

**Return to Western Title & Escrow**

**AFTER RECORDING, RETURN TO:**

City of Bend  
Attn: Mary Winters  
710 NW Wall St.  
Bend, Oregon 97703

WTO213918

Deschutes County Official Records		<b>2021-68238</b>
D-CCR		
Stn=1 BN		12/10/2021 02:42 PM
\$30.00 \$11.00 \$10.00 \$61.00 \$6.00		<b>\$118.00</b>
I, Steve Dennison, County Clerk for Deschutes County, Oregon, certify that the instrument identified herein was recorded in the Official Records.		
Steve Dennison - County Clerk		

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**FIRST AMENDMENT  
TO  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR  
JUNIPER RIDGE EMPLOYMENT SUB-DISTRICT**

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR JUNIPER RIDGE EMPLOYMENT SUB-DISTRICT (this "**Amendment**") is executed by the City of Bend ("**Declarant**"), and shall be effective upon its recording in the official records of Deschutes County, Oregon.

**RECITALS**

A. Declarant executed the Declaration of Covenants, Conditions, and Restrictions for Juniper Ridge (the "**CC&Rs**") effective as of March 28, 2011, and recorded in the real property records of Deschutes County at Recording No. 2011-11436.

B. Section 7.12 of the CC&Rs includes height restrictions applicable to the West Parcel for the benefit of the LSH Parcel (the "**Height Restrictions**").

C. Declarant and Taylor Development, LLC, an Oregon limited liability company ("**Taylor**") are parties to a purchase and sale agreement regarding the conveyance of Lot 7, JUNIPER RIDGE EMPLOYMENT SUBDISTRICT PHASE 1, City of Bend, Deschutes County, Oregon, recorded October 17, 2011, as Document 2011-36483 and on file in the office of the County Clerk, Plat Cabinet H, Page 1027 ("**Lot 7**") from the City to Taylor. Lot 7 is within the West Parcel. Accordingly, the Height Restrictions apply to Lot 7.

D. Taylor is currently negotiating the terms and conditions of a long-term ground lease for Lot 7 and had prepared preliminary plans for the development of Lot 7.

E. Les Schwab Headquarters, LLC, an Oregon limited liability company ("**Les Schwab**") is the owner of the LSH Parcel, and the beneficiary of the Height Restrictions. Les Schwab has reviewed the plans for the development of Lot 7 and has agreed to amend the Height Restrictions to permit the planned development of Lot 7.

F. Section 12.2 provides that the CC&Rs may be amended by the vote of holders of at least seventy-five percent (75%) of the Class A voting power of the Association, and, so long as there is a Class B member, the consent of the Class B member and, as relevant to this Amendment, the consent of Les Schwab.

G. Section 10.7 of the PURPOSE AND BYLAWS OF JUNIPER RIDGE EMPLOYMENT SUB-DISTRICT OWNERS ASSOCIATION, INC. (the "**Bylaws**")

provide that actions by members of the Association may be taken by written consent or written ballot. Written ballots were sent to all members of the Association seeking approval of this Amendment. The returned ballots constituted a quorum as required by Section 10.4 of the Bylaws and the holders of at least seventy-five percent (75%) of the Class A voting power, the Class B Member and Les Schwab approved this Amendment.

H. Exhibit A to this Amendment is a certificate of the chairperson and secretary of the Association certifying that this Amendment has been approved in the manner required by the CC&Rs and the Bylaws as is required by Section 12.2.2 of the CC&Rs.

G. Capitalized terms used in this Amendment without definition shall have the meaning set forth in the CC&Rs.

### AMENDMENT

NOW, THEREFORE, Declarant hereby declares that the CC&Rs are amended as follows:

1. Height Restriction: The table set forth in Section 7.12 of the CC&Rs is deleted in its entirety and replaced with the following:

Area 1	3474 ft above sea level
Area 2	3474 ft above sea level
Area 3	3489 ft above sea level
Area 4	3489 ft above sea level
Area 5	3489 ft above sea level
Area 6	3499 ft above sea level
Area 2 Building Area Depicted on Exhibit C-2	3489 ft above sea level

2. Exhibit C-2: Exhibit C-2 to the CC&Rs is deleted in its entirety and replaced with Exhibit C-2 attached to this Amendment as Exhibit B.

3. Effect of Amendment: The CC&Rs, as amended by this Amendment, remain in full force and effect according to its terms.

[SIGNATURE ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the undersigned have executed this Amendment as of the date first set forth above.

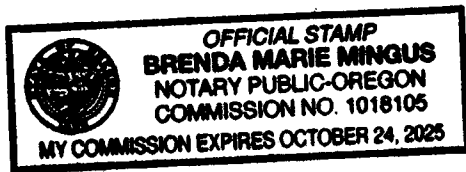
DECLARANT:

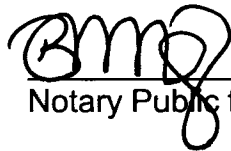
City of Bend

  
Eric King, City Manager

STATE OF OREGON        )  
                                  ) ss.  
County of Deschutes    )

The foregoing instrument was acknowledged before me on December 8, 2021, by Eric King as City Manager of the City of Bend, an Oregon municipal corporation, on behalf of the City.



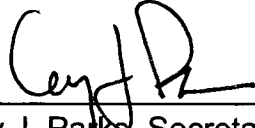
  
Notary Public for Oregon

**CONSENT**

Les Schwab Headquarters, LLC, an Oregon limited liability company executes this Amendment for the limited purpose of consenting to this Amendment pursuant to sections 7.12 and 12.2.3 of the CC&Rs.

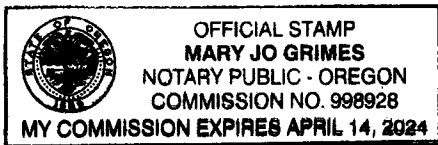
LES SCHWAB:

LES SCHWAB HEADQUARTERS, LLC,  
an Oregon limited liability company

By:   
Corey J. Parks, Secretary of Les Schwab  
Property Holdings LLC, a Delaware limited  
liability company, its sole member

STATE OF OREGON        )  
  ) ss.  
County of Deschutes    )

This instrument was acknowledged before me on December 6, 2021, by Corey J. Parks as Secretary of Les Schwab Property Holdings LLC, the sole member of Les Schwab Headquarters, LLC.



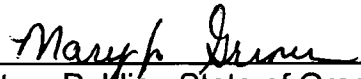
  
Notary Public - State of Oregon

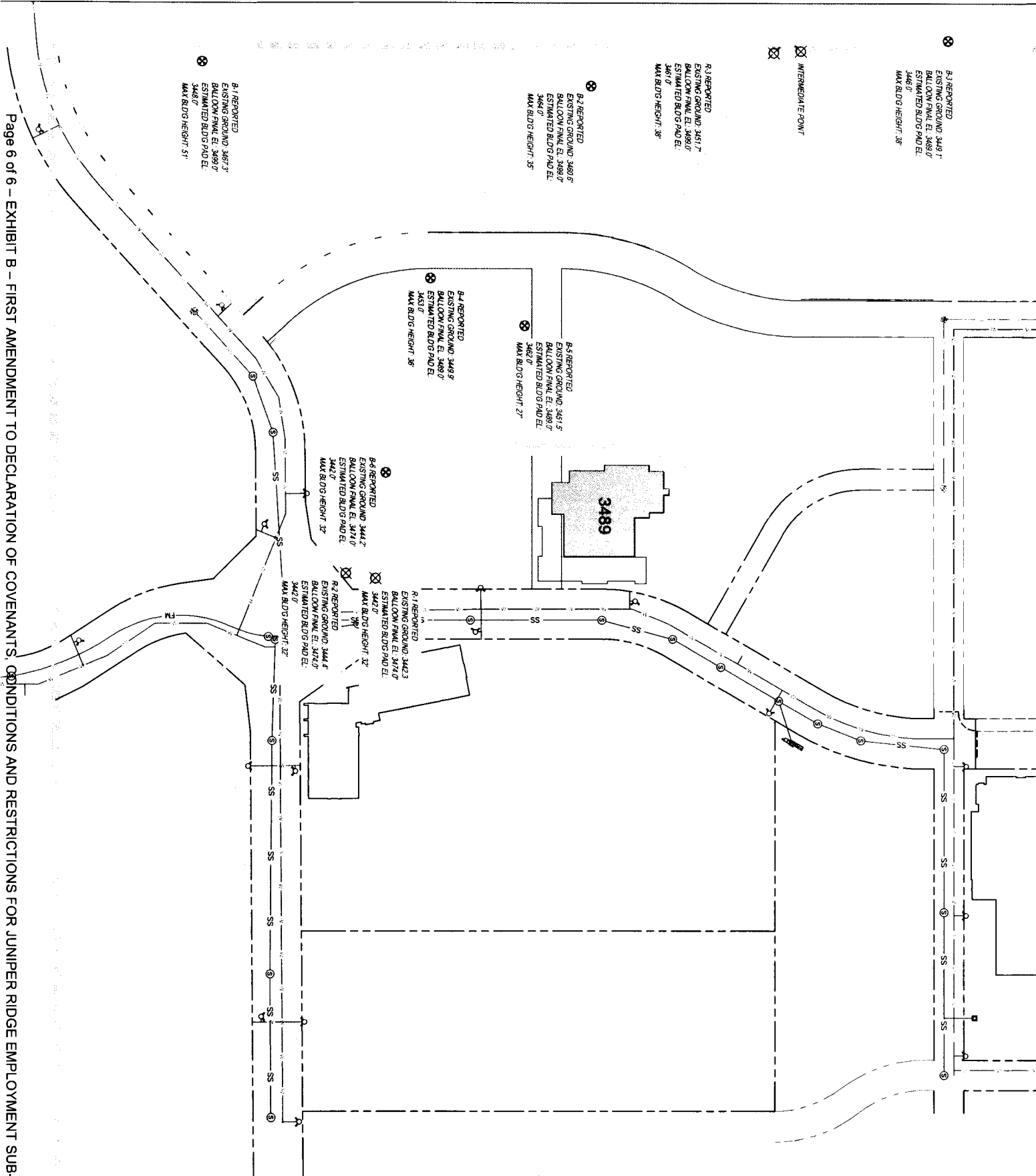
EXHIBIT A

SECTION 12.2.2. CERTIFICATE

Pursuant to Section 12.2.2 of the CC&Rs, the undersigned hereby attests and certifies that this Amendment was approved in accordance with the terms and conditions of the CC&Rs and the Bylaws.

A handwritten signature in black ink, appearing to read "B.P.H.", written over a horizontal line.

Ben Hemson, President and Secretary  
Juniper Ridge Sub-District Owners Association  
Date: 12.8.2021



<p>Mackey &amp; Sporio, Inc. 1525 17th St. N.E. VANCOUVER, WA 98145 www.mackeyandsporio.com</p>	<p>DATE: 04/12/10 TIME: 7:00 CND OCS</p>	<p>TENTATIVE PLAN SUBMITTAL</p> <h1>JUNIPER RIDGE</h1> <p>WEST PARCEL BUILDING HEIGHT ASSESSMENT BEND, OREGON</p>	<p>PROJECT # 15151 SHEET 1/1</p>
	<p>1. Boundary Revisions MPM 5/28/2010</p>		