

AFTER RECORDING, RETURN TO: HENDRIX & CHAPPELL, 716 NW Harriman, Bend, OR 97701, 503/382-4980

DECLARATION OF AMERICAN WAY CONDOMINIUMS

This Declaration of Unit Ownership is made by DON ORR and GAIL ORR, husband & wife, hereinafter referred to as "Declarant", as owner of the real property Deschutes County, State of Oregon, described as follows:

The northerly one hundred forty-seven (147) feet of Lot 3 in Block 1 of REED MARKET INDUSTRIAL AREA, Deschutes County, Oregon. ALSO KNOWN AS: Parcel 1 of Partition Plat 1992-1, filed January 13, 1992, being a portion of Lot 3 in Block 1 of REED MARKET INDUSTRIAL AREA, Deschutes County, Oregon.

The land is owned by Declarant in fee simple.

Section 1. DEFINITIONS:

1.1 "Condominium" shall mean American Way Condominiums.

1.2 "Plat" means the plat for American Way Condominiums recorded in the office of the County Clerk, Deschutes County, Oregon, simultaneously with the recording of this Declaration.

1.3 "Unit" means the individual unit owned by a unit owner.

2. **NAME:** the name of the condominiums subject to this Declaration shall be: American Way Condominiums.

3. **UNIT DESIGNATION:** The units shall be designated as Unit 1, Unit 2, Unit 3 and Unit 4, all of Building "1" as shown on the Plat being recorded simultaneously. The approximate area of each unit shall be 2475 square feet, one story, without a basement, located on the northerly one hundred forty-seven (147) feet of Lot 3, Block 1, REED MARKET INDUSTRIAL AREA, Deschutes County, Oregon. The units are generally constructed of concrete foundation/slab, steel beams, steel siding and roof, 4" insulation, and 5/8" sheetrock for only the common walls between units.

4. **GENERAL COMMON ELEMENTS:** Shall include landscaping, driveways, land, yards, screened trash disposal, parking areas, foundations, columns, girders, beams, supports, main walls, roofs, of all buildings as set forth in the plat.

5. **ALLOCATION OF INTEREST:** Each unit shall have an undivided one-fourth (1/4) interest in the common elements. Allocation of ownership is based upon the total number of units in the Condominium.

Page 1. DECLARATION OF AMERICAN WAY CONDOMINIUMS

6. LIMITED COMMON ELEMENTS: Limited common elements shall be reserved for the exclusive use of that Unit which each adjoins as shown on the plat: none.

7. UNIT OWNERSHIP: Each unit owner shall own, exclusive of all other unit owners, the land directly below the unit which shall be part of the unit as well as all spaces, nonbearing interior partitions, other fixtures within the boundaries of the unit, the exterior and interior doors and frames, utility service, that part of the building comprising the interior walls, ceilings, and interior finished surfaces. Additionally, all plasterboard, paint and any other materials constituting any part of the finished surfaces thereof shall be a part of the unit and all other portions of the walls, floors or ceilings shall be a part of the common elements. Each unit shall have one 1/2 bath.

8. EXPENSES AND PROFITS: Each unit shall have the liability for common expenses and the right of any common profits according to the allocation of the undivided interest of each unit in the common elements.

9. VOTING RIGHTS: Each unit shall be entitled to one vote.

10. USE: The units and the Condominium as a whole shall be used for commercial/industrial purposes as allowed by governmental ordinance and no other.

11. DESIGNATED AGENT: The designated agent for service of process shall be Don Orr, 1726 NE Matson, Bend, OR 97701. The designated agent shall be named in the Condominium Information Report form filed with the Oregon Secretary of State. The designated agent may be changed by filing a supplemental report with the Secretary of State.

12. AMENDMENTS: Amendments to this Declaration shall be valid only upon unanimous agreement of the unit owners. Any such amendment shall be filed in the Official Records of Deschutes County, Oregon, and with the Oregon Real Estate Agency for approval if required by law.

13. EASEMENTS: The Unit Owners Association shall have the right to grant easements, rights of way, licenses and other similar interests affecting the general common elements only, pursuant to ORS 100.405(5).

14. OTHER DOCUMENTS AFFECTING OWNERSHIP: The Condominium is subject to the recorded covenants, conditions and restrictions of REED MARKET INDUSTRIAL AREA subdivision, Deschutes County, Oregon, and the Bylaws of the American Way Association. The Bylaws limit ownership as follows: No Owner shall transfer either by conveyance, contract of sale or lease any interest in the Owner's Unit which would result in ownership of such Unit being held by more than ten

Page 2. DECLARATION OF AMERICAN WAY CONDOMINIUMS

persons.

DECLARANT:

[Signature]
DON ORR

[Signature]
GAIL ORR

STATE OF OREGON)
County of Deschutes) ss.

The foregoing instrument was acknowledged before me by DON ORR and GAIL ORR, husband & wife this 4 day of January, 1994.



[Signature]
Notary Public for Oregon
My Commission Expires:
8-31-95

APPROVAL BY COUNTY TAX ASSESSOR

The foregoing Declaration is approved pursuant to ORS 100.110 this 28 day of ~~January~~, 1994.
APRIL

[Signature]
~~OSCAR BRATTON KIMWORELL~~

APPROVAL BY COUNTY TAX COLLECTOR

The foregoing Declaration is approved pursuant to ORS 100.110 this ___ day of January, 1994.

[Signature]
HELEN RASTOVICH

APPROVAL BY COMMISSIONER

The foregoing Declaration is approved pursuant to ORS 100.110 this 5th day of January, 1994.

MORELLA LARSEN
Real Estate Commissioner

by: [Signature]

STATE OF OREGON)
COUNTY OF DESCHUTES) SS.

I, MARY SUE PENHOLLOW, COUNTY CLERK AND
RECORDER OF CONVEYANCES, IN AND FOR SAID
COUNTY, DO HEREBY CERTIFY THAT THE WITHIN
INSTRUMENT WAS RECORDED THIS DAY:

94 MAY -4 PM 1:28

MARY SUE PENHOLLOW
COUNTY CLERK

BY: M. Barto DEPUTY

NO. 94-17810 FEE 2.00

DESCHUTES COUNTY OFFICIAL RECORDS