

DESCHUTES COUNTY OFFICIAL RECORDS
NANCY BLANKENSHIP, COUNTY CLERK

2003-05300



\$56.00

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01/23/2003 02:24:32 PM

D-COD Cnt=1 Stn=2 TRACY
\$30.00 \$11.00 \$10.00 \$5.00

DESCHUTES COUNTY CLERK

CERTIFICATE PAGE



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Return To: Michael Blair
61511 S.W. Longview St
Bend, OR 97702

**SUPPLEMENTAL DECLARATION SUBMITTING
THE COTTAGES OF WESTSIDE TERRACE, STAGE 2, TO
CONDOMINIUM OWNERSHIP**

6
WHEREAS, by Declaration dated August 30, 2001, (hereinafter referred to as the "Declaration"), MICHAEL R. BLAIR and JENNIFER A. BLAIR, (hereinafter referred to as "Declarant"), submitted certain property to the provisions of the Oregon Condominium Act;

WHEREAS, the Declaration provides a plan of development permitting the annexation of additional land and the construction by Declarant of additional units in The Cottages of Westside Terrace, a Condominium; and,

WHEREAS, Declarant desires to submit the property described in this Supplemental Declaration known as The Cottages of Westside Terrace, a Condominium, Stage 2, together with all improvements now existing or hereafter to be constructed thereon, rights, easements and appurtenances thereon, to the provisions, restrictions and limitations of the Oregon Condominium Act, Oregon Revised Statutes, Section 100.005 through Section 100.990.

NOW THEREFORE, it is declared as follows:

Section 1. Definitions.

The capitalized terms used herein shall have the same meanings assigned to those terms set forth in Section 1 of the Declaration.

Section 2. Name of Property.

The property subject to this Supplemental Declaration for The Cottages of Westside Terrace, a Condominium shall be known by the name of The Cottages of Westside Terrace, a Condominium, Stage 2, hereinafter referred to as The Cottages of Westside Terrace, Stage 2.

Section 3. Description of Property.

The Supplemental Declaration submits to the provisions, restrictions and limitations of the Oregon Condominium Act and to the Declaration Submitting The Cottages of Westside Terrace, a Condominium to Condominium Ownership dated August 30, 2001, and recorded on December 17, 2001, in Volume 2001 at Page 62155, Official Records of Deschutes County, Oregon, the land owned in fee simple and described on Exhibit "A", attached hereto, together with the units described and all other improvements now existing or to be constructed on such land, which together shall constitute Stage II of the Plan of Development.

1 - Supplemental Declaration (RSL:BLAIRM.055)

BRYANT, LOVLIE & JARVIS, PC
ATTORNEYS AT LAW, ESTABLISHED 1915

591 SW Mill View Way PO Box 1151 Bend, Oregon 97709-1151 (541) 382-4331 fax (541) 389-3386 www.bryantlovlienjarvis.com
24 SW Fifth Street Madras, Oregon 97741 (541) 475-2757 fax (541) 475-2962

Section 4. General Description of the Units. The Cottages of Westside Terrace, a Condominium Stage 1, has been completed and consists of 10 units, as described in the Declaration.

The Cottages of Westside Terrace, a Condominium Stage 2, consists of seven (7) units. The units in Stage 2 shall be situated in seven (7) structures, which shall be one-story wood frame structures. The dividing walls between adjoining outdoor covered decks are not part of the units. The unit designation, description, location and approximate area of the units in Stage 2 are indicated below and on the plat recorded simultaneously with this Supplemental Declaration. The units shall be bounded by the undecorated surface of the interior perimeter walls, floors and ceilings, which means all lath, furring, wallboard, plasterboard, plaster, paneling, tiles, wallpaper, paint, finished flooring and any other materials constituting any part of the finished surfaces thereof shall be a part of the unit except those portions of the walls, floors or ceilings that materially contribute to the structural or shear capacity of the condominium. All other portions of the walls, floors or ceilings shall be a part of the common elements. The following are also part of the unit: All spaces, nonbearing interior partitions, windows, window frames, exterior doors, door frames and all other fixtures and improvements within the boundaries of the unit; and all outlets of utility service lines, including but not limited to power, light, gas, hot and cold water, heating, refrigeration, air conditioning and waste disposal within the boundaries of the unit.

Each unit is located in a separate building, as shown on the plat recorded simultaneously with this Declaration. They are all one story in construction, each with a loft. All of the units are one bedroom units.

Unit 11 will consist of 699 square feet on the ground floor and the loft area contains 230 square feet. The attic consists of 134 square feet. The total square footage of Unit 11 is 1,063.

Units 12, 13 and 14 will consist of 760 square feet on the ground floor, and the loft areas each contain 253 square feet. The attic consists of 93 square feet. The total square footage of Units 12, 13 and 14 is 1,106.

Units 15 and 16 will consist of 739 square feet on the ground floor, and the loft areas each contain 253 square feet. The attic consists of 245 square feet. The total square footage of Units 15 and 16 is 1,237.

Unit 17 will consist of 699 square feet on the ground floor and the loft area contains 230 square feet. The attic consists of 134 square feet. The total square footage of Unit 17 is 1,063.

Section 5. Common Elements.

a. The general common elements shall consist of all portions of the property not part of a unit or a limited common element, including all the above-described land; all foundations, columns, girders, beams and supports; fireplace chimneys except for fireplace chimney flues; all stairs and corridors, except stairs within units having more than one story; all exterior walls of

2 - Supplemental Declaration (RSL:BLAIRM.055)

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24 SW Fifth Street Madras, Oregon 97741 (541) 475-2757 fax (541) 475-2962

the buildings in which the units are situated and all walls and partitions separating units from other units or stairs, together with the dividing walls between adjoining outdoor covered decks; parking areas, driveways, walkways, landscaping, recreational and other facilities, and utilities and all the appurtenances thereto.

b. The limited common elements shall include a first floor exterior deck appurtenant to each unit, an adjacent yard appurtenant to each unit, and one garage space that shall be appurtenant to each unit. The garages appurtenant to each unit are as numbered on the plat recorded simultaneously with this Declaration.

Section 6. Percentage of Interest in Common Elements.

Each unit in The Cottages of Westside Terrace, a Condominium, Stage 2 shall have an equal 1/17th interest in the common elements. Interests in common elements are to be allocated to units on an equal basis. Such undivided interest in the common elements shall not be separated from the unit to which it appertains and shall be conveyed or encumbered with the unit even though such interest is not expressly mentioned or described in the conveyance or other instrument.

The common elements shall remain undivided, and no unit owner may bring any action for partition or division of any part thereof while the property is subject to this Declaration. Any covenant to the contrary is void.

Section 7. Incorporation by Reference. Except as otherwise set forth herein, the provisions of the Declaration are incorporated herein by reference.

IN WITNESS WHEREOF, Declarant has executed this Supplemental Declaration this 17 day of January, 2003.

Michael R. Blair
MICHAEL R. BLAIR
Jennifer A. Blair
JENNIFER A. BLAIR

STATE OF OREGON, County of Deschutes, ss:

Personally appeared the within-named Michael R. Blair and Jennifer A. Blair and declared the foregoing instrument to be their voluntary act and deed. Before me this 17 day of Jan, 2003.



Amber Lee Kirk
Notary Public for Oregon
My Commission Expires: 10/31/03

3 - Supplemental Declaration (RSL:BLAIRM.055)

BRYANT, LOVLIE & JARVIS, PC
ATTORNEYS AT LAW, ESTABLISHED 1915

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Scott Huffman, by
Janet A. Huffman
COUNTY ASSESSOR
Marilyn Wynne, by
Caleb J. Chubb
COUNTY TAX COLLECTOR

The foregoing Supplemental Declaration is approved pursuant to ORS 100.110 this
23rd day of January, 2003, and in accordance with ORS 110.110(7), this
approval shall automatically expire if this Supplemental Declaration is not recorded within two
(2) years from this date.

SCOTT W. TAYLOR
Real Estate Commissioner

By: *Brian DeMarco*

Brian DeMarco

4 - Supplemental Declaration (RSL:BLAIRM.055)

BRYANT, LOVLIE & JARVIS, PC
ATTORNEYS AT LAW, ESTABLISHED 1915

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EXHIBIT "A"

BEGINNING AT A 5/8-INCH IRON ROD AT THE SOUTHERLY MOST CORNER OF LOT 12, "COLLEGE PARK, PHASES 1 & 2"; THENCE ALONG THE BOUNDARY OF SAID LOT 12 THE FOLLOWING THREE (3) COURSES: ALONG THE ARC OF A 460.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 06°30'56", AN ARC LENGTH OF 52.31 FEET (THE CHORD OF WHICH BEARS NORTH 69°39'34" WEST, 52.28 FEET) TO A POINT OF TANGENCY; THENCE NORTH 72°55'02" WEST, 25.04 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 310.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 12°44'56", AN ARC LENGTH OF 68.98 FEET (THE CHORD OF WHICH BEARS NORTH 79°17'30" WEST, 68.84 FEET); THENCE LEAVING SAID BOUNDARY, NORTH 01°09'27" WEST, 7.80 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 36.50 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 44°19'35", AN ARC LENGTH OF 28.24 FEET (THE CHORD OF WHICH BEARS NORTH 23°19'14" WEST, 27.54 FEET) TO A POINT OF REVERSE CURVATURE; THENCE ALONG THE ARC OF A 12.50 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 45°32'44", AN ARC LENGTH OF 9.94 FEET (THE CHORD OF WHICH BEARS NORTH 22°42'40" WEST, 9.68 FEET) TO A POINT OF TANGENCY; THENCE NORTH 00°03'42" EAST, 66.98 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 12.50 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 89°56'18", AN ARC LENGTH OF 19.62 FEET (THE CHORD OF WHICH BEARS NORTH 45°01'51" EAST, 17.67 FEET) TO A POINT OF TANGENCY; THENCE SOUTH 90°00'00" EAST, 86.70 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 2.50 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC LENGTH OF 3.93 FEET (THE CHORD OF WHICH BEARS SOUTH 45°00'00" EAST, 3.54 FEET) TO A POINT OF TANGENCY; THENCE SOUTH 00°00'00" WEST, 17.50 FEET; THENCE SOUTH 90°00'00" EAST, 41.00 FEET; THENCE NORTH 00°00'00" EAST, 17.50 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 2.50 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC LENGTH OF 3.93 FEET (THE CHORD OF WHICH BEARS NORTH 45°00'00" EAST, 3.54 FEET) TO A POINT OF TANGENCY; THENCE SOUTH 90°00'00" EAST, 8.25 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A 12.50 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 41°09'59", AN ARC LENGTH OF 8.98 FEET (THE CHORD OF WHICH BEARS SOUTH 69°25'03" EAST, 8.79 FEET) TO A POINT OF TANGENCY; THENCE SOUTH 48°50'04" EAST, 98.28 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF SAID LOT 12; THENCE ALONG SAID BOUNDARY SOUTH 41°07'24" WEST, 122.15 FEET TO THE POINT OF BEGINNING.



Oregon

John A. Kitzhaber, M.D., Governor

January 22, 2003

INVOICE # 145

Real Estate Agency

1177 Center Street NE

Salem, OR 97301-2505

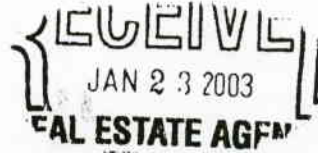
Phone: (503) 378-4170

Regulations Fax: (503) 373-7153

Admin. Fax: (503) 378-2491

Licensing. Fax: (503) 378-3256

Robert S Lovlien
Bryant Lovlien & Jarvis
PO Box 1151
Bend OR 97701-1151



Via Fax: 541-389-3386

Re: The Cottages of Westside Terrace, A Condominium
File No. CO-09-0701-089

DESCRIPTION OF CHARGES	AMOUNT
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Approval Fees:

3 hours @ \$46:	\$138.00
Less Deposit:	<u>100.00</u>

BALANCE DUE **\$38.00**

Upon receipt of the above fees, the Supplemental Declaration can be approved.

SCOTT W. TAYLOR
Real Estate Commissioner

**THIS INVOICE DUE AND
PAYABLE UPON RECEIPT**

By Rae McFarland
Rae McFarland
Land Development Program
503-378-8414 (Ext. 239)

**A COPY OF THIS INVOICE MUST
ACCOMPANY YOUR REMITTANCE
TO ASSURE PROPER CREDIT TO
YOUR ACCOUNT**

Program: Real Estate 41501
Revenue Code: 0406
Amount Enclosed: _____

30 Days	_____
60 Days	_____
90 Days	_____
90+ Days	_____

Please charge my: Visa  MasterCard 

Card No.: - - - Expiration Date: /

Authorized Signature: _____

Billing Address: _____