

AFTER RECORDING, RETURN TO:
IronHorse Development, LLC
409 NW Franklin Avenue
Bend, OR 97701

Crook County Official Records 2009-238238
DEED-MODIFY 12/22/09 11:13 AM
Total Fees: \$69.00
\$20.00 \$5.00 \$11.00 \$16.00 \$2.00 \$5.00 \$10...



I, Deanna Berman, County Clerk for Crook County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Deanna Berman



SCANNED

ENTERED DEC 23 2009

FIRST AMENDMENT TO DECLARATION OF ANNEXATION OF REAL PROPERTY TO DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS FOR IRONHORSE

THIS FIRST AMENDMENT TO THE DECLARATION OF ANNEXATION OF REAL PROPERTY TO DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS FOR IRONHORSE is made this 18th day of December, 2009, by IRONHORSE DEVELOPMENT, LLC, an Oregon limited liability corporation, ("Declarant") and IRONHORSE HOMEOWNERS' ASSOCIATION, INC., an Oregon nonprofit corporation ("Association").

RECITALS

A. Declarant owns certain real property in Crook County, Oregon, which Declarant is developing as a master planned community development known as "IronHorse". Declarant is the Declarant under that certain Declaration of Protective Covenants, Conditions and Restrictions for IronHorse, dated December 12, 2006, and recorded December 12, 2006 in the records of Crook County, Oregon, as Document No. 2006-217283 (the "Master Declaration").

B. Pursuant to the Declaration of Annexation of Real Property to the Declaration of Protective Covenants, Conditions, and Restrictions for IronHorse dated May 18, 2007 and recorded May 23, 2007 in the records of Crook County, Oregon, as Document No. 2007-221401, (the "Declaration of Annexation"), Declarant annexed certain Lots within the recorded plat of IronHorse 2, Phase 1 to the Master Declaration.

C. On October 14, 2009, Declarant recorded the plat of IronHorse 2, Phase 1 – Replat (the "Replat") in the Plat records of Crook County, Oregon. As provided in Section 6.1 of the Declaration of Annexation, the Owners have approved an amendment to the Declaration of Annexation to revise the definition of "Annexed Property" contained in said Declaration of Annexation in order to reflect the change in Annexed Lots pursuant to the Replat.

D. Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Master Declaration.

NOW, THEREFORE, Declarant and the Association hereby revise the definition of Annexed Property contained in the Declaration of Annexation and as shown on the attached Exhibit A, which definition shall hereafter supersede and replace the real property description of Annexed Property contained in the Declaration of Annexation.

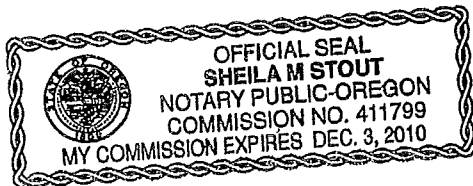
Except as specifically modified herein, all other provisions of the Declaration of Annexation shall remain in full force and effect.

IRONHORSE DEVELOPMENT, LLC, an Oregon limited liability corporation

By [Signature]
Its President

STATE OF OREGON)
COUNTY OF Deschutes) ss.

This instrument was acknowledged before me this 18 day of December, 2009, by Kirk Schueler, the President of IronHorse Development, LLC, an Oregon limited liability corporation, on its behalf.



[Signature]
Notary Public
My commission expires: 12/3/10

IRONHORSE HOMEOWNERS' ASSOCIATION, INC., an Oregon nonprofit corporation

By: [Signature]
President

By: [Signature]
Secretary

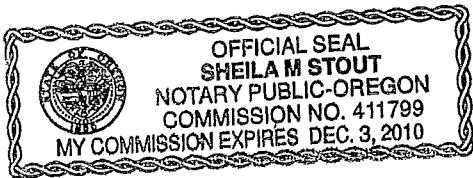
Certification

The undersigned President and Secretary of IronHorse Homeowners' Association, Inc. certify that this Amendment has been approved and adopted in accordance with the Master Declaration and applicable law.

By: [Signature] President
By: [Signature] Secretary

STATE OF OREGON)
)ss.
County of Deschutes)

The foregoing instrument was acknowledged before me this 18 day of December, 2009 by Kirk Schueler and Jade Mayer the President and Secretary, respectively, of IRONHORSE HOMEOWNERS' ASSOCIATION, INC, an Oregon nonprofit corporation.



[Signature]
Notary Public for Oregon
My commission expires: 12/3/10

EXHIBIT A

Description of Annexed Property

Annexed Lots (single family homesites):

Lots 1 – 21, Lot 27, Lots 32 – 38, Lots 43 – 44, and Lots 56 – 59 as shown on the plat of IronHorse 2, Phase 1, recorded in the Plat records of Crook County, Oregon.

Lots 1 – 11 as shown on the plat of IronHorse 2, Phase 1 – Replat, recorded in the Plat records of Crook County, Oregon.

Annexed Lots (designated for apartment building or other multi-family use):

Lot 24 as shown on the plat of IronHorse 2, Phase 1, recorded in the Plat records of Crook County, Oregon.

Common Area:

Tract A, as shown on the plat of IronHorse 2, Phase 1, recorded in the Plat records of Crook County, Oregon


**PETITION FOR AN AMENDMENT TO THE DECLARATION OF ANNEXATION
OF REAL PROPERTY TO PROTECTIVE COVENANTS, CONDITIONS, AND
RESTRICTIONS FOR IRONHORSE**

DATE: December 18, 2009

Pursuant to the Declaration of Protective Covenants, Conditions and Restrictions for IronHorse, dated December 12, 2006, and recorded December 12, 2006 in the records of Crook County, Oregon, as Document No. 2006-217283 (the "**Master Declaration**"), and Declaration of Annexation of Real Property to Declaration of Protective Covenants, Conditions and Restrictions for IronHorse, dated May 18, 2007, and recorded May 23, 2007 in the records of Crook County, Oregon, as Document No. 2007-221401 (the "**Declaration of Annexation**"), the Declaration of Annexation may be amended at any time as provided in Section 12.3 of the Master Declaration, specifically during the first thirty (30) year period of the Master Declaration or any extension thereof, by a signed petition containing the signatures of at least seventy-five percent (75%) of the votes outstanding, and the consent of the Declarant, so long as Declarant is a Class B member. The Declarant is IronHorse Development, LLC, an Oregon limited liability corporation. On the date of this petition for amendment, total voting rights equals 210.

The undersigned Owners of at least seventy-five percent (75%) of the votes outstanding hereby approve the proposed amendment attached hereto as "**Exhibit A**".

SUN FOREST CONSTRUCTION, LTD.

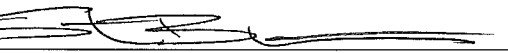
BY 
Its Authorized Signer

Property Owned: Lots 92-98, 117-118, 130,
IronHorse 1, Phase 1, Crook County, Oregon

DATE: 12/18/09

No. of voting rights: 10 Lots/Votes

SUNWEST BUILDERS DEVELOPMENT, LLC

BY 
Its Authorized Signer

Property Owned: Lots 47-51, 54-56, 60-61, 72-
75, 86-87, IronHorse 1, Phase 1, Crook County,
Oregon

DATE: 12-21-09

No. of voting rights: 16 Lots/Votes

IRONHORSE DEVELOPMENT, LLC

BY 
Its Authorized Signer

Property Owned: Lots 1-7, 6-7, 29-46, 57-59, 62-
71, 76-85, 99-108, 111-116, 120-128, 131-146
IronHorse 1, Phase 1; Lots 2-6, 9-11, 13-17, 20,
43, 56-59, IronHorse 2, Phase 1; Lots 1-7, 10-11,
IronHorse 2, Phase 1 - Replat

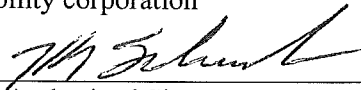
DATE: 12/18/09

No. of voting rights: 135 Lots/Votes

CONSENT TO FIRST AMENDMENT TO THE DECLARATION OF ANNEXATION OF REAL PROPERTY
TO THE DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS FOR
IRONHORSE

IRONHORSE DEVELOPMENT, LLC, Declarant and Class B Member under the Declaration of Protective Covenants, Conditions and Restrictions for IronHorse dated December 12, 2006, and Declaration of Annexation of Real Property to Declaration of Protective Covenants, Conditions, and Restrictions for IronHorse dated May 18, 2007, hereby consents to this petition for amendment.

IRON HORSE DEVELOPMENT, LLC, an Oregon
limited liability corporation

BY: 
Its Authorized Signer

DATE: 12/18/2009