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03/14/2006 04:09:10 PM

D-CCR Cnt=1 Stn=26 SHIRLEY  
\$10.00 \$11.00 \$10.00 \$5.00 \$20.00

After Recording Return To:  
Hayden Enterprises, Inc.  
2464 SW Glacier Place  
Suite 110  
Redmond, OR 97756  
C/o Colleen Buckendorf

*Handwritten initials*

**FIRST AMENDMENT TO  
DECLARATION OF COVENANTS  
CONDITIONS, RESTRICTIONS FOR  
CASCADE VISTA P.U.D.**

WHEREAS, the Declaration of Covenants, Conditions and Restrictions for Cascade Vista P.U.D. was recorded April 8, 2005, Document #: 2005-30 in the records of Deschutes County, Oregon; and City of Bend. 20990

WHEREAS, the undersigned Declarant desires to amend said Declaration and is Owner of a majority of the Lots in Cascade Vista P.U.D., described in and subject to the Declaration.

NOW THEREFORE, said Declaration is hereby amended as follows:

**Add Article 4, Sections 4.1 (d) as follows:**

- (d) Fence Maintenance Easement. The owners of all Lots in Cascade Vista P.U.D. shall be individually responsible for the structural integrity, maintenance and repair of any fencing or walls on their Lot, including the perimeter fence/wall on the rear or side of their Lot, except as defined in this Declaration. If repairs or replacement of the perimeter fence/wall are required, the materials will match the fence/wall as originally installed and provided by the Declarant. The fence/wall shall remain in the original location. Any changes in materials or location may only be made by receiving prior written approval of the Board of Directors.

The Association shall be responsible for the maintenance of the exterior surface only of the perimeter fence/wall facing the public street on the easterly lot line and/or street right-of-way (adjacent to Blakely) of Lots 1, 27, 28, and 57, and the maintenance of the exterior surface only of the perimeter fence/wall facing the public street on the westerly lot line and/or street right-of-way (adjacent to Brookwood) of Lots 13, 14, 15, and 40 through 43. The Association shall maintain the structural integrity and interior surface of the fence/wall on the boundary lines of Open Spaces A and B, plus the exterior surface of any Open Space fence/wall facing Brookwood, Blakely or any private street within Cascade Vista P.U.D.

**Amend Article 5, Section 5.7 (a) to now read as follows:**

- (a) "Any fence on Owner's Lot will be maintained by Owner, except as described in Article 4, Section 4.1 (d) of the "First Amendment to Declaration of Covenants, Conditions and Restrictions for Cascade Vista P.U.D."

**Amend Article 5, Section 5.7 (b) as follows:**

- (b) Any designs and plans for fencing must be approved by the ARC through an application process. There are no restrictions on materials used, however, the fence will not exceed six (6) feet in height.

After recording, return to  
Amerititle  
15 OREGON AVENUE, BEND

→ Shirley

