

**After Recording, Return To:**

Hayden Homes, LLC  
Attention: Tammy Harty  
2464 SW Glacier Place, Suite 110  
Redmond, Oregon 97756

*FMD*  
3 Rivers 9 ( Division 2 Phase 4)

*623*

<b>Document Title:</b>  Eighth Declaration of Annexation of Real Property to Amended and Restated Declaration of Protective Covenants for Three Rivers Crossing Phase 1
<b>Reference Number(s):</b>  Document Numbers: 1653778, 1654490, 1672907, 1672908, 1700675, 1721631, 1736069, 1739102, 1746248 and 1750612.
<b>Grantor(s):</b>  Hayden Homes, LLC, an Oregon limited liability company
<b>Grantee(s):</b>  Hayden Homes, LLC, an Oregon limited liability company
<b>Abbreviated Legal Description:</b>  Lots 1 through 63, Three Rivers Crossing Division 2, Phase 4, filed in the plat records of Franklin County, Washington
<b>Assessor's Property Tax Parcel/Account Number(s):</b>  <i>116-240-171, 116-240,071</i>
<small>The Auditor/Recorder will rely on the information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.</small>

**EIGHTH DECLARATION OF ANNEXATION OF  
REAL PROPERTY TO AMENDED AND RESTATED DECLARATION OF  
PROTECTIVE COVENANTS FOR THREE RIVERS CROSSING PHASE 1**

THIS EIGHTH DECLARATION OF ANNEXATION OF REAL PROPERTY TO AMENDED AND RESTATED DECLARATION OF PROTECTIVE COVENANTS FOR THREE RIVERS CROSSING PHASE 1 (this "Declaration of Annexation") is made effective as of the date it is recorded in the deed records for Franklin County, Washington, by HAYDEN HOMES, LLC, an Oregon limited liability company ("Declarant").

RECITALS:

A. Hayden Enterprises, Inc., a Washington corporation ("Hayden Enterprises") created a residential subdivision known as *THREE RIVERS CROSSING* (the "Subdivision") by recording that certain (i) plat of Three Rivers Crossing Phase 1 on August 11, 2004 as Document Number 1649114 in Volume D at Page 269 in the plat records for Franklin County, Washington and (ii) Declaration of Protective Covenants for Three Rivers Crossing Phase 1 on November 16, 2004 as Document number 1653778 in the deed records for Franklin County, Washington (the "Original Declaration").

B. Hayden Enterprises subsequently amended and superseded the Original Declaration by recording that certain Amended and Restated Declaration of Protective Covenants for Three Rivers Crossing Phase 1 on November 30, 2004 as Document number 1654490 in the deed records for Franklin County, Washington (the "Restated Declaration").

C. Hayden Enterprises expanded the Subdivision through the following property annexations: (i) Three Rivers Crossing Phase 2 by Declaration of Annexation of Real Property to Amended and Restated Declaration of Protective Covenants for Three Rivers Crossing Phase 1 recorded on November 7, 2005 as Document Number 1672907 in the deed records for Franklin County, Washington; (ii) Three Rivers Crossing Phase 3 by Second Declaration of Annexation of Real Property to Amended and Restated Declaration of Protective Covenants for Three Rivers Crossing Phase 1 recorded on November 7, 2005 as Document Number 1672908 in the deed records for Franklin County, Washington; (iii) Three Rivers Crossing Phase 4 by Third Declaration of Annexation of Real Property to Amended and Restated Declaration of Protective Covenants for Three Rivers Crossing Phase 1 recorded on April 19, 2007 as Document Number 1700675 in the deed records for Franklin County, Washington; and (iv) Three Rivers Crossing Phase 5 by Fourth Declaration of Annexation of Real Property to Amended and Restated Declaration of Protective Covenants for Three Rivers Crossing Phase 1 recorded on July 9, 2008 as Document Number 1721631 in the deed records for Franklin County, Washington.

D. Hayden Enterprises conveyed to Declarant all of its rights as "Declarant" under the Restated Declaration by that certain Assignment of Declarant Rights for Three Rivers Crossing recorded on July 9, 2008 as Document Number 1721630 in the deed records of Franklin County, Washington.

E. Declarant further expanded the Subdivision by recording that certain (i) Fifth Declaration of Annexation of Real Property to Amended and Restated Declaration of Protective Covenants for Three Rivers Crossing Phase 1 on June 19, 2009 as Document Number 1736069 in the deed records for Franklin County, Washington, as re-recorded on August 24, 2009 as Document Number 1739102 in the deed records for Franklin County, Washington; (ii) Sixth Declaration of Annexation of Real Property to Amended and Restated Declaration of Protective Covenants for Three Rivers Crossing Phase 1 on February 19, 2010 as Document Number 1746248 in the deed records for Franklin County, Washington; and (iii) Seventh Declaration of Annexation of Real Property to Amended and Restated Declaration of Protective Covenants for Three Rivers Crossing Phase 1 on May 26, 2010 as Document Number 1750612 in the deed records for Franklin County, Washington.

F. Declarant now desires to annex the following described real property into the Subdivision (the "Phase 9 Land"):

Lots 1 through 63, Three Rivers Crossing Division 2, Phase 4, filed in the plat records of Franklin County, Washington.

NOW, THEREFORE, Declarant hereby declares the following pursuant to its reserved rights under Article II of the Restated Declaration:

1. **Annexation.**

1.1 The Phase 9 Land is hereby annexed into the Subdivision and is subject to all of the terms of the Restated Declaration.

1.2 The Phase 9 Land is comprised of Lots 1 to 63, inclusive, which shall each be considered a "Lot" as defined in the Restated Declaration.

2. **Miscellaneous.**

2.1 All capitalized terms not defined in this Declaration of Annexation shall have the meaning ascribed to such terms in the Restated Declaration.

2.2 The effective date of this Declaration of Annexation shall be the date on which it is filed in the deed records of Franklin County, Washington.

2.3 In the event of a conflict between the terms of the Restated Declaration and the terms of this Declaration of Annexation, the terms of this Declaration of Annexation shall prevail with respect to the Phase 9 Land.

[Signature appears on the following page]

IN WITNESS WHEREOF, Declarant has executed and delivered this Declaration of Annexation as of the day and year first above written.

DECLARANT:

HAYDEN HOMES, LLC,  
an Oregon limited liability company

By: Brett Wilson  
Name:  
Title

ACKNOWLEDGMENT

STATE OF OREGON            )  
  ) ss.  
County of Deschutes        )

I certify that I know or have satisfactory evidence that Brett Wilson is the person who appeared before me, and said person acknowledged that said person signed this instrument, on oath stated that said person was authorized to execute the instrument and acknowledged it as the Dir of Finance of HAYDEN HOMES, LLC, an Oregon limited liability company, the company that executed the within and foregoing instrument, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated this 7<sup>th</sup> day of Feb 2011.

Tammy Harty  
Print Name: Tammy Harty  
Notary Public in and for the State of Oregon  
My Commission expires: Mar 23, 2012

