47°33'18" East 1.88 feet to the point of beginning, the terminus of this description.

See attached Exhibit B, hereby incorporated by reference.

SUBJECT TO: All easements, restrictions, and rights-of-ways of record and those common and apparent on the land.

Bearings of the above easements are based on the bearings shown on said plat of Upper Terrace, Phase II.