

**Supplemental Declaration of
Protective Covenants, Conditions, Restrictions
And Easements for Shorepine Village**

TO: THE PUBLIC

THIS DECLARATION made on the date hereinafter set forth by Nestucca Ridge Development, Inc., hereinafter referred to as "Declarant" or "Developer".

REFERENCE IS MADE to the "Declaration of Protective Covenants, Conditions, Restrictions, and Easements for Shorepine Village" recorded July 29, 1996 in Book 379, Page 850 of the real property records of Tillamook County, Oregon as amended by the "First Amendment to Declaration of Protective Covenants, Conditions, Restrictions, and Easements for Shorepine Village" recorded July 23, 1997 in Book 388, Page 524 of the real property records of Tillamook County, Oregon. Both those documents are referred to herein as the "Initial Declaration".

THE INITIAL DECLARATION provides that certain additional land may be annexed to Shorepine Village and be brought within the scheme of the Initial Declaration by the Developer within seven (7) years of the date of the Initial Declaration.

NOW THEREFORE, declarant hereby declares that it has annexed additional land into the Shorepine Village Subdivision and that all of the subdivision property, including the Annexed Property as hereinafter defined, is and shall be held and conveyed subject to the Initial Declaration and the protective covenants, conditions, and restrictions set forth in this Supplemental Declaration. All covenants, conditions, restrictions, and easements shall run with the subdivision property described in the Initial Declaration and to the Annexed Property described in this Supplemental Declaration and shall be binding upon all persons and shall inure to the benefit of and be limitations on all future owners of any interest in Shorepine Village Subdivision.

AFTER RECORDING RETURN TO:

Nestucca Ridge Development, Inc.
P.O. Box 189
Pacific City, OR 97135

**ARTICLE I
Definitions**

1.1 Incorporation. The Initial Declaration, to the fullest extent possible, including by way of illustration and not limitation, all applicable definitions, building standards and Design Committee provisions, use restrictions, common area provisions and Homeowner's Association provisions, is hereby deemed applicable to the Annexed Property as defined below and is incorporated herein by this reference just as if the Annexed Property were a part of the original Shorepine Village Subdivision and subject to the Initial Declaration at the time it was recorded.

1.2 Inconsistency. In the event of any inconsistency between the Initial Declaration and this Supplemental Declaration with respect to the Annexed Property, the terms of this Supplemental Declaration shall be controlling with respect to the Annexed Property.

1.3 Declaration. "This Declaration" as used herein, means all of the covenants, conditions, restrictions, easements and charges set forth in the Initial Declaration, which has been incorporated herein, any additional covenants, conditions, restrictions, easements and charges established by this supplemental Declaration, together with any rules or regulations promulgated hereunder and as the same may be amended from time to time in accordance with the provisions hereof.

**ARTICLE II
Annexed Property Subject to Initial Declaration And
To This Supplemental Declaration**

2.1 Plat. Developer hereby declares that the real property described below is owned and shall be owned, conveyed, encumbered, used, occupied, and improved subject to this Declaration:

That certain real property located in Tillamook County, Oregon and described in that certain plat entitled "Shorepine Village II" filed in the plat records of Tillamook County, Oregon on the 27th day of Sept. 2002, in Plat Cabinet B-761-D Instrument #02412828 of said records of Tillamook County, OR.

The foregoing real property is referred to herein as the "Annexed Property". A copy of the plat of Shorepine Village II is attached hereto as Exhibit A and incorporated herein by this reference. That plat constitutes and/or includes the legal description of the Annexed Property.

**ARTICLE III
Building Standards**

3.1 Developer. The Developer reserves the right to store construction materials and equipment on any lot in the Annexed Property in the normal course of

construction, to construct, make or install such improvements as necessary for the development of the Annexed Property and to establish a sales or business office and/or a model home(s) as to the Annexed Property.

3.2 Height Restrictions. No residence in the Annexed Property shall exceed a height of thirty-five (35) feet measured from the existing grade of the lot to the highest point of roof as per the Tillamook County Land Use Ordinance.

ARTICLE IV Property Use – Common Areas

4.1 Shared Ownership. The Shorepine Village Subdivision subject to the Initial Declaration includes Lots and residences on Lots which have shared ownership, either by the timeshare form of ownership or by fractional interest ownership. Such shared ownership is permissible under the Initial Declaration and this Declaration. This Supplemental Declaration shall not be interpreted as preventing any fractional or shared ownership of a Lot or residence within the Annexed Property, by way of a timeshare interest or otherwise, provided that use of the property complies with all provisions of this Declaration.

4.2 Identification of Common Areas. The areas on Exhibit A hereto identified as "Open Space" or "Common Areas" constitute common areas within the meaning of this Declaration and additionally, all platted or other easements granted to Shorepine Village Homeowner's Association shall constitute common areas with the meaning of this Declaration.

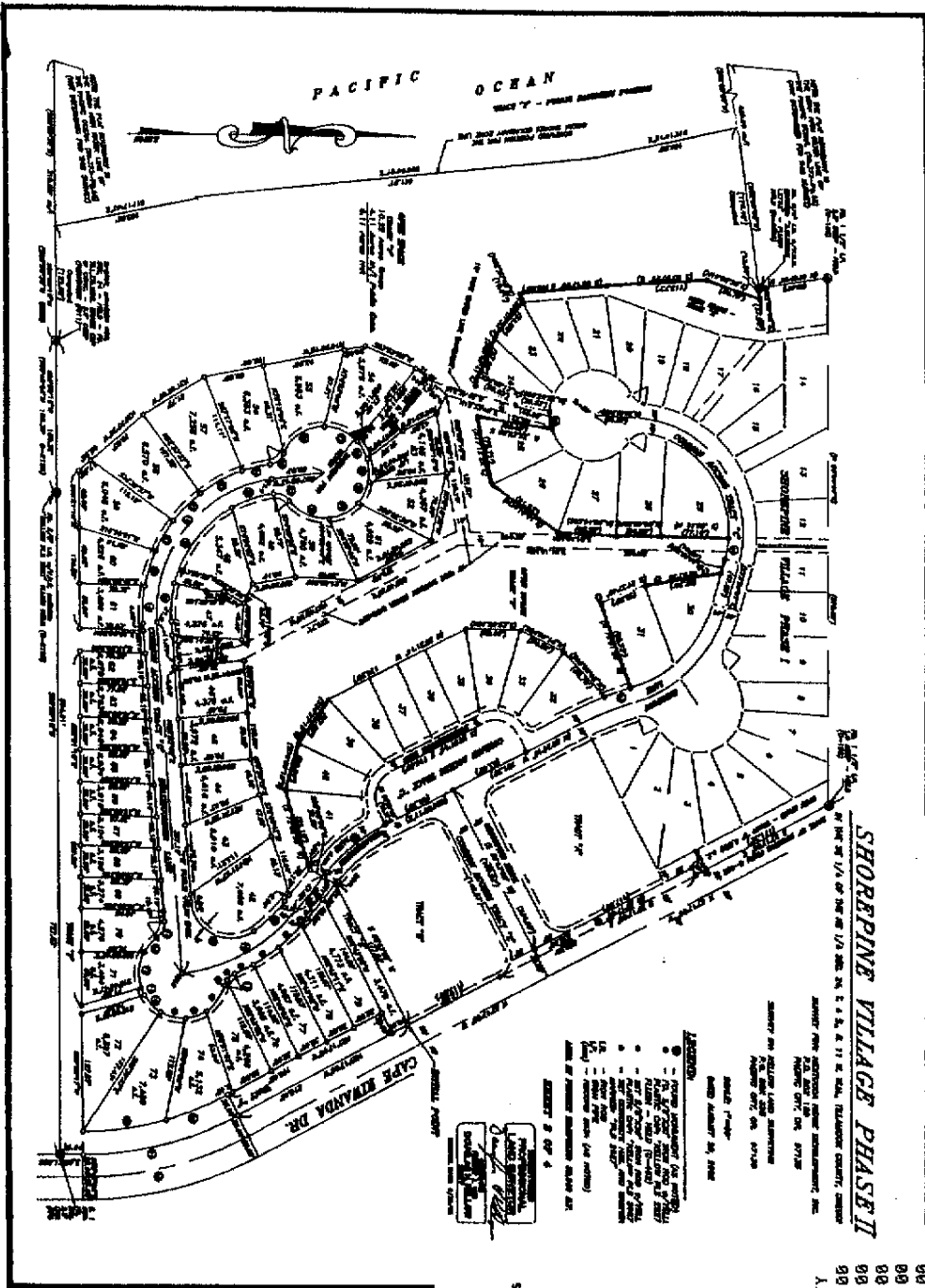
4.3 Owner's Easement of Enjoyment. Subject to the provisions of Section 6 of the Initial Declaration, every Owner of a Lot or Tract in the Annexed Property and the Owners' invitees shall have a right and easement of enjoyment in and to the Common Areas, which easement shall be appurtenant to and shall pass with the title to every Lot in the Annexed Property.

ARTICLE V Easements

5.1 Easements on Recorded Plat Included Therein. All property and all Lots situated in the Subdivision, which includes the Annexed Property and all Lots therein, shall be subject to all easements disclosed in the subdivision plat for Shorepine Village II, a copy of which is attached hereto as Exhibit A, and all conveyances of said property and Lots, whether by the Declarant or otherwise, shall remain subject to those easements

ARTICLE VI Townhomes in Annexed Property

6.1 Townhomes designated in Annexed Property. Lots 62 through 79 of Shorepine Village Phase II are hereby designated as Townhome lots for the purposes of Townhome Exterior Maintenance Assessment as described in Section 11.1.1 of the Initial Declaration.



02412846

I hereby certify that the within instrument was received for record and recorded in the County of Tillamook, State of Oregon.

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Witness by hand and seal affixed.



DEPUTY
 25.00
 10.00
 1.00
 1.00
 9.00

DBDL
 RST
 ADMIN
 OLISF
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