

RECORDING COVER SHEET (Please print or type) •

This cover sheet was prepared by the person presenting the instrument for recording. The information on this sheet is a reflection of the attached instrument and was added for the purpose of meeting first page recording requirements in the State of Oregon, and does NOT affect the instrument. ORS 205.234

2019-013346

Klamath County, Oregon



00250244201900133460040049

11/15/2019 11:25:15 AM

Fee: \$97.00

After recording return to: ORS 205.234(1)(c)

19114 ALPINE BREEZE COURT

CRESCENT LAKE, OREGON

97733

DOUGLAS HIGGINS

1. Title(s) of the transaction(s)

ORS 205.234(1)(a)

AMENDED AND RESTATED DECLARATIONS, COVENANTS AND CONDITIONS

2. Direct party(ies) / grantor(s)

Name(s)

ORS 205.234(1)(b)

THE DIAMOND PEAKS TRACT #1355 HOMECOWNERS ASSOCIATION, INC.

3. Indirect party(ies) / grantee(s)

Name(s)

ORS 205.234(1)(b)

4. True and actual consideration:

ORS 205.234(1) Amount in dollars or other

\$

Other:

5. Send tax statements to:

ORS 205.234(1)(e)

6. Satisfaction of lien, order, or warrant:

ORS 205.234(1)(f)

☐

FULL

☐

PARTIAL

7. The amount of the monetary obligation imposed by the lien, order, or warrant:

ORS 205.234(1)(f)

\$

8. Previously recorded document reference:

M03

42377

9. If this instrument is being re-recorded complete the following statement:

ORS 205.244(2)

"Rerecorded at the request of

to correct

previously recorded in book _____ and page _____, or as fee number _____."

Returned at Counter

Exhibit A

LEGAL DESCRIPTION

Lot 1 through 21 (inclusive), Lots 26 through 29 (inclusive), and Lots 32 through 59 (inclusive), of Tract #1355, Diamond Peaks, in the County of Klamath, State of Oregon.

Lots 1 through 1 (inclusive), Lots 14 and 15 (inclusive), all in Block 1 of Tract #1074, Leisure Woods, in the County of Klamath, State of Oregon.

Lots 1 and 2 (inclusive), all in Block 4 of Tract #1074, Leisure Woods, in the County of Klamath, State of Oregon.

Lot 22, Block 3 of Tract #1074, Leisure Woods, in the County of Klamath, State of Oregon.

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CC&R CHANGES

• Article IV: Covenant for Maintenance Assessment and Utility Reimbursements

▪ Section 6: B 4 Systems Development Charge

All Lots not originally subject to these Declarations prior to connection to the water supply system shall apply for membership in the HOA and pay Declarant a Systems Development Charge to be connected to the water supply system as reimbursement for contributions in aid of construction. The systems development charge shall be \$25,000.00 per lot at the time of connection in addition to all costs associated to any line extension required. All line extensions shall meet standards requirements of Declarant, including provision for fire flow. For unauthorized connection to the water system, the charge shall be \$14,760.00 per lot and shall be disconnected.

2. **Water Hook-Up Fee.** All Lots not exempt shall be subject to the regular or periodic assessments provided for herein on July 1, 2000. The Board of Directors shall fix the amount of the regular assessment at least thirty (30) days in advance of each assessment period. Written notice of the assessment shall be sent to every Owner subject therein. The due dates shall be established by the Board of Directors. The initial assessment shall be \$500.00 at the time of connection. In the event of an unauthorized connection prior to payment of the water hook-up fee, the assessment shall be \$1000.00.
3. **Domestic Water Service:** All Lots not exempt shall be subject to the regular or periodic assessments provided for herein on date of connection. The Board of Directors shall fix the amount of the regular assessment at least (30) days in advance of each assessment period. Written notice of the assessment shall be sent to every Owner subject thereto. The due dates shall be established by the Board of Directors. The initial assessment shall be \$50.00 per quarter for domestic water service. For unauthorized use of water, the assessment shall be \$50.00 per month.
4. **Systems Development Charge.** All Lots not originally subject to these Declarations prior to connection to the water supply shall apply for membership in the HOA and pay Declarant a Systems Development Charge to be connected to the water supply system as reimbursement for contributions in aid of construction. The systems development charge shall be \$25,000 per lot at the time of connection in addition to the cost of any line extension required. All line extensions shall meet standards requirements of Declarant, including provisions for fire flow. For unauthorized connection to the water supply system, the charge shall be \$14,760.00 per lot and shall be disconnected.

C. Power.

1. **Current Facilities Power Charges.** All Lots not exempt shall be subject to the regular or periodic assessments provided for herein on the date of purchase or upon notification by Midstate Electric Cooperative, whichever occurs later. The initial assessment shall be \$14.00 per month or as may be amended by Midstate Electric Cooperative for standby power until a permanent residence is connected to Midstate Electric Cooperative.

Section 7. Effect of Nonpayment of Assessments: (Remedies of the Association and Declarant.) Any assessments or charges set forth above which are not paid when due shall be delinquent. If the assessment is not paid within thirty (30) days after the due date, the assessment shall bear interest from the date of delinquency at the rate of one (1%) per month. The Secretary of the said Association or the Declarant, as the case may be, shall file in the office of the Directors of Records, County Clerk, or appropriate recorder of conveyances of Kamath County, State of Oregon, a statement of the amount of any such charges or assessments, together with interest as aforesaid, which have become delinquent with respect to any Lot on said property, and upon payment in full thereof, shall execute and file a proper release of the lien securing the same. The aggregate amount of such assessments, together with interest, costs and

**THE DIAMOND PEAKS TRACT # 1355 HOMEOWNERS ASSOCIATION,
INC.**

An Oregon nonprofit corporation

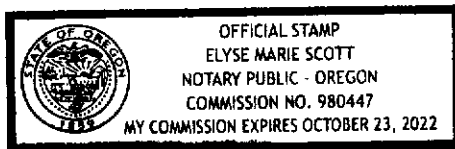
By: *Linda Barron*
Linda Barron, President

State of Oregon)

)ss.

County of Deschutes)

**This instrument was acknowledged before me this 14th day of
November 2019, by Linda Barron, as President of THE
DIAMOND PEAKS # 1355 HOMEOWNERS ASSOCIATION, INC.,
an Oregon nonprofit corporation.**



Elyse Marie Scott
NOTARY PUBLIC FOR OREGON