

SUPPLEMENTAL DECLARATION  
THE INN OF THE SEVENTH MOUNTAIN  
PHASE III-B

THIS SUPPLEMENTAL DECLARATION, pursuant to the provisions of ORS 91.505 to 91.675, as amended by chapter 414, Oregon Laws 1971, is made and executed this 5<sup>th</sup> day of September, 1972, by CONDOMINIUMS NORTHWEST, INC., an Oregon corporation, hereinafter called "Declarant", pursuant to the provisions of the Unit Ownership Act of the State of Oregon,

W I T N E S S E T H:

THAT, WHEREAS, Declarant is the owner of a leasehold for a term ending on December 31, 2034, in certain real property located in Deschutes County, Oregon, and described in Exhibit "R" attached hereto and hereby made a part hereof, and

WHEREAS, Declarant heretofore has constructed, sold and declared upon the aforesaid premises condominium resort hotel buildings, units and other improvements, as Phases I through III-A of the Inn of the Seventh Mountain condominium project, and

WHEREAS, Declarant desires and intends to annex additional condominium buildings, units and other improvements to the aforementioned Inn of the Seventh Mountain condominium project and to submit the property so annexed to the provisions of the Oregon Unit Ownership Act, as amended, and

WHEREAS, Declarant intends, by filing this declaration, to submit the above-described leasehold estate, the condominium buildings, units and other improvements thereon, together with all the appurtenances thereunto belonging, to the provisions of the aforesaid Unit Ownership Act and to impose upon said leasehold estate, buildings, units, improvements, and appurtenances mutually beneficial restrictions under a general plan of improvement for the benefit of said condominium units and the owners thereof; now, therefore,

DECLARANT HEREBY DECLARES AND PUBLISHES that the leasehold property described in the abovementioned Exhibit "R" be, and hereby is, submitted to the provisions of the abovementioned Unit Ownership Act, together with the buildings, units,

improvements and appurtenances to be constructed thereon and that the said buildings, units, improvements and appurtenances are to be held, conveyed, hypothecated, encumbered, leased, rented, used, occupied and improved subject to the following covenants, conditions, restrictions, uses, limitations and obligations, all of which are declared and agreed to be in furtherance of a plan for the improvement of said leasehold and the division thereof into condominium units, and shall be deemed to run with said leasehold and to be a burden and a benefit to Declarant, its successors and assigns, and any person acquiring or owning an interest in said leasehold estate and improvements their grantees, successors, heirs, executors, administrators, devisees, and assigns.

1. Condominium Description. Declarant is developing the property in multiple phases. Phases I through III-A have been constructed, sold and declared. They consist of thirteen condominium residential buildings, the common elements appurtenant thereto, an ice skating rink, a skate shop, and an equipment building for the ice skating rink. This declaration pertains to an additional residential condominium building containing 12 units. Declarant plans to construct 13 more residential condominium buildings at which time the project will be completed and will then consist of 27 residential condominium buildings. At completion the project will contain approximately 282 residential condominium units together with the common elements appertaining thereto and recreational amenities.
2. Land Description. The real property subject to this declaration is a portion of the total leasehold estate owned by Declarant and is to be a part of the general

common elements of the condominium project. The leasehold estate is held by Declarant pursuant to the terms of a certain lease dated February 13, 1970, recorded in Book 168, at Page 874, Deed Records of Deschutes County, Oregon, as amended December 10, 1971, recorded in Book 180 at Page 991, Deed Records of Deschutes County, Oregon. The portion subject to this declaration is described more particularly in Exhibit "R" attached hereto and hereby made a part hereof as if fully set forth herein, subject to all of the terms, conditions, covenants and restrictions contained in the aforementioned lease, the said leasehold to end on December 31, 2034, but renewable at the option of the unit owners for an additional term of Thirty-five years.

3. Name. The name by which the project is known is "The Inn of the Seventh Mountain", and the name by which the property declared hereunder is known as is The Inn of the Seventh Mountain, Phase III-B.
4. Unit Description. The property declared hereunder is contained in one residential condominium building, Building No. 12, consisting of 12 units. Building No. 12 also contains six service closet units designated as Units 121 through 126, the ownership of which will be maintained by the developer. Building No. 12 houses "Ponderosa Lodge" units, and is of wood frame construction on a concrete foundation. It has three stories with four condominium units on each story. Each unit is bounded by the undecorated interior surfaces of its perimeter walls, ceilings and floors. Ownership of a unit carries with it the unit's respective undivided interest in the general common areas, as shown in Exhibit A, and the per cent of interest in the limited common elements appur-

tenant to the building wherein the unit is housed as shown in Exhibit B. Drawings showing the floor plans, elevations, and the designation and location of each unit are included and attached to this declaration. Exhibit D, showing the square footage of each unit, is attached to this declaration and hereby made a part hereof. Exhibit C, showing a percentage interest of each unit in this phase to the general common elements as additional phases are annexed is attached to this declaration and hereby made a part hereof.

5. General Common Elements. The general common elements of the condominium consist of a water storage and delivery system, sewage treatment facilities, a swimming pool and all equipment necessary for the maintenance and operation thereof including the building in which the equipment is located, a whirlpool bath, sauna baths and bathhouse, a children's playground and equipment, a maintenance building, tennis courts, shuffleboard and basketball courts, parking lots, roadways, lawns and gardens, corral and tack room, utilities systems except to the extent the same are declared as limited common elements or are included in the condominium units, personal property acquired by the Association of Unit Owners, and the lessee's interest, hereby declared as and included in the general common elements, in and to that certain lease between Condominium Land Company and Condominiums Northwest, Inc., dated February 13, 1970, and recorded in Vol. 168, Page 874, Deed Records of Deschutes County, Oregon, and all other real and personal property, not privately owned and excluding limited common elements as hereinafter defined, necessary or convenient to the existence and safety of the property or real and personal



property normally in common use by the unit owners.

6. Limited Common Elements. The limited common elements are those common elements designated herein as reserved for the use and ownership of the owners of a certain unit or number of units, to the exclusion of all other units, and consisting of all of those elements and components of each building not otherwise included in the units, including, but not limited to the foundations, columns, girders, beams, supports, main walls, roofs, staircases, installations of central services such as electricity, water, sewage, telephone and television wiring and electrical wiring and conduit, excepting those portions of the foregoing which are included within the condominium units, and all other elements of the building necessary or convenient to its existence, maintenance, and safety, or normally in common use by the unit owners of the units contained in the individual building. The use of the limited common elements by an owner is restricted to those limited common elements that are part of the building that houses his condominium unit. A statement showing to which units and in what per centage the use and ownership the limited common elements is reserved is set forth in Exhibit "B" attached hereto and hereby made a part hereof.
7. Agent For Service of Process. The agent to receive service of process in the cases provided in Subsection 1 of ORS 91.635 and the address and place of business of such person is as follows:

ROBERT ROGERS

Inn of the Seventh Mountain

P. O. Box 1207

Bend, Oregon 97701

8. Incorporation By Reference. The following paragraphs of the original declaration executed February 13, 1970 and recorded in Vol. 168, Page 886, Deed Records of Deschutes County, Oregon, as amended, are incorporated herein by this reference as if fully set forth:

Paragraph 8. Limitation of Use.

Paragraph 9. Apportionment of Common Profits and Expenses.

Paragraph 10. Staged Development.

Paragraph 12. Powers of Board of Directors.

Paragraph 13. Improvement of Common Areas.

Paragraph 14. Manager.

Paragraph 15. Owners Obligation to Repair.

Paragraph 16. Failure of Board of Directors to Insist on Strict Performance.

Paragraph 17. Limitation of Liability.

Paragraph 18. Indemnification of Directors.

Paragraph 19. Insurance.

Paragraph 20. Damage and Destruction.

Paragraph 21. Enforcement.

Paragraph 22. Personal Property.

Paragraph 23. Reserves.

Paragraph 24. Over-Assessment.

Paragraph 25. Legal and Accounting Services and Audit.

Paragraph 26. Interpretation.

Paragraph 27. Amendment.

Paragraph 28. Severability.

Paragraph 29. Effective Date.

IN WITNESS WHEREOF, Declarant has caused its corporate name to be hereunto subscribed by its proper officers, thereunto duly authorized on the day and year first above written.

CONDOMINIUMS NORTHWEST, INC.  
Declarant

By: *[Signature]*  
President

FIRST FEDERAL SAVINGS AND LOAN COMPANY, of Salem, an Oregon corporation, acting through its President, CECIL JOHNSON, hereby consents to the execution and recording of this Supplemental Declaration.

FIRST FEDERAL SAVINGS & LOAN CO.

By: *[Signature]*  
President

Approved this 20 day of SEPT., 1972.

County Assessor, Deschutes County

By: *[Signature]*

Approved this 19<sup>th</sup> day of Sept, 1972.

Sheriff & Tax Collector  
Deschutes County

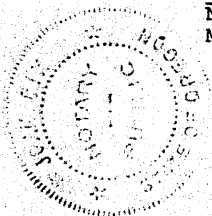
By: *[Signature]*

STATE OF OREGON       )  
                              ) ss.  
County of Marion     )

September 5, 1972

Personally appeared CECIL JOHNSON, who being sworn, stated that he is the President of FIRST FEDERAL SAVINGS & LOAN COMPANY, and that the foregoing instrument was voluntarily signed in behalf of the corporation by authority of its Board of Directors. Before me:

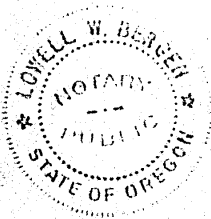
*[Signature]*  
Notary Public for Oregon  
My commission expires: 4/2/76



STATE OF OREGON       )  
                              ) ss.  
County of Marion     )

September 5, 1972

Personally appeared PETER M. GUNNAR, who being sworn,  
stated that he is the President of CONDOMINIUMS NORTHWEST,  
INC., and that the foregoing instrument was voluntarily  
signed in behalf of the corporation by authority of its  
Board of Directors. Before me:



Lowell W. Bergen  
Notary Public for Oregon  
My commission expires: 2-2-76

EXHIBIT R

TO SUPPLEMENTAL DECLARATION

(INN OF THE SEVENTH MOUNTAIN--PHASE III-B)

Beginning at a point being North 549.51 feet and West 853.06 feet from the South One-Quarter (1/4) corner of Section 22, Township 18 South, Range 11 East of the Willamette Meridian; thence South 3° 29' 20" East 204.17 feet; thence South 73° 09' 15" West 111.95 feet; thence North 5° 23' 20" West 237.28 feet; thence East 117.00 feet to the point of beginning, in Deschutes County, Oregon.

## EXHIBIT A

## TO SUPPLEMENTAL DECLARATION

(THE INN OF THE SEVENTH MOUNTAIN--PHASE III-B)

<u>Bldg. No. 12</u>	<u>Unit Number</u>	<u>Percentage of Ownership of Common Elements</u> (Also determinative of owners' voting rights and pro rata share of common expenses)
	260-261	.696
	262-263	.696
	264-265	.696
	266-267	.696
	460-461	.721
	462-463	.721
	464-465	.721
	466-467	.721
	660-661	.746
	662-663	.746
	664-665	.746
	666-667	.746
	121	.025
	122	.025
	123	.025
	124	.025
	125	.025
	126	.025

EXHIBIT B  
TO SUPPLEMENTAL DECLARATION  
(THE INN OF THE SEVENTH MOUNTAIN--PHASE III-B)

The following chart shows the percentage interest of units in Building 12 to the limited common elements of Building 12.

<u>Bldg. No. 12</u>	<u>Unit Number</u>	<u>Percentage of Ownership of Limited Common Elements</u>
	260-261	7.902
	262-263	7.902
	264-265	7.902
	266-267	7.902
	460-461	8.190
	462-463	8.190
	464-465	8.190
	466-467	8.190
	660-661	8.477
	662-663	8.477
	664-665	8.477
	666-667	8.477
	121	.287
	122	.287
	123	.287
	124	.287
	125	.287
	126	.287

## EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-B in and to the general common elements as each additional phase is annexed.

The said interests at the annexation of Phase III-C are as follows:

<u>Bldg. No. 12</u>	<u>1. Unit Number</u>	<u>2. Percentage of Ownership of Common Elements</u> (Also determinative of owners' voting rights and pro rata share of common expenses)
	260-261	.639
	262-263	.639
	264-265	.639
	266-267	.639
	460-461	.663
	462-463	.663
	464-465	.663
	466-467	.663
	660-661	.686
	662-663	.686
	664-665	.686
	666-667	.686
	121	.023
	122	.023
	123	.023
	124	.023
	125	.023
	126	.023



## EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-B in and to the general common elements as each additional phase is annexed.

The said interests at the annexation of Phase III-D are as follows:

<u>Bldg. No. 12</u>	1.	2.
	<u>Unit Number</u>	<u>Percentage of Ownership of Common Elements</u> (Also determinative of owners' voting rights and pro rata share of common expenses)
	260-261	.590
	262-263	.590
	264-265	.590
	266-267	.590
	460-461	.611
	462-463	.611
	464-465	.611
	466-467	.611
	660-661	.633
	662-663	.633
	664-665	.633
	666-667	.633
	121	.022
	122	.022
	123	.022
	124	.022
	125	.022
	126	.022

## EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-B in and to the general common elements as each additional phase is annexed.

The said interests at the annexation of Phase III-E are as follows:

<u>Bldg. No. 12</u>	<u>1. Unit Number</u>	<u>2. Percentage of Ownership of Common Elements</u> (Also determinative of owners' voting rights and pro rata share of common expenses)
	260-261	.547
	262-263	.547
	264-265	.547
	266-267	.547
	460-461	.567
	462-463	.567
	464-465	.567
	466-467	.567
	660-661	.587
	662-663	.587
	664-665	.587
	666-667	.587
	121	.020
	122	.020
	123	.020
	124	.020
	125	.020
	126	.020

## EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-B in and to the general common elements as each additional phase is annexed.

The said interests at the annexation of Phase III-F are as follows:

<u>Bldg. No. 12</u>	<u>1. Unit Number</u>	<u>2. Percentage of Ownership of Common Elements (Also determinative of owners' voting rights and pro rata share of common expenses)</u>
	260-261	.450
	262-263	.450
	264-265	.450
	266-267	.450
	460-461	.467
	462-463	.467
	464-465	.467
	466-467	.467
	660-661	.483
	662-663	.483
	664-665	.483
	666-667	.483
	121	.016
	122	.016
	123	.016
	124	.016
	125	.016
	126	.016

## EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-B in and to the general common elements as each additional phase is annexed.

The said interests at the annexation of Phase III-G are as follows:

<u>Bldg. No. 12</u>	<u>1. Unit Number</u>	<u>2.</u>
		<u>Percentage of Ownership of Common Elements</u> (Also determinative of owners' voting rights and pro rata share of common expenses)
	260-261	.436
	262-263	.436
	264-265	.436
	266-267	.436
	460-461	.452
	462-463	.452
	464-465	.452
	466-467	.452
	660-661	.468
	662-663	.468
	664-665	.468
	666-667	.468
	121	.016
	122	.016
	123	.016
	124	.016
	125	.016
	126	.016

## EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-B in and to the general common elements as each additional phase is annexed.

The said interests at the annexation of Phase III-H are as follows:

<u>Bldg. No. 12</u>	<u>1. Unit Number</u>	<u>2.</u>
		<u>Percentage of Ownership of Common Elements</u> (Also determinative of owners' voting rights and pro rata share of common expenses)
	260-261	.424
	262-263	.424
	264-265	.424
	266-267	.424
	460-461	.437
	462-463	.437
	464-465	.437
	466-467	.437
	660-661	.452
	662-663	.452
	664-665	.452
	666-667	.452
	121	.015
	122	.015
	123	.015
	124	.015
	125	.015
	126	.015

## EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-B in and to the general common elements as each additional phase is annexed.

The said interests at the annexation of Phase III-I are as follows:

<u>Bldg. No. 12</u>	<u>1. Unit Number</u>	<u>2. Percentage of Ownership of Common Elements</u> (Also determinative of owners' voting rights and pro rata share of common expenses)
	260-261	.410
	262-263	.410
	264-265	.410
	266-267	.410
	460-461	.422
	462-463	.422
	464-465	.422
	466-467	.422
	660-661	.437
	662-663	.437
	664-665	.437
	666-667	.437
	121	.015
	122	.015
	123	.015
	124	.015
	125	.015
	126	.015

## EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-B in and to the general common elements as each additional phase is annexed.

The said interests at the annexation of Phase III-J are as follows:

<u>Bldg. No. 12</u>	<u>1. Unit Number</u>	<u>2. Percentage of Ownership of Common Elements (Also determinative of owners' voting rights and pro rata share of common expenses)</u>
	260-261	.395
	262-263	.395
	264-265	.395
	266-267	.395
	460-461	.407
	462-463	.407
	464-465	.407
	466-467	.407
	660-661	.421
	662-663	.421
	664-665	.421
	666-667	.421
	121	.014
	122	.014
	123	.014
	124	.014
	125	.014
	126	.014

## EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-B in and to the general common elements as each additional phase is annexed.

The said interests at the annexation of Phase III-K are as follows:

<u>Bldg. No. 12</u>	<u>1. Unit Number</u>	<u>2. Percentage of Ownership of Common Elements (Also determinative of owners' voting rights and pro rata share of common expenses)</u>
	260-261	.381
	262-263	.381
	264-265	.381
	266-267	.381
	460-461	.392
	462-463	.392
	464-465	.392
	466-467	.392
	660-661	.406
	662-663	.406
	664-665	.406
	666-667	.406
	121	.014
	122	.014
	123	.014
	124	.014
	125	.014
	126	.014



## EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-B in and to the general common elements as each additional phase is annexed.

The said interests at the annexation of Phase III-L are as follows:

<u>Bldg. No. 12</u>	<u>1. Unit Number</u>	<u>2. Percentage of Ownership of Common Elements</u> (Also determinative of owners' voting rights and pro rata share of common expenses)
	260-261	.366
	262-263	.366
	264-265	.366
	266-267	.366
	460-461	.377
	462-463	.377
	464-465	.377
	466-467	.377
	660-661	.390
	662-663	.390
	664-665	.390
	666-667	.390
	121	.013
	122	.013
	123	.013
	124	.013
	125	.013
	126	.013

## EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-B in and to the general common elements as each additional phase is annexed.

The said interests at the annexation of Phase III-M are as follows:

<u>Bldg. No. 12</u>	<u>1. Unit Number</u>	<u>2.</u>
		<u>Percentage of Ownership of Common Elements</u> (Also determinative of owners' voting rights and pro rata share of common expenses)
	260-261	.351
	262-263	.351
	264-265	.351
	266-267	.351
	460-461	.362
	462-463	.362
	464-465	.362
	466-467	.362
	660-661	.375
	662-663	.375
	664-665	.375
	666-667	.375
	121	.013
	122	.013
	123	.013
	124	.013
	125	.013
	126	.013

## EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-B in and to the general common elements as each additional phase is annexed.

The said interests at the annexation of Phase III-N are as follows:

<u>Bldg. No. 12</u>	<u>1. Unit Number</u>	<u>2.</u>
		<u>Percentage of Ownership of Common Elements</u> (Also determinative of owners' voting rights and pro rata share of common expenses)
	260-261	.336
	262-263	.336
	264-265	.336
	266-267	.336
	460-461	.347
	462-463	.347
	464-465	.347
	466-467	.347
	660-661	.359
	662-663	.359
	664-665	.359
	666-667	.359
	121	.012
	122	.012
	123	.012
	124	.012
	125	.012
	126	.012

## EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-B in and to the general common elements as each additional phase is annexed.

The said interests at the annexation of Phase III-O are as follows:

<u>Bldg. No. 12</u>	1.	2.
	<u>Unit Number</u>	<u>Percentage of Ownership of Common Elements</u> (Also determinative of owners' voting rights and pro rata share of common expenses)
	260-261	.320
	262-263	.320
	264-265	.320
	266-267	.320
	460-461	.332
	462-463	.332
	464-465	.332
	466-467	.332
	660-661	.343
	662-663	.343
	664-665	.343
	666-667	.343
	121	.012
	122	.012
	123	.012
	124	.012
	125	.012
	126	.012

## EXHIBIT D

## TO SUPPLEMENTAL DECLARATION

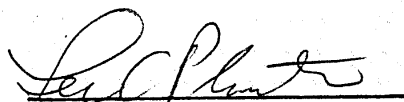
(INN OF THE SEVENTH MOUNTAIN--PHASE III-B)

<u>Bldg. 12</u>	<u>Unit Number</u>	<u>Approximate area in square feet</u>
	260-261	807.41
	262-263	816.92
	264-265	816.92
	266-267	807.41
	460-461	807.41
	462-463	816.92
	464-465	816.92
	466-467	807.41
	660-661	807.41
	662-663	816.92
	664-665	816.92
	666-667	807.41
	121	55.86
	122	55.86
	123	55.86
	124	55.86
	125	55.86
	126	55.86

PROFESSIONAL ENGINEER'S CERTIFICATE

The undersigned, a professional engineer, hereby certifies that the following floor plan, consisting of three (3) copies of which are attached hereto, marked Exhibit A, and by this reference made a part hereof. That said floor plans fully and accurately depict the layout of The Inn of the Seventh Mountain, a unit ownership act project, constructed in Deschutes County, Oregon; said condominium unit was completed on August 31, 1972.

LEE C. PLANTS

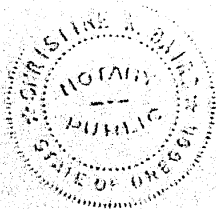
  
Professional Engineer

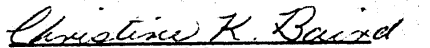
STATE OF OREGON)  
County of Lane ) SS

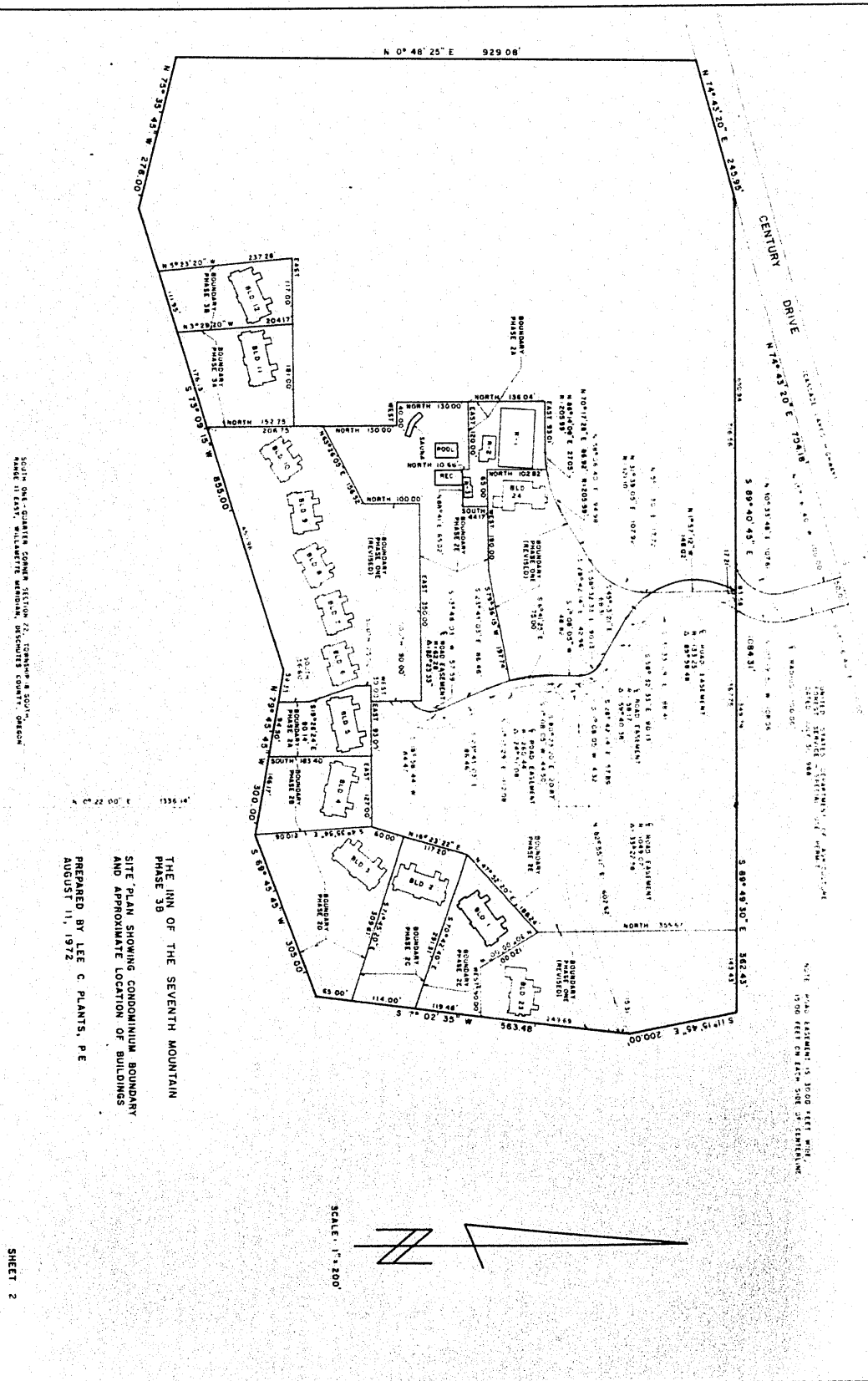
Personally appeared the above named Lee C. Plants and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:

Dated: 9-1-72



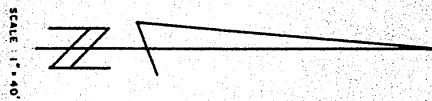
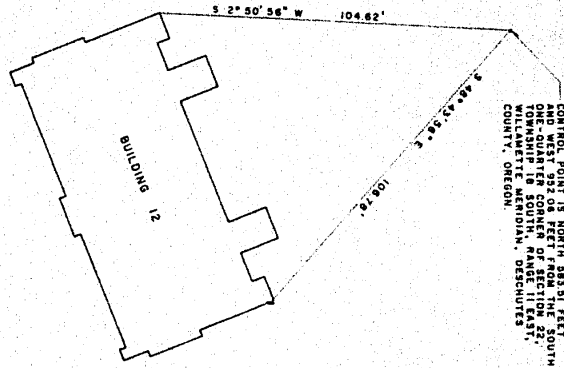
  
Notary Public of Oregon  
My Commission expires August 24, 1976



SOUTH ONE-QUARTER CORNER SECTION 22, T24N R 50E  
RANGE 11 EAST, WILKESBARE AREA, BRUNSWICK COUNTY, NORTH CAROLINA

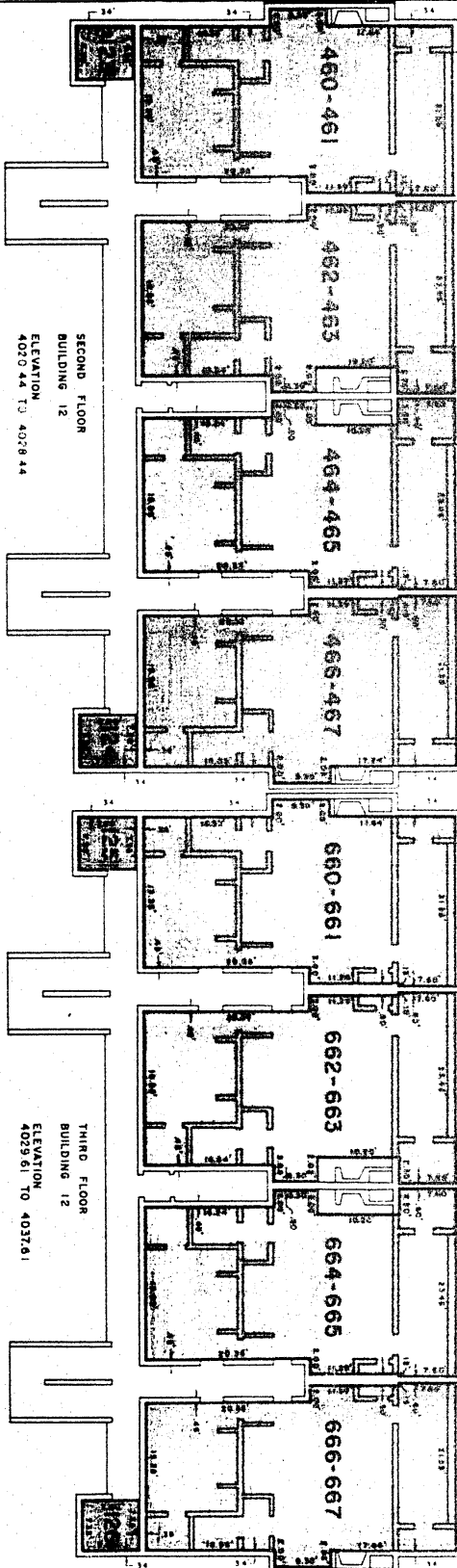
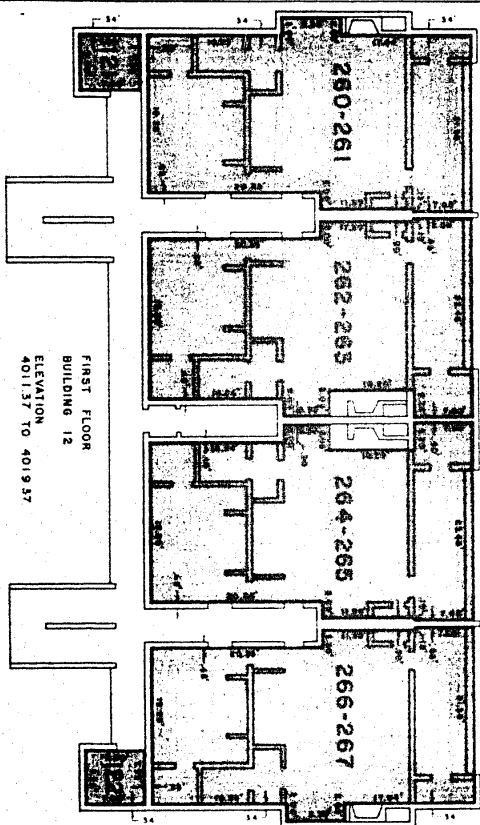
UNITED STATES DEPARTMENT OF AGRICULTURE  
NATIONAL SERVICE CENTER  
WASHINGTON, D.C. 20250

N 11° 15' 45" E 100.00'  
100.00' FEET ON EACH SIDE OF CENTERLINE





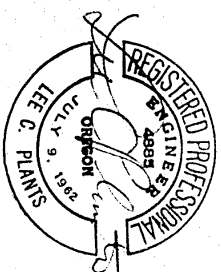
THE INN OF THE SEVENTH MOUNTAIN  
 PHASE 3B  
 SITE PLAN SHOWING EXACT LOCATION OF  
 BUILDING 12  
 PREPARED BY LEE C. PLANTS, P.E.  
 AUGUST 11, 1972





THE INN OF THE SEVENTH MOUNTAIN  
PHASE 3B  
PLAN SHOWING UNITS IN BUILDING 12  
SCALE: 1" = 10'  
PREPARED BY LEE C. PLANTS, P.E.  
AUGUST 11, 1972

NOTE  
 DENOTES COMMON AREA  
 DENOTES PRIVATE AREA  
 ELEVATIONS BASED UPON USCS BRASS CAP  
 SET 1842 NO U 368 388.407 FEET  
 DIMENSIONS GIVEN ARE INTERIOR  
 MEASUREMENTS UNLESS OTHERWISE NOTED  
 ELEVATIONS ARE FROM SUBFLOOR TO CEILING



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INDEX

STATE OF OREGON  
County of Deschutes  
I hereby certify that the within instrument of writing was received for Record the 20<sup>th</sup> day of Sept A.D. 1932 at 4:27 o'clock P. M. and recorded in Book 188 on Page 492 Records of Deschutes  
ROSEMARY PATTERSON  
County Clerk  
By J. Schutte Deputy