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DMS

AFTER RECORDING, RETURN TO:  
Klamath Falls Partners, LLC  
270 St. Paul St., Suite 300  
Denver, CO 80206  
Attn: Brian Pauls

2013-004079

Klamath County, Oregon

04/17/2013 01:22:23 PM

Fee: \$82.00

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**SECOND AMENDMENT TO  
FIRST SUPPLEMENTAL DECLARATION  
TO  
DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS  
AND EASEMENTS  
FOR RIDGEWATER**

**THIS SECOND AMENDMENT TO THE FIRST SUPPLEMENTAL DECLARATION** is made this 15 day of April, 2013, by **KLAMATH FALLS PARTNERS, LLC**, a Colorado limited liability company, successor declarant to Ridgewater Development, LLC (fka Running Y Resort, Inc.) ("**Declarant**") and **RIDGEWATER COMMUNITY ASSOCIATION**, an Oregon nonprofit corporation ("**Association**").

**RECITALS**

A. Declarant owns certain real property in Klamath County, Oregon, which Declarant is developing as a master planned community development known as "RidgeWater". Declarant is the Declarant under that certain Declaration of Covenants, Conditions, Restrictions and Easements for RidgeWater, dated September 8, 2006, and recorded September 11, 2006 in the records of Klamath County, Oregon, as Document No. 2006-018271 (the "**Master Declaration**"), and that certain First Supplemental Declaration to Declaration of Covenants, Conditions, Restrictions and Easements for RidgeWater dated September 22, 2006, and recorded September 25, 2006 in the records of Klamath County, Oregon, as Document No. 2006-019191 (the "**First Supplemental Declaration**") as amended by Amendment to First Supplemental Declaration to Declaration of Covenants, Conditions, Restrictions and Easements for RidgeWater dated October 13, 2008 and recorded December 1, 2008 in the records of Klamath County, Oregon, as Document No. 2008-015918 (the "**Amendment to First Supplemental Declaration**").

B. Ridgewater Development, LLC recorded "Land Partition 38-10 being a Re-Plat of Lots 203 Through 223 of Tract 1496, Ridgewater Subdivision, Phase 1, 1<sup>st</sup> Addition" on June 9, 2011 in the office of the County Recorder, Klamath County, Oregon as Document No. 2011-6914, and recorded "Land Partition 39-10 being a Re-Plat of Lots 153 Through 172 of Tract 1496, Ridgewater Subdivision, Phase 1, 1<sup>st</sup> Addition" on June 9, 2011 in the office of the County Recorder, Klamath County, Oregon as Document No. 2011-6915. Pursuant to Section 6 of the

First Supplemental Declaration, the Owners have voted to amend the First Supplemental Declaration to replace "Exhibit A" to the Amendment to First Supplemental Declaration ("Exhibit A-1") with the attached revised **Exhibit A** to this Second Amendment in order to reflect the referenced Land Partitions for purposes of the Master Declaration.

**NOW, THEREFORE**, the Association hereby adopts the attached Exhibit A which shall hereafter supersede and replace the Exhibit A-1 referred to above.

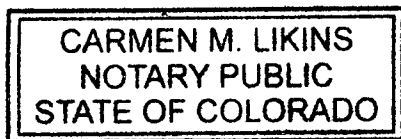
**KLAMATH FALLS PARTNERS, LLC**,  
a Colorado limited liability company

By: PREO (KLAMATH FALLS), LLC  
a Colorado limited liability company,  
Its: Manager

By: [Signature]  
Its: Authorized Signatory

STATE OF COLORADO )  
COUNTY OF DENVER ) ss.

The foregoing instrument was acknowledged before me this 16<sup>th</sup> day of APRIL, 2013 by BRIAN PAULS, the AUTHORIZED SIGNATORY of PREO (KLAMATH FALLS), LLC, a Colorado limited liability company, Manager of KLAMATH FALLS PARTNERS, LLC, a Colorado limited liability company.



Carmen M. Likins  
Notary Public for COLORADO  
My commission expires: 3-5-15

**RIDGEWATER COMMUNITY ASSOCIATION**, an Oregon nonprofit corporation

By: \_\_\_\_\_  
Peter Dunne, President

STATE OF \_\_\_\_\_ )  
County of \_\_\_\_\_ ) ss.

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2013 by Peter Dunne, the President of RIDGEWATER COMMUNITY ASSOCIATION, an Oregon nonprofit corporation.

Notary Public for \_\_\_\_\_  
My commission expires: \_\_\_\_\_

First Supplemental Declaration, the Owners have voted to amend the First Supplemental Declaration to replace "Exhibit A" to the Amendment to First Supplemental Declaration ("Exhibit A-1") with the attached revised **Exhibit A** to this Second Amendment in order to reflect the referenced Land Partitions for purposes of the Master Declaration.

**NOW, THEREFORE**, the Association hereby adopts the attached Exhibit A which shall hereafter supersede and replace the Exhibit A-1 referred to above.

**KLAMATH FALLS PARTNERS, LLC**,  
a Colorado limited liability company

By: PREO (KLAMATH FALLS), LLC  
a Colorado limited liability company,  
Its: Manager

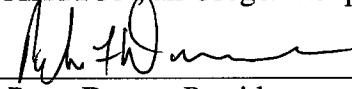
By \_\_\_\_\_  
Its \_\_\_\_\_

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )ss.

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2013 by \_\_\_\_\_, the \_\_\_\_\_ of PREO (KLAMATH FALLS), LLC, a Colorado limited liability company, Manager of KLAMATH FALLS PARTNERS, LLC, a Colorado limited liability company.

\_\_\_\_\_  
Notary Public for \_\_\_\_\_  
My commission expires:

**RIDGEWATER COMMUNITY ASSOCIATION**, an Oregon nonprofit corporation

By:   
Peter Dunne, President

STATE OF \_\_\_\_\_ )  
County of \_\_\_\_\_ )Ss.

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2013 by Peter Dunne, the President of RIDGEWATER COMMUNITY ASSOCIATION, an Oregon nonprofit corporation.

\_\_\_\_\_  
Notary Public for \_\_\_\_\_  
My commission expires:

**Please See Attached  
Acknowledgement  
From Notary Public**

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of San Mateo

On April 16, 2013 before me, Sossi Salih, Notary Public

Date

Here Insert Name and Title of the Officer

personally appeared Peter F. Dunne, IV.

Name(s) of Signer(s)



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Place Notary Seal Above

Signature

Signature of Notary Public

## OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

### Description of Attached Document

Title or Type of Document: Recitals-

Document Date: 4-16-13

Number of Pages: 1

Signer(s) Other Than Named Above: NA

### Capacity(ies) Claimed by Signer(s)

Signer's Name: \_\_\_\_\_

- ☐ Individual  
☐ Corporate Officer — Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Attorney in Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER  
Top of thumb here

Signer's Name: \_\_\_\_\_

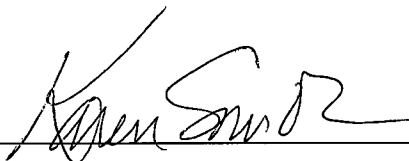
- ☐ Individual  
☐ Corporate Officer — Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Attorney in Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER  
Top of thumb here

### Certification

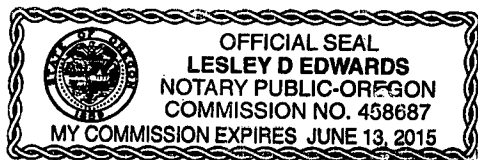
The undersigned Secretary of RidgeWater Community Association certifies that this Second Amendment has been approved and adopted in accordance with the First Supplemental Declaration and applicable law.

By: 

Secretary

STATE OF OREGON )  
County of Deschutes ) ss.

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of April, 2013 by Karen Smith, the Secretary of RIDGEWATER COMMUNITY ASSOCIATION, an Oregon nonprofit corporation.



Lesley D. Edwards  
Notary Public for Oregon  
My commission expires: 6/13/2015

## EXHIBIT A

### **“Additional Property”**

All of the following described property:

- Units:** Lots 115 – 133, 137 – 141, 144 – 152, 173 – 192, 199 – 202, and 224 - 278 as shown on the plat of “Tract 1496, RidgeWater Subdivision, Phase 1, 1<sup>st</sup> Addition” recorded September 11, 2006, Klamath County, Oregon.
- Lots 1 – 19 as shown on the plat of “Tract 1507 being a Replat of Lots 109 – 114, 124-136, 142, 143, 193-198, Common Area “A” and Common Area “D” of Tract 1496, RidgeWater Subdivision, Phase 1, 1<sup>st</sup> Addition” recorded May 8, 2008, Klamath County, Oregon.
- Common Area:** All roadways as shown on the plat of “Tract 1496, RidgeWater Subdivision, Phase 1, 1<sup>st</sup> Addition” plat recorded September 11, 2006 with the exception of Armur Maple Place, Klamath County, Oregon.
- Common Area Lots “H” through “K” as shown on the plat of “Tract 1496, RidgeWater Subdivision, Phase 1, 1<sup>st</sup> Addition” recorded September 11, 2006, Klamath County, Oregon.
- Common Area Lot “A” and Common Area Lot “B” as shown on the plat of “Tract 1507 being a Replat of Lots 109 – 114, 124-136, 142, 143, 193-198, Common Area “A” and Common Area “D” of Tract 1496, RidgeWater Subdivision, Phase 1, 1<sup>st</sup> Addition, recorded May 8, 2008, Klamath County, Oregon.
- Excluded Areas:** Lots 280 and 281, Common Area Lot “E” as shown on the plat of “Tract 1496, RidgeWater Subdivision, Phase 1, 1<sup>st</sup> Addition” recorded September 11, 2006, Klamath County, Oregon.