

Washington County, Oregon
11/06/2001 03:40:16 PM
D-R/B Cnt=2 Str=22 RECORDER
\$20.00 \$5.00 \$8.00 \$11.00 - Total=\$42.00

2001-114522



00000818200101145220040047
I, Jerry Hanson, Director of Assessment and Taxation
and Ex-Officio County Clerk for Washington County,
do hereby certify that the within instrument of writing
was received and recorded in the book of records of
said county.
Jerry R. Hanson
Jerry R. Hanson, Director of Assessment and Taxation,
Ex-Officio County Clerk



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After Recording Return To:
West Hills Development Co.
15500 SW Jay Street
Beaverton, Oregon 97006

ADDENDUM TO ARBOR RIDGE P.U.D:
DECLARATION OF PROTECTIVE
COVENANTS, CONDITIONS AND RESTRICTIONS
ESTABLISHMENT OF A HOMEOWNERS ASSOCIATION,
DECLARATION OF FEES

RELATING TO HOMEOWNERS ASSOCIATION ANNUAL FEES FOR
LOTS 373-535, 550-558, 564-565 and 567-571 AND REMOVAL OF SIDEYARD
FENCE AND GATE RESTRICTIONS ON COTTAGE LOTS

Arbor Ridge is a residential Planned Unit Development (P.U.D.) located in Washington County, Oregon. Arbor Ridge P.U.D. Phases 1, 2, 3, 4, 5 and 6 are plats recorded in Washington County Deed Records as Documents No. 200007396, 200016528, 200040707, 2000080776, 2000099943, and 2001059537. Arbor Ridge No. 1, Arbor Ridge No. 2 Arbor Ridge No. 3, Arbor Ridge No. 4, Arbor Ridge No.5 and Arbor Ridge No. 6 are phases of a planned multi-phase development consisting of single family, multifamily owner and renter occupied housing.

WHEREAS: The Declaration of Arbor Ridge P.U.D. (recorded in Washington County Deed Records as Document No. 2000007400 as amended by Document Numbers 2000080778, 2000099945, 2001059539, and 2001080619) established that Declarant, at it sole discretion, could amend the Declaration to apply to subsequent phases of development.

WHEREAS: The Declarant reserved the right to amend the Declaration to reflect incorporation of additional land, additional and/or different provisions which reflect governmental, physical and market requirements as additional phases are approved and constructed in Arbor Ridge P.U.D.

WHEREAS: This Planned Unit Development is subject to the conditions of approval contained in Washington County Department of Land Use and Transportation Case Files No. 98-641-

WCCox 110501



S/P/PD/DFR/DHA/D(CI); 99-256-MR; 99-454-MR/MS; 99-556-MR/M; 00-52-MR/M, 00-107-MOD and 00-155-S/PD/PLA/DHA; and,

WHEREAS: Declarant, by this document, declares that the "Declaration" shall be amended to include the herein contained terms; and,

NOW THEREFORE: by this document Declarant amends said "Declaration" as follows: Declarant hereby declares that Arbor Ridge P.U.D. property shall be held, sold and conveyed in accord with all applicable governmental ordinances and development agreements, obligations and the covenants and conditions restrictions, (CC&R'S), Homeowners Association Provisions (provisions) and the preceding "whereas" clauses, as amended by this document,. The terms of the CC&R'S and Provisions, and "whereas" clauses as herein amended shall inure to the benefit of each owner of property in Arbor Ridge P.U.D and shall be binding on all parties having any right, title or interest in Arbor Ridge P.U.D. property or any portion thereof, their heirs, successors and assigns. These CC&R'S, Provisions and "whereas" clauses shall run with and attach to the subject property and bind all the real property within Arbor Ridge P.U.D.

All terms contained in the original "Declaration" and subsequent amendments or addendum thereto recorded prior to recordation of this document, which are not altered by the terms of this document, shall remain in effect. If there is a conflict between the terms of this document and the original "Declaration" and subsequent amendments or addendum thereto, recorded prior to recordation of this document, the conflict shall be resolved by looking first to the terms of this document which shall be controlling. If confusion still exists the resolution shall be based upon the intent of Declarant herein to have the obligations contained in the original "Declaration" apply to all lots in all phases of the Arbor Ridge P.U.D. unless specifically altered.

Lots 373-535, 550-558, 564-565 and 567-571 are declared lots of special concern which shall, in addition to the privileges and obligations heretofore established for all property in Arbor Ridge, be subject to privileges and obligations unique to said lots. Those "unique" privileges and obligations are as follows:

A. All front yards and side yards facing any street shall be subject to a landscape installation and maintenance easement over their entirety. Declarant shall install landscaping, street trees, and irrigation system(s) with water meter(s) dedicated solely to the irrigation of the herein created front and side yards facing any street landscaping. Said landscaping improvements shall be maintained by the Arbor Ridge P.U.D. Woods Homeowners Association pursuant to a separate source and application of funds accounting system.



B. Declarant hereby declares that in addition to the initial general Homeowners Association annual fee of \$130 for each lot within the ARBOR RIDGE P.U.D. development, owners of lots 373-535, 550-558, 564-565 and 567-571 inclusive, shall pay an annual special landscape maintenance fee of \$360. Said additional landscape maintenance fee shall be subject to the same regulations as the Homeowners Association general fee with the exception that it shall be managed and expended solely for the maintenance of the front and side yard improvements contained on said lots 373-535, 550-558, 564-565 and 567-571.

C. The Board of Directors or, if no Board of Directors has yet been chosen, the Declarant, shall have the authority, without first submitting the question to owners, to increase, by no more than ten percent 10%, this special landscape maintenance fee assessment. The amount of each annual assessment shall be established and justified at the Board's annual meeting or if the Board of Directors has yet to be established pursuant to the Declaration, the amount of increase shall be based upon actual expenses experienced by Declarant. In no event, however, shall the annual special landscape maintenance fee assessment for any lot be increased by more than ten percent (10%) in any one year or an accumulated increase of more than fifty percent (50%) from this initial annual fee assessment without a vote of the owners as set forth elsewhere in the Homeowners Association Provisions. The expenses referenced herein shall be borne by the owners of lots 373-535, 550-558, 564-565 and 567-571 equally with a pro rata share of the total being the responsibility of each lot owner(s).

D. Fencing and gates shall be allowed in side yard setbacks of lots 127-249, 373-535, 550-558, 564-565 and 567-571, inclusive.



IN WITNESS WHEREOF, the Declarant herein, has hereunto set their hands this 6th day of November, 2001.

WEST HILLS DEVELOPMENT COMPANY

by *[Signature]*
DENNIS E. SACKHOFF, PRESIDENT

State of Oregon }
 } SS.
County of Washington }

I Terry P. Kinney a Notary Public for the State of Oregon certify that on the 6 day of November 2001, personally appeared before me Dennis E. Sackhoff who, being first duly sworn, did say that he is the officer herein named and do hereby acknowledge said instrument to be his free and voluntary act on behalf of West Hills Development Company.

[Signature]
Notary Public for Oregon
My Commission Expires: 3-7-2003

