

Exhibit A

OPEN SPACE MANAGEMENT PLAN

This document is an Open Space Management Plan that governs use of Open Space Tracts M, N, O and P, of the approved tentative plan for Golf Course Estates at Aspen Lakes, Phases III and IV, as required by Condition 21 of the tentative plan approval of said subdivision. Golf Course Estates at Aspen Lakes is located within the Aspen Lakes cluster development that was approved by Deschutes County in 1989 as CU-89-70. In order to guarantee compliance with the requirements of CU-89-70, the Aspen Lakes Development, LLC hereby agrees to the following management plan. This plan also serves to bind the Applicant to impose deed restrictions upon said open space tract and to comply with the County's deed restriction requirement.

Deed Restrictions

The Applicant agrees that any transfer of the real property by deed shall include the following deed restrictions:

The real property conveyed by this deed is an open space area of the Aspen Lakes Cluster Development approved in CU-89-70, as platted by Phase III and IV of Golf Course Estates at Aspen Lakes. **Until such time as CU-89-70 is superseded or revised by a new land use approval,** the following use restrictions, imposed by CU-89-70, apply to this property:

1. No further development may occur on this open space property, except for uses permitted in areas designated open space. This prohibition applies unless and until such time as the whole development is brought inside an urban growth boundary or until the property is no longer a part of the required open space for the cluster development approved in CU-89-70.
2. Fences, except for those immediately around a residential yard, must be constructed to allow safe animal movement through the fence. The top and bottom strands of any wire fences on the property must be of barbless smooth wire and be no higher than 48 inches, with the bottom strand at least 18 inches above the ground. Pole fences are allowed. Fence posts shall be equally spaced.
3. The owner of the property shall not allow dogs to roam at large on the property.

These deed restrictions are also hereby made a part of this management plan.

Property Description

Tract M is located in Phase IV of Golf Course Estates and is approximately 40.65 acres in size. Tract M adjoins Camp Polk Road, a public road on the west. Golden Stone Drive, a private road within Golf Course Estates, forms the southern boundary for much of this open space area. The open space tract extends along the northern boundary of the portion of the subdivision that is located in Section 1. Tract M adjoins the approved site of the Aspen Lakes Golf Course.

Tract M is wooded with juniper and ponderosa pine trees. There is a hill in the western portion of Tract M.

Tract N is located south and west of and adjacent to Camp Polk Road. Tract N is approximately 69.21 acres in size. The tract adjoins Open Space Tract A. That tract was a part of The Rim at Aspen Lakes and is subject to a management plan and deed restrictions already approved by Deschutes County. The management plan for Tract A lists the following as permitted uses for Tract A: irrigation system, community water system, golf course (including restrooms) and trails or paths.

Portions of Tract N have been cleared in the past. The resulting vegetation is a mix of juniper scrub and rabbitbrush. Overhead utilities are located along the western and southern boundaries of this area.

Tract O is a 234.53 acre open space area that surrounds Phase V of Golf Course Estates. The property is bounded by Camp Polk Road on the west and by the Panoramic View Estates subdivision on the east. Tract O is vegetated with juniper scrub and some stands of ponderosa pines.

Tract P is a small, .54 acre tract of land located at the intersection of Squaw Creek Drive and Camp Polk Road. This parcel is juniper scrub.

In addition to junipers and ponderosa pines, Great Basin sagebrush, bitterbrush, rabbitbrush and Idaho fescue are found throughout the open space areas. All open space tracts have low to moderate wildlife habitat value at the present time. The habitat value to wildlife is primarily provided by areas of cover and access to Squaw Creek.

The soils on the open space areas consist of Wangoa, Henkle, Wilt and Omahaling series soils. These soils are typical of a short growing season. The soils are generally shallow, prone to wind erosion and highly permeable. They are poor for forestry and most kinds of agriculture. With irrigation, some crops such as alfalfa can be grown. The vegetation supported by these soils has low to moderate value for livestock grazing.

The following text directs the long-term management of the open space tracts. These management methods have been based upon the approved Open Space Management Plan for the Rim at Aspen Lakes that were developed in consultation with Oregon Department of Fish and Wildlife, Deschutes County, silvaculturist Earl Nichols, Soils Conservation Service agent Ray Wilson, retired OSU Extension agricultural specialist Jim Burr and Karen Swirsky and Dave Bateman of

David Evans and Associates, Inc.

Homeowner Access for Recreation

Homeowner access to any open space tract may be granted by a contractual recreational agreement between the owner and the homeowners. Any such agreement shall limit homeowner use of the property to uses allowed by this management plan.

Animal Movement Corridors

The northern 50' of Tract M, excluding any area that is included in a platted residential lot or roadway, and the southern 50' of Tract N are designated as animal movement corridors. The existing vegetation in these areas shall be retained or enhanced to provide cover for wildlife moving through the area. Forest management practices, including controlled burns and brush clearing are allowed in this area as needed to minimize the risk of fire. Observation of existing wildlife patterns in the area confirm that most movement is north-south along Squaw Creek.

Conditional Use Approval

The listing of uses allowed on area designated open space includes uses that are permitted outright and uses that are allowed as conditional uses. Conditional use permit approval may be required by the County prior to the commencement of any conditional uses, notwithstanding the listing of the use on the following lists of allowed uses. Nothing in this plan shall be construed to allow a use not allowed in the underlying zone. The current zone is RR-10, rural residential.

Tract M

Tract M has several purposes. One is to maintain a wildlife movement corridor. A second purpose is to provide a buffer between Golden Stone Drive and the adjoining Panoramic View Estates along the northern 50' of Section 1 that is included within Tract M. In addition, Tract M preserves a hillside feature within the subdivision and provides open space adjacent to the approved Aspen Lakes Golf Course. A screening berm may be constructed between Golden Stone Drive and Panoramic View Estates.

A 10' wide emergency access route will be provided across Tract M to provide between Golden Stone Drive and Lake Drive in Panoramic View Estates. This route provides a second route out of the Panoramic View Estates subdivision in the event of a fire. An undeveloped 40' wide road easement also exists within this open space area of the subdivision.

Uses Allowed in Tract M:

- Irrigation System
- Community Water or Septic System Facilities
- Open Space Uses permitted in areas designated open space

- Forest Management Practices
- Trails and Paths

Prohibited Uses in Tract M:

- Uses not listed as allowed uses (except an irrigation system or community water or septic system facilities)
- Dumping of trash

Tract N

The purpose of Tract N is to complement uses allowed on Open Space Tract A and to provide a buffer between Camp Polk Road and the Rim at Aspen Lakes.

Uses Allowed in Tract N:

- Irrigation System
- Community Water or Septic System Facilities
- Open Space Uses permitted in areas designated open space
- Forest Management Practices
- Agricultural Use, including grazing and the growing of crops
- Trails and Paths

Prohibited Uses in Tract N:

- Uses not listed as allowed uses (except for fencing, an irrigation system or community water or septic system facilities)
- Dumping of trash

Tract O

The purpose of Tract O is to provide open space around the ten housing lots included in Phase V of Golf Course Estates. This large tract is suitable for farm and forestry operations and recreational use.

Uses Allowed in Tract O:

- Irrigation System
- Community Water or Septic System Facilities
- Open Space Uses permitted in areas designated open space
- Forest Management Practices
- Agricultural Use, including grazing and the growing of crops
- Trails and Paths

Prohibited Uses in Tract M:

- Uses not listed as allowed uses (except an irrigation system or community water or septic system facilities)
- Dumping of trash

Tract P

The purpose of Tract P is to provide an open space area for clear vision purposes adjacent to the intersection of two roadways and to provide for a connection between the wildlife movement corridor preserved on Tracts M and N. This parcel will be retained in its present natural state.

Termination of Open Space Management Plan

The obligation to maintain the Open Space Tracts in open space is derived from the County's approval of a cluster development in CU 89-70 and the tentative approval of TP 96-873. The obligations contained in this plan apply when the property is platted as an open space area on a final plat of Golf Course Estates at Aspen Lakes and shall continue as long as the maintenance of an area as open space is legally required in compliance with the cluster development land use approval and tentative plat approval, as said approvals may be amended.

