

95-43835

DECLARATION OF BUSINESS WAY CONDOMINIUMS

This Declaration of Unit Ownership is made by Jerald Winters, hereinafter referred to as "Declarant", as owner of the real property Deschutes County, State of Oregon, described as follows:

Lot 5 in block 1 of Wilson Avenue Business and Industrial Park, described as follows: beginning at the initial point, described as shown, at the southeast corner of said Lot 5; thence N 89°34' 46" W, 270.96 feet; thence N 00°02'48" W, 168.06 feet; thence N 89°55'39" E, 259.22 feet; thence southeasterly 16.07 feet along the arc of a curve concave to the northeast, with a radius of 55.00 feet (the long chord of which bears S 48°33'20" E, 16.01 feet); thence S 00°00'57" W, 159.79 feet to the point of beginning. Containing 45,799 square feet.

The land is owned by Declarant in fee simple.

Section 1. Definitions:

1.1 "Condominiums" shall mean BUSINESS WAY CONDOMINIUMS.

1.2 "Plat" means the plat for BUSINESS 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: BUSINESS WAY CONDOMINIUMS.

3. UNIT DESIGNATION: The units shall be designed as Unit 1, Unit 2, Unit 3, Unit 4, of Building "1", Unit 5 and Unit 6 of Building "2", 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 Lot 5 Block One, Wilson Ave, Business and Industrial Park, 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.

Page 1. DECLARATION OF BUSINESS WAY CONDOMINIUMS

RETURN TO :
JEFF KERN
1030 NW NEWPORT AVE.
BEND, OR 97701

5. ALLOCATION OF INTEREST: Each unit shall have an undivided one sixth (1/6) interest in the common elements. Allocation of ownership is based upon the total number of units in the Condominium.

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 to a depth of four (4) feet from the finish floor elevation 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 owner 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, 61020 Billadeau Road, Bend, OR 97702. The designated agent shall be named in the Condominium Information Report form filed in accordance with ORS 100.250. The designated agent may be changed by filing a supplemental report with the Real Estate Agency.

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 Deschutes County, Oregon, and Bylaws of the Business 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 persons.

DECLARANT:

Jerald L. Winters
JERALD WINTERS

STATE OF OREGON)
) ss.
County of Deschutes)

The foregoing instrument was acknowledged before me by Jerald Winters, this 27th day of November.



Joeli Patching
Notary Public for Oregon
My Commission Expires:
6/16/98

APPROVAL BY COUNTY TAX ASSESSOR

The foregoing Declaration is approved pursuant to ORS 100.110 this 8th day of DECEMBER 1995

Kim Worrell
KIM WORRELL

APPROVAL BY COUNTY TAX COLLECTOR

The foregoing Declaration is approved pursuant to ORS 100.110 this 8 day of

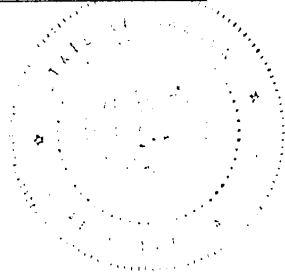
December 9, 1995



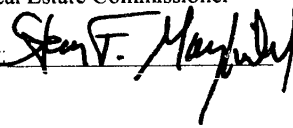
HELEN RASTOVITCH

APPROVAL BY COMMISSIONER

The foregoing Declaration is approved pursuant to ORS 100.110 this 13 day of
December, 1995



Scott W. Taylor
Real Estate Commissioner

by: 

Page 4. DECLARATION OF BUSINESS WAY CONDOMINIUMS

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:

95 DEC 19 PM 2:54

MARY SUE PENHOLLOW
COUNTY CLERK

BY:  DEPUTY

NO 95-43835 FEE 20⁰⁰
DESCHUTES COUNTY OFFICIAL RECORDS