

3/3 Dain Hummel

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**FIRST AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS AND GENERAL DESCRIPTION OF PLAN OF DEVELOPMENT FOR
BARRINGTON HEIGHTS NORTH**

This First Amendment to the Declaration of Covenants, Conditions and Restrictions for Barrington Heights North is made this 30th day of July, 2003 by the Barrington Heights Association of Homeowners ("Association") on behalf of the owners of lots in Barrington Heights North.

On December 17, 1995, certain real property in the city of West Linn, Clackamas County, Oregon identified as Barrington Heights North, the plat of which was recorded in Book 116, Page 25, Plat Records of Clackamas County, Oregon, was subjected to certain conditions, covenants, and restrictions. The Declaration of those conditions, covenants and restrictions was recorded as Document No. 99 115680, Records of Clackamas County, Oregon.

Based on the minutes of the January 18, 2001 annual meeting of Barrington Heights Association of Homeowners, it was unanimously approved that Barrington Heights North (a.k.a. Phase X) be brought into the Association. This Amendment unifies all phases into a single "master" Association.

Accordingly, the Association hereby amends the Declaration for Barrington Heights North to read as follows:

1. Objectives

E. It is the objective of the First Amendment to the Declaration of Protective Covenants, Conditions, Restriction and Easements Affecting Barrington Heights North to provide for a common system of Association administration for all phases of Barrington Heights, including Barrington Heights North. The "Association" referred to herein shall be one master Association governing all phases including Barrington Heights North. This master Association shall replace the existing Association also known as Barrington Heights Association of Homeowners. Title to all common areas described herein shall be held by this Association.

F. It is the objective of the Association to provide a common plan for maintenance and the funding of the general common elements. The general common elements shall consist of all common areas within all phases of Barrington Heights including Barrington Heights North and shall consist of all center islands and common area at the entries into said project, all foundations, columns, landscaping, central installation of electrical, plumbing and like facilities, and easements for access, maintenance, repair, reconstruction or replacement of the foregoing structural members, equipment, installations, and appurtenances, and for all other services necessary or convenient to the existence, maintenance, safety and use of the common property. Each unit owner shall have an undivided interest in said general common elements. Such individual interest in the common elements shall not be separate from the lot to which it appertains and shall be conveyed or encumbered with the lot though such interest is not expressly mentioned or described in the conveyance or other instrument. The common elements shall remain undivided and no unit owner shall bring any action for partition or division of the common elements or of any other

property that is subject to this declaration.

2. "Article 5 - Association" is amended to replace the preamble paragraph with the following language:

A single Homeowners Association, known as the Barrington Heights Association of Homeowners, shall be established to govern, maintain, and administer the affairs of all phases within Barrington Heights Subdivision ("Barrington Heights"). The Association shall hold title to, and maintain all of the common areas referenced in the plat maps of Barrington Heights and the Declarations for each phase. The Association shall be vested with all authority permissible under Oregon law and, to the extent its provisions do not conflict with the Declaration and Bylaws, the governance and operation of the Association shall conform with the Oregon Planned Community Act, ORS 94.550 to 94.785. The Association shall have the authority to levy assessments against all lots in all phases of Barrington Heights. Such assessments shall be determined by the Board of Directors and shall be assessed evenly over all phases of Barrington Heights. Assessments shall be reviewed each year by the Board of Directors..

3. Article 4 -is amended to replace 4.4 and 4.5 with the following language.

4.4 Committee Discretion The Architectural Review Committee may, at its sole discretion, withhold consent to any proposal work if the Committee finds the proposed work would be inappropriate for the particular Lot or incompatible with the design standards that the Committee intends for Barrington Heights. Consideration such as siting, shape, size, color, design, height, solar access, impairment of the view from other Lots within Barrington Heights or other effects on the enjoyment of other Lots or the Common Areas, disturbance of existing terrain and vegetation and any other factors which the Committee reasonably believes to be relevant, may be taken into account by the Committee in determining whether or not to consent to any proposed work.

4.5 Membership: Appointment and Removal The Architectural Review Committee shall consist of as many persons, but not less than three, as the Board of Directors may from time to time appoint. The Board of Directors may remove any member of the Committee from office at any time and may appoint new or additional members at any time. The Association shall keep on file at its principal office a list of the names and addresses of the members of the Committee.

4. Article 7 -is amended to replace 7.1 with the following language.


7.1 Purpose of Assessments. The Assessments levied by the Association shall be used exclusively to promote the recreation, health, safety, and welfare of the Owners and occupants of all phases of Barrington Heights, including Barrington Heights North, and for the improvement, operation, and maintenance of the Common Areas.

5. Adoption of Bylaws

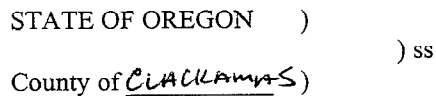
The Association has adopted as the initial Bylaws of the Association those Bylaws that were recorded October 19, 1989 as Document No. 89 46792, Records of Clackamas County, Oregon. The Association shall be governed by a Board of Directors as set forth in the Declaration and the Bylaws.

2

President


Secretary

~~Secretary~~



Notary Public for Oregon
My Commission Expires: June 24, 2006

Notary Public for Oregon

My Commission Expires: June 26, 2006

3