

**FIRST AMENDMENT
OF
DECLARATION OF DEED RESTRICTIONS
AND DEDICATIONS
FOR**

SHAMROCK PINES (A Clatsop County, Oregon Subdivision)

THIS First Amendment of the Declaration of Deed Restrictions and Dedications for Shamrock Pines recorded at Book 935, Page 205, Clatsop County, Oregon Deed Records is amended pursuant to Article XII, Paragraph 12.3 of the Declaration of Deed Restrictions and Dedications for Shamrock Pines and ORS 94.590(3). This Amendment is effective on the date of its recording in the Records of Clatsop County, Oregon bearing the signatures of consent by owners of 75% or more of the homesites and Tracts "D" and "E", the Declarant or its successors and assigns and the acknowledged confirmation of the President and Secretary of the Shamrock Pines Homeowners Association pursuant to ORS 94.590(3).

R E C I T A L S:

1. The purpose of this Amendment is first to add a restriction for parking of certain construction, maintenance or commercial vehicles, trailers and equipment and second to expand the procedure for amendment to include member consent by vote.

2. Declarant caused to be filed that certain Declaration of Deed Restrictions and Dedications for Shamrock Pines dated May 27, 1997 and recorded at Book 935, Page 205, Records of Clatsop County, Oregon on May 28, 1997.

3. The purpose of the Declaration of Deed Restrictions and Dedications for Shamrock Pines was to subject the real property to the various easements, restrictions, covenants and conditions, all of which are for the purposes of enhancing and protecting the value, desirability and attractiveness of said real property.

4. The provisions of the Declaration and any amendment thereto may be amended upon the initiation of any member by an instrument signed by the Declarant or its successors and assigns and the owners of 75% or more of the homesites and Tracts "D" and "E".

After Recording Return to:
Larson & Fischer
990 Astor Street
Astoria, OR 97103



Recording Instrument #: 200610244
Recorded By: Clatsop County Clerk
of Pages: 21 Fee: 131.00
Transaction date: 9/11/2006 14:55:26
Deputy: tromeyn

5. Consenting members are "members" as defined at Article I, Section 1.9 of the Declaration who are the owners of 75% or more of the homesites and Tracts "D" and "E" as required pursuant to Article XII, Paragraph 12.3 of the Declaration.

6. The First Amendment may be signed hereinbelow in counterparts and shall be executed and certified on behalf of the Association by the President and Secretary as being adopted in accordance with the Declaration and the provisions of ORS 94.590 and acknowledged in the manner provided for acknowledgment of deeds.

7. There is one membership vote per lot and pursuant to ORS 94.658(2)(b)(A), the vote of a homesite may be exercised by a co-owner in the absence of protest by other co-owner; if the co-owners cannot agree upon the vote, the vote of the lot shall be disregarded completely in determining the proportion of the votes given with respect to the matter.

NOW, THEREFORE, by the consent evidenced by signatures hereinbelow, of the Declarant or its assigns and owners of 75% or more of the homesites and Tracts "D" and "E", the Board of Directors of the Shamrock Pines Homeowners Association hereby declares that the Declaration of Deed Restrictions and Dedications for Shamrock Pines recorded at Book 935, Page 205, Clatsop County, Oregon Deed Records be and hereby are amended as follows:

AMENDMENT ONE

Article II, Paragraph 2.4.6 is added as follows:

2.4.6 Regulation of Construction, Maintenance, Commercial Vehicles, Trailers and Equipment. Construction vehicles, maintenance vehicles, commercial vehicles (except pickup trucks), trailers and equipment shall not be permitted to be parked overnight except within the confines of an enclosed garage or storage port so as not to be visible from the street or adjoining property. Such a parking structure shall be of design, construction material and declaration to be compatible with the residence. All construction plans must be approved by the Architectural Committee per Article II, Paragraph 2.1.6. This Paragraph 2.4.6 does not apply to construction vehicles or equipment required to conduct home building or improvement projects approved by the Architectural Committee.

AMENDMENT TWO

Article XII, Paragraph 12.3 is amended to read as follows:

12.3 Member Initiated Amendment. Any member initiated amendment of any of the provisions of this Declaration (including this paragraph), may be amended by an instrument signed or by vote of the Declarant or its successors and assigns designated at Paragraph 12.9 below and the owners of 75% or more of the homesites and Tracts "D" and "E". The requirement to have the consent of the Declarant and his successors and assigns shall expire ten (10) years from the date of this Declaration. Easements herein granted and reserved shall not be amended except by instrument signed and acknowledged by all owners of the property affected, the Declarant or its successors or assigns, and by the Board of Directors of the HOA. No amendments may ever be made relative to Tracts "D" and "E" without the consent of the owners thereof. All amendments must be recorded in the Deed Records or other appropriate records of Clatsop County, Oregon pursuant to ORS 94.590, as amended, to be effective. This paragraph may not be amended without consent of Declarant, its successors or assigns.

IN WITNESS WHEREOF, the undersigned are the Declarant or its successors or assigns and the owners of homesites and Tracts "D" and "E" as of the date and year set forth next to each signature.

NOW, THEREFORE, this First Amendment becomes effective when this First Amendment, signed in counterparts, is signed by the Declarant and his successors and assigns, the owners of 75% or more of the homesites and Tracts "D" and "E", and is executed and certified by the HOA President and Secretary pursuant to ORS 94.590(3) and recorded in the Records of Clatsop County, Oregon.

DECLARANT:
Malarkey Properties II, Inc.

By: Michael Malarkey
Michael Malarkey, President
Dated: 8-21-06

By: Michael Malarkey
Michael Malarkey, Secretary
Dated: 8-21-06

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