

AFTER RECORDING RETURN TO:  
Blue Mountain Community Management, Inc.  
17933 NW Evergreen Parkway #200  
Beaverton, OR 97006

Clackamas County Official Records  
Sherry Hall, County Clerk

**2017-019684**

03/23/2017 12:30:01 PM

PD-RES Cnt=2 Stn=0 STEPHEN  
\$20.00 \$5.00 \$16.00 \$10.00 \$22.00

\$73.00

**AMENDMENT TO DECLARATION  
OF COVENANTS, CONDITIONS, AND RESTRICTIONS  
FOR  
TARALON RESIDENTIAL**

THIS AMENDMENT amends that certain Declaration of Covenants, Conditions, and Restrictions for Taralon Residential recorded in the Clackamas County, Oregon Records on February 7, 2006 as Instrument No. 2006-011412, as previously amended (the "Declaration"), and is made by **Taralon Residential Community Association** ("TRCA"), an Oregon corporation. Capitalized terms used in this Amendment and not expressly defined shall have the meaning set forth in the Declaration.

**RECITALS**

A. TRCA and Tara Partners, LLC are parties to that certain Property Line Adjustment Agreement dated November 12, 2015, as amended March 31, 2016. Both the original agreement and the amendment (together, the "PLA Agreement") were executed during the Class B Control Period, and the amendment was approved by the Transitional Advisory Committee formed pursuant to Section 5.4 of the Declaration.

B. The PLA Agreement provides for the conveyance of certain real property owned by TRCA (the "PLA Property") to Tara Partners, LLC in exchange for the consideration described in the PLA Agreement. In furtherance thereof, the PLA Agreement requires (among other things) that to the extent the Declaration applies to the PLA Property, TRCA shall record an amendment to the Declaration withdrawing such property (the "Withdrawn Property") from the provisions of the Declaration. The Withdrawn Property is described on Exhibit A hereto attached and incorporated herein.

C. From August 8, 2013 until turnover of administrative control of TRCA to the owners on or about April 18, 2016, the Declarant under the Declaration was D.R. Horton, Inc. – Portland, a Delaware corporation. TRCA was authorized to execute the PLA Agreement without a vote of the Class A Members due to the exercise by the Declarant of its rights pursuant to Section 2.6 of the Declaration, which provides in pertinent part:

Declarant reserves the right to amend this Declaration unilaterally at any time during the Class B Control Period, without prior notice

CHICAGO TITLE 472517000228. DEMCI

and without the consent of any Person, for the purpose of removing certain portions of the Properties then owned by the ... Association from the provisions of this Declaration ... as a result of any changes whatsoever in the plans for the Properties desired to be effected by the Declarant, provided, such withdrawal is not unequivocally contrary to the overall, uniform scheme of development for the Properties.

NOW THEREFORE, as required by the PLA Agreement and pursuant to Section 2.6 of the Declaration, the Declaration is hereby amended to withdraw the Withdrawn Property from the provisions of the Declaration. Effective upon the recordation of this Amendment, the Withdrawn Property shall no longer be subject to the Declaration to any extent or for any purpose whatsoever. The Withdrawn Property shall not be considered Common Area or general common area for any purpose whatsoever.

TARALON RESIDENTIAL  
COMMUNITY ASSOCIATION

By: William Hunter  
Name: William Hunter  
Its: President  
By: Angela Ackerson  
Name: Angela Ackerson  
Its: Secretary

STATE OF OREGON )  
County of Clackamas ) ss.

The foregoing instrument was acknowledged before me on 3/17, 2017, by WILLIAM HUNTER the President of Taralon Residential Community Association, an Oregon corporation, on behalf of the company.

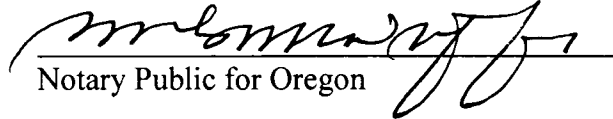
Cynthia Kerr-Sizer  
Notary Public for Oregon

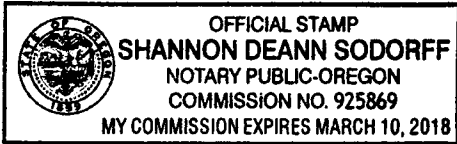


STATE OF OREGON )  
County of Clackamas ) ss.

The foregoing instrument was acknowledged before me on 3/17, 2017, by Angela \*, the Secretary of Taralon Residential Community Association, an Oregon corporation, on behalf of the company.

\* Acknowledged

  
Notary Public for Oregon



## EXHIBIT A

### Tract 1:

A portion of Tract 'L' of the Plat of "Taron Commons" (Plat No. 4012), located in the Southeast One-Quarter of Section 1, Township 2 South, Range 2 East, and in the Southwest One-Quarter of Section 6, Township 2 South, Range 3 East, Willamette Meridian, City of Happy Valley, Clackamas County, Oregon and being more particularly described as follows:

Beginning at the northwest corner of the Plat of "Rock Creek Green", thence along the west line of said Plat South 00°01'31" West 303.11 feet to the southerly corner of said Tract 'L', being a point on the easterly right-of-way line of SE 162<sup>nd</sup> Avenue (33.00 feet from centerline); thence along said easterly right-of-way line North 25°02'57" West 323.93 feet to a point; thence along a curve to the right with a Radius of 667.00 feet, Delta of 7°46'56". Length of 90.59 feet, and a Chord of North 21°09'29" West 90.52 feet to the southwest corner of Tract 'H' of the Plat of "Taron Townhomes"; thence along the southerly line of said Tract 'H' South 76°05'30" East 110.83 feet to a point; thence South 82°05'40" East 98.43 feet to the southeast corner of said Tract 'H'; thence South 13°54'30" West 35.17 feet to the north line of the Plat of "Rock Creek Green"; thence along said north line South 89°00'24" West 26.67 feet to the Point of Beginning.

The above described tract of land contains 30.987 square feet, more or less.

### Tract 2:

A portion of Tract 'L' of the Plat of "Taron Commons" (Plat No. 4012), located in the Southwest One-Quarter of Section 6, Township 2 South, Range 3 East, Willamette Meridian, City of Happy Valley, Clackamas County, Oregon and being more particularly described as follows:

Beginning at the northeast corner of Tract 'H' of the Plat of "Taron Townhomes", also being the most northerly corner of said Tract 'L'; thence along the most northerly line of said Tract 'L' South 59°03'14" East 75.93 feet to a point; thence South 13°55'49" West 276.75 feet to a point; thence North 76°05'30" West 72.49 feet to the most southeasterly corner of said Tract 'H'; thence along the easterly line of said Tract 'H' North 13°54'30" East 299.00 feet to the Point of Beginning.

The above described tract of land contains 20.884 square feet, more or less.

037719/00002/6787264v3