

AMENDMENT TO BANKS ESTATES AND ARBOR VILLAGE

**DECLARATION OF PROTECTIVE
COVENANTS, CONDITIONS AND RESTRICTIONS**

This Amendment amends those certain Declarations of Protective Covenants, Conditions and Restrictions recorded on January 10, 1997 as Document No. 97002546.1 and March 20, 1998 as Document No. 98027232.2, Washington County, Oregon.

Said Covenants, etc., are hereby amended as follows:

Section entitled "Architectural and Construction Standards, Residential Covenants", Section 14, is hereby amended to read:

"No fence or hedge shall be erected without prior written approval of the Architectural Control Committee as to design, size, color, location and materials. All fences shall be of approved materials and design. Rear fences shall be of the wood-capped good neighbor style and shall be a maximum of six (6) feet in heights. Any fences or plantings placed forward of the dwelling's front elevation footprint, in addition to the rear fences, shall be in accordance with the City of Banks code that regulates all fence heights depending on individual lot configuration to assure that proper sight and visibility goals are achieved. City standards are subject to change but at the time of recordation of this document the City regulations require that corner lot greater than 40 feet wide may not place a six foot high fence or hedge within 10 feet of the side property line facing the street. A three and one half (3'6") foot high fence or hedge is allowed within 10 foot of the side property line facing a street under City Code. Corner lots less than or equal to 40 feet wide (currently lots 1 through and including 13) may not place a fence or hedge within ten (10) feet of the side property line facing a street. The City of Banks must approve any changes or exceptions to its standards. If lot 90 is used by Declarant as the location for access to adjacent land or future phases lots 89 and 91 will become subject to these standards referencing limitations on fences or hedges on corner lots."

IN WITNESS WHEREOF, THE ARBOR VILLAGE ASSOCIATION OF HOMEOWNERS, has executed this Amendment to the CC&Rs Arbor Village HOA as of the 19th day of February, 2003, in accordance with the provisions of the originally recorded Declaration.

Peter C. Edison
President

2/19/03
Date

STATE OF OREGON
County of Washington

On the 19th day of February, 2003, personally appeared Peter Edison who, being first duly sworn, did say that they are the President Arbor Village Association of Homeowners, and that the seal affixed to the foregoing instrument is the seal of said Association and that said instrument was signed and sealed in behalf of said Association by authority of its Board of Directors; and each of them acknowledged said instrument to be their voluntary act and deed.

Signed and Notarized by Tina L. Brown