

96-08315

401 - 2793

**SECOND AMENDMENT TO
DECLARATIONS, RESTRICTIONS, PROTECTIVE
COVENANTS AND CONDITIONS
FOR
VANDEVERT RANCH**

The Declarations, Restrictions, Protective Covenants and Conditions for Vandever Ranch dated August 31, 1992, were recorded in Volume 275, Page 282, Official Records, Deschutes County, Oregon.

Article XII, Section 2 provides that the Declaration may be amended upon written consent of at least two-thirds of the members and the consent of the Declarant, so long as Declarant has an unexpired option to subject property to this Declaration.

Attached hereto and by this reference incorporated herein are the consent of at least two-thirds of the members of the Vandever Ranch Association, Inc. and the consent of the Declarant to amend Article IX, Section 12 and Article XII, Section 8 of the Declarations, Restrictions, Protective Covenants and Conditions for Vandever Ranch and the same are hereby amended to read as follows:

Article IX:

"Section 12. PREPAYMENT OF REGULAR ASSESSMENT. Any owner who shall pay the assessments to be imposed for all 12 months of the ensuing calendar year prior to January 1 of such year shall be entitled to a discount in the amount of five percent (5%) of the gross amount assessed for such 12-month period. Assessments which are not so prepaid shall be paid on or before the 10th day of the month with respect to which they are imposed. In the event that a person shall acquire a lot or his lot shall first become subject to assessment during the course of a calendar month, his first assessment shall come due on the 10th day of the following calendar month. New owners shall be jointly and severally liable for the payment of any assessments which remain unpaid at the time of their acceptance of legal title to a lot in Vandever Ranch.

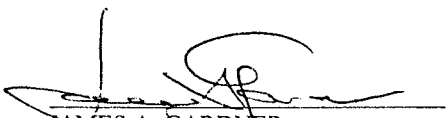
Article XII:

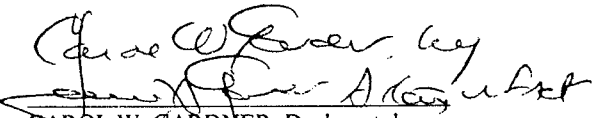
Section 8. ENFORCEMENT PROCEDURES. In the event that any owner constructs or permits to be constructed on said owner's property an improvement contrary to the provisions of the Vandever Ranch Declaration or of the Design Review Committee Rules and Guidelines, or in the event that an owner maintains or permits any improvement, condition or other thing on his or her property contrary to the provisions of the Vandever Ranch Declaration or the Design Review Committee Rules and Guidelines, the Vandever

Ranch Association, Inc. and/or the Design Review Committee may, no sooner than sixty (60) days after delivery to such owner of written notice of the violation, order the owner to cease and desist all work, construction, repair, alteration, landscaping and excavation of any kind, until such breach is remedied, and certified in writing by the Design Review Committee. The stop work order shall continue until the violation has been corrected as authorized by the Committee, as certified in writing by the Committee. If the owner/contractor/subcontractor refuses to stop work, a certified letter shall be sent to the property owner who is in violation. The letter shall describe what the violation is and require that all work be discontinued until the problem is rectified. A limit shall be placed on the amount of time allowed to correct the problem. In most cases, the time limit will be set at either twenty-four (24) or forty-eight (48) hours. In the event the written notice is ineffective or is breached, the Vandevort Ranch Association, Inc. may seek an injunction to force compliance. A fine may also be levied in conjunction with the stop work order, in conjunction with a schedule of fines reviewed and approved on an annual basis by the Design Review Committee, and subject to the oversight and approval of the Vandevort Ranch Association, Inc.

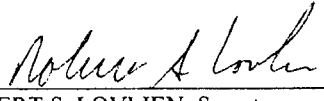
Declarant, James A. Gardner and Carol W. Gardner hereby consent to this Second Amendment to Declarations, Restrictions, Protective Covenants and Conditions for Vandevort Ranch.

DATED this 29 day of Feb., 1998⁶


JAMES A. GARDNER
Declarant

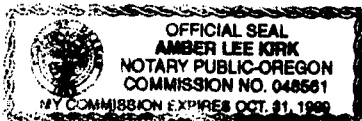

CAROL W. GARDNER, Declarant, by
James A. Gardner, attorney-in-fact

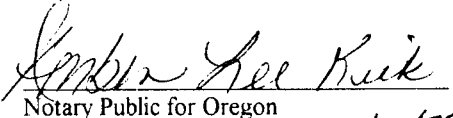

JAMES A. GARDNER, President
Vandevort Ranch Association, Inc.


ROBERT S. LOVLIE, Secretary
Vandevort Ranch Association, Inc.

STATE OF OREGON, County of Deschutes, ss:

6 The foregoing instrument was acknowledged before me this 29 day of Feb., 1998, by JAMES A. GARDNER.

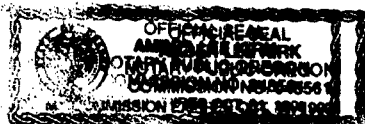



Notary Public for Oregon
My Commission Expires 10/31/99

401 - 2795

STATE OF OREGON, County of Deschutes, ss:

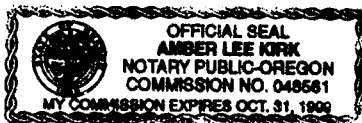
The foregoing instrument was acknowledged before me this 29 day of Feb. 1998, by CAROL W. GARDNER, by James A. Gardner as her attorney-in-fact.



Amber Lee Kirk
Notary Public for Oregon
My Commission Expires 10/31/99

STATE OF OREGON, County of Deschutes, ss:

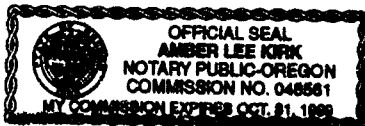
The foregoing instrument was acknowledged before me this 29 day of Feb. 1998, by JAMES A. GARDNER as President of Vandevent Ranch Association, Inc., on behalf of said Association.



Amber Lee Kirk
Notary Public for Oregon
My Commission Expires 10/31/99

STATE OF OREGON, County of Deschutes, ss:

The foregoing instrument was acknowledged before me this 1 day of Mar. 1998, by ROBERT S. LOVLIE as Secretary of Vandevent Ranch Association, Inc. on behalf of said Association.



Amber Lee Kirk
Notary Public for Oregon
My Commission Expires 10/31/99

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:

96 MAR -5 PM 3:34

MARY SUE PENHOLLOW
COUNTY CLERK

BY: [Signature] DEPUTY

NO. 96-08315 FEE 15
DESCHUTES COUNTY OFFICIAL RECORDS

3 - SECOND AMENDMENT (RSL:GARDNER.016)

Bryant Lovlien Jarvis
ATTORNEYS AT LAW

40 N.W. Greenwood ■ P.O. Box 1151 ■ Bend, Oregon 97709-1151 ■ (541) 382-4331 ■ Fax (541) 389-3386