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Washington County, Oregon 2014-033212
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I, Richard Hobernicht, Director of Assessment and Taxation and Ex-Officio County Clerk for Washington County, Oregon, do hereby certify that the within instrument of writing was received and recorded in the book of records of said county.

Richard Hobernicht, Director of Assessment and Taxation, Ex-Officio County Clerk



WHEN RECORDED, RETURN TO:

Vial Fotheringham LLP
17355 SW Boones Ferry Rd., Suite A
Lake Oswego, OR 97035

GRANTOR: Catlin Crest Owners Association
c/o Schultz & Crouse, P.C
9700 SW Capitol Hwy
Portland, OR 97219

GRANTEE: Public

JUN 11 2014

GBC EDJ KMT

7077-001

**1st AMENDMENT
TO
2009 AMENDED AND RESTATED
DECLARATION
OF PROTECTIVE COVENANTS,
CONDITIONS AND RESTRICTIONS FOR
CATLIN CREST NO. 2**

This 1st Amendment to 2009 Amended and Restated Declaration of Protective Covenants, Conditions and Restrictions for Catlin Crest No. 2 is made by Catlin Crest Owners Association, an Oregon nonprofit corporation (the "Association").

RECITALS

A. Catlin Crest No. 2 is a planned community located in Washington County, Oregon that is currently governed by the following documents recorded in the Records of Washington County, Oregon:

2009 Amended and Restated Declaration of Protective Covenants, Conditions and Restrictions for Catlin Crest No. 2 ("2009 Amended and Restated Declaration") recorded June 24, 2009 as Document No. 2009-057223.

2009 Amended and Restated Bylaws of Catlin Crest Owners Association ("2009 Amended and Restated Bylaws") recorded June 24, 2009 as Document No. 2009-057224.

1st Amendment to 2009 Amended and Restated Bylaws of Catlin Crest Owners Association recorded May 16, 2012 as Document No. 2012-037908.

Plat of Catlin Crest No. 2 recorded July 8, 1988, in Book 66, Page 47, Plat Records.

B. Catlin Crest Owners Association is the association of owners formed as provided in 2009 Amended and Restated Declaration and 2009 Amended and Restated Bylaws and incorporated under the Oregon Nonprofit Corporation Act by Articles of Incorporation filed March 1, 1989, in the office of the Oregon Secretary of State, Corporation Division, as amended and restated by Restated Articles of Incorporated filed June, 25, 2009.

C. As of January 1, 2002, Catlin Crest No. 2 is a Class I Planned Community and subject to the provisions of the Oregon Planned Community Act (ORS 94.550 to 94.783) as provided in ORS 94.572, 2009 Amended and Restated Declaration and 2009 Amended and Restated Bylaws.

D. The Association and owners desire to amend 2009 Amended and Restated Declaration in the manner set forth below.

NOW, THEREFORE, pursuant to Article 9 of 2009 Amended and Restated Declaration and ORS 94.590, with the approval of owners representing at least seventy-five percent (75%) of the voting rights, the Association hereby amends 2009 Amended and Restated Declaration in the manner set forth below.

I. Section 3.1.1 is amended to read:

3.1 Types and Purpose of Assessments.

3.1.1 Types of Assessments. Subject to the limitations and requirements set forth in this Article, the Association has the authority to levy assessments against each Lot in the Property. The Association may levy the following types of assessments:

- (a) Association Common Expense Assessments described in Section 3.6 below.
- (b) Capital Improvement Assessments described in Section 3.8 below.
- (c) Reserve Fund Contribution described in Section 3.14 below.

II. The following NEW Section 3.14 is added:

3.14 Reserve Fund Contribution.

3.14.1 Determination of Reserve Fund Contribution. On and after the date of recording of this amendment in the Records of Washington County, Oregon, upon conveyance of fee title to a lot, the grantee (new owner) is obligated to make a one-time contribution to the reserve fund maintained under Section 3.9.1 above (the "Reserve Fund Contribution"). The Reserve Fund Contribution:

- (a) Shall be an amount equal to twice the current Annual Association Assessment levied under Section 3.6.1 above.

- (b) Is due at the time of conveyance.
- (c) Is subject to Sections 3.12 and 3.13 above.

3.14.2 Exemptions. The Reserve Fund Contribution required under Section 3.14.1 above does not apply to a conveyance:

- (a) If the grantor retains an interest in the lot.
- (b) If the grantee is a corporation, limited liability company or a partnership and the grantor is an officer of the corporation, a member or manager of a limited liability company or a partner of a partnership.
- (c) If the grantee is trustee and the trustee holds legal title to the lot for the benefit of the grantor.
- (d) To a mortgagee who acquires a lot by foreclosure, deed in lieu of foreclosure or other arrangement in lieu of foreclosure.
- (e) By a last will and testament to a spouse or lineal descendant(s) of the testator.

3.14.3 Application of Section 3.14.1. The Reserve Fund Contribution required under Section 3.14.1 applies to a conveyance to a grantee (new owner) from an owner specified under Section 3.14.2 above, unless the conveyance is otherwise exempt under Section 3.14.2 above.

3.14.4 If Reserve Fund Contributions Not Paid at time of Conveyance. If the Reserve Fund Contribution is not paid at the time the transaction conveying fee title is closed in an escrow subject to ORS 696.505 to 696.590 or if the transaction is not closed in an escrow and the Reserve Fund Contribution is not promptly paid to the Association, as soon as practicable, the Association shall give the new owner written notice that states:

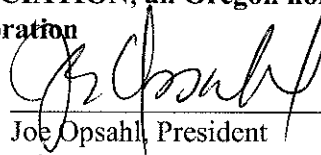
- (a) The amount of the Reserve Fund Contribution required under Section 3.14.1 above;
- (b) The manner of payment; and
- (c) The remedies of the Association under Section 3.12 above if the contribution is not paid.

3.14.5 Effect of Reserve Fund Contributions. Amounts paid under Section 3.14.1 above may not be considered advance payments of Association Common Expense Assessments.

Dated this 29 day of April, 2014.

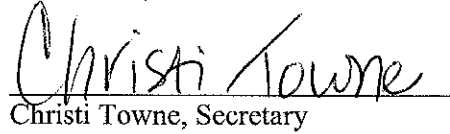
**CATLIN CREST OWNERS
ASSOCIATION, an Oregon nonprofit
corporation**

By:



Joe Opsahl, President

By:



Christi Towne, Secretary

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