

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

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 5th 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-B 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-B have been constructed, sold and declared. They consist of fourteen 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 12 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-C.
4. Unit Description. The property declared hereunder is contained in one residential condominium building, Building No. 13, consisting of 12 units. Building No. 13 also contains six service closet units designated as Units 131 through 136, the ownership of which will be maintained by the developer. Building No. 13 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: *Cecil Johnson*
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: *H. J. Bonst*

Approved this 19th day of Sept, 1972.

Sheriff & Tax Collector
Deschutes County

By: *[Signature]*

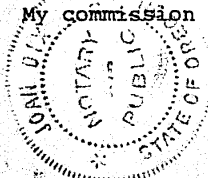
STATE OF OREGON)
) ss.
County of Marion)

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

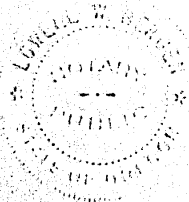
My commission expires: 4/2/76



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-C)

Beginning at a point being North 549.51 feet and West 970.06 feet from the South One-Quarter (1/4) corner of Section 22, Township 18 South, Range 11 East of the Willamette Meridian; thence South 5° 23' 20" East 237.28 feet; thence South 73° 09' 15" West 115.96 feet; thence North 75° 35' 45" West 17.87 feet; thence North 265.39 feet; thence East 106.00 feet to the point of beginning, in Deschutes County, Oregon.

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

<u>Bldg. No. 13</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)
	268-269	.639
	270-271	.639
	272-273	.639
	274-275	.639
	468-469	.663
	470-471	.663
	472-473	.663
	474-475	.663
	668-669	.686
	670-671	.686
	672-673	.686
	674-675	.686
	131	.023
	132	.023
	133	.023
	134	.023
	135	.023
	136	.023

EXHIBIT B

TO SUPPLEMENTAL DECLARATION

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

The following chart shows the percentage interest of units in Building 13 to the limited common elements of Building 13.

<u>Bldg. No. 13</u>	<u>Unit Number</u>	<u>Percentage of Ownership of</u> <u>Limited Common Elements</u>
	268-269	7.902
	270-271	7.902
	272-273	7.902
	274-275	7.902
	468-469	8.190
	470-471	8.190
	472-473	8.190
	474-475	8.190
	668-669	8.477
	670-671	8.477
	672-673	8.477
	674-675	8.477
	131	.287
	132	.287
	133	.287
	134	.287
	135	.287
	136	.287

EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-C 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. 13</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)
	268-269	.590
	270-271	.590
	272-273	.590
	274-275	.590
	468-469	.611
	470-471	.611
	472-473	.611
	474-475	.611
	668-669	.633
	670-671	.633
	672-673	.633
	674-675	.633
	131	.022
	132	.022
	133	.022
	134	.022
	135	.022
	136	.022

EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-C 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. 13</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)
	268-269	.547
	270-271	.547
	272-273	.547
	274-275	.547
	468-469	.567
	470-471	.567
	472-473	.567
	474-475	.567
	668-669	.587
	670-671	.587
	672-673	.587
	674-675	.587
	131	.020
	132	.020
	133	.020
	134	.020
	135	.020
	136	.020

EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-C 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. 13</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)
	268-269	.450
	270-271	.450
	272-273	.450
	274-275	.450
	468-469	.467
	470-471	.467
	472-473	.467
	474-475	.467
	668-669	.483
	670-671	.483
	672-673	.483
	674-675	.483
	131	.016
	132	.016
	133	.016
	134	.016
	135	.016
	136	.016

EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-C 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. 13</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>
	268-269	.436
	270-271	.436
	272-273	.436
	274-275	.436
	468-469	.452
	470-471	.452
	472-473	.452
	474-475	.452
	668-669	.468
	670-671	.468
	672-673	.468
	674-675	.468
	131	.016
	132	.016
	133	.016
	134	.016
	135	.016
	136	.016

EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-C 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. 13</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)
	268-269	.424
	270-271	.424
	272-273	.424
	274-275	.424
	468-469	.437
	470-471	.437
	472-473	.437
	474-475	.437
	668-669	.452
	670-671	.452
	672-673	.452
	674-675	.452
	131	.015
	132	.015
	133	.015
	134	.015
	135	.015
	136	.015

EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-C 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. 13</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)
	268-269	.410
	270-271	.410
	272-273	.410
	274-275	.410
	468-469	.422
	470-471	.422
	472-473	.422
	474-475	.422
	668-669	.437
	670-671	.437
	672-673	.437
	674-675	.437
	131	.015
	132	.015
	133	.015
	134	.015
	135	.015
	136	.015

EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-C 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. 13</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)
	268-269	.395
	270-271	.395
	272-273	.395
	274-275	.395
	468-469	.407
	470-471	.407
	472-473	.407
	474-475	.407
	668-669	.421
	670-671	.421
	672-673	.421
	674-675	.421
	131	.014
	132	.014
	133	.014
	134	.014
	135	.014
	136	.014

EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-C 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. 13</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>
	268-269	.381
	270-271	.381
	272-273	.381
	274-275	.381
	468-469	.392
	470-471	.392
	472-473	.392
	474-475	.392
	668-669	.406
	670-671	.406
	672-673	.406
	674-675	.406
	131	.014
	132	.014
	133	.014
	134	.014
	135	.014
	136	.014

EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-C 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. 13</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)
	268-269	.366
	270-271	.366
	272-273	.366
	274-275	.366
	468-469	.377
	470-471	.377
	472-473	.377
	474-475	.377
	668-669	.390
	670-671	.390
	672-673	.390
	674-675	.390
	131	.013
	132	.013
	133	.013
	134	.013
	135	.013
	136	.013

EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-C 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. 13</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)
	268-269	.351
	270-271	.351
	272-273	.351
	274-275	.351
	468-469	.362
	470-471	.362
	472-473	.362
	474-475	.362
	668-669	.375
	670-671	.375
	672-673	.375
	674-675	.375
	131	.013
	132	.013
	133	.013
	134	.013
	135	.013
	136	.013

EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-C 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. 13</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>
	268-269	.336
	270-271	.336
	272-273	.336
	274-275	.336
	468-469	.347
	470-471	.347
	472-473	.347
	474-475	.347
	668-669	.359
	670-671	.359
	672-673	.359
	674-675	.359
	131	.012
	132	.012
	133	.012
	134	.012
	135	.012
	136	.012

EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-C 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. 13</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>
	268-269	.320
	270-271	.320
	272-273	.320
	274-275	.320
	468-469	.332
	470-471	.332
	472-473	.332
	474-475	.332
	668-669	.343
	670-671	.343
	672-673	.343
	674-675	.343
	131	.012
	132	.012
	133	.012
	134	.012
	135	.012
	136	.012

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

<u>Bldg. 13</u>	<u>Unit Number</u>	<u>Approximate area in square feet</u>
	268-269	807.41
	270-271	816.92
	272-273	816.92
	274-275	807.41
	468-469	807.41
	470-471	816.92
	472-473	816.92
	474-475	807.41
	668-669	807.41
	670-671	816.92
	672-673	816.92
	674-675	807.41
	131	55.86
	132	55.86
	133	55.86
	134	55.86
	135	55.86
	136	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

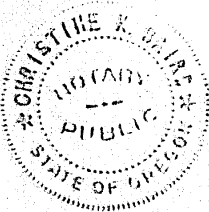

Professional Engineer


STATE OF OREGON) SS
County of Lane)

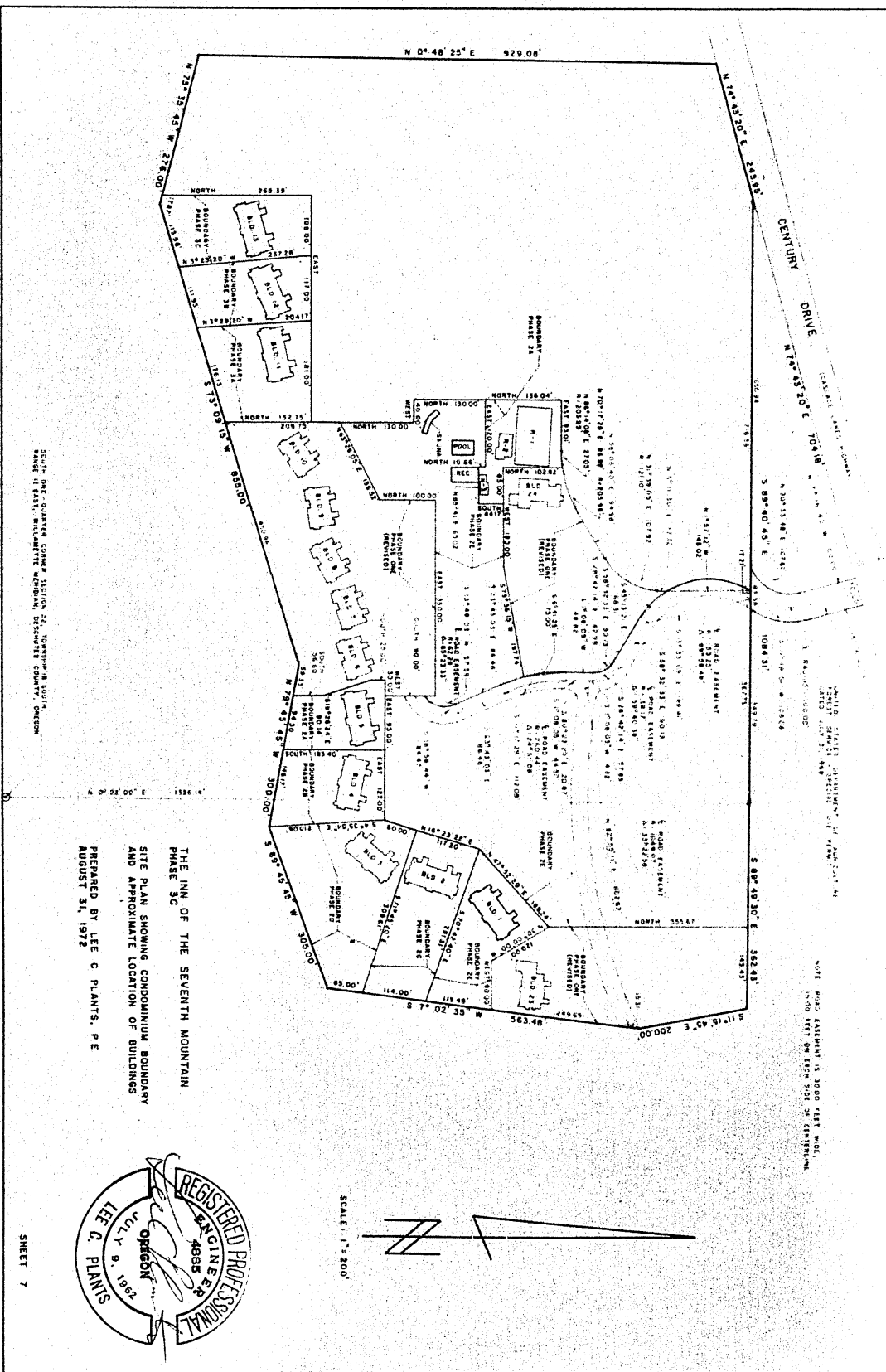
Personally appeared the above named Lee C. Plants and acknowledged the foregoing instrument to be his voluntary act and deed.

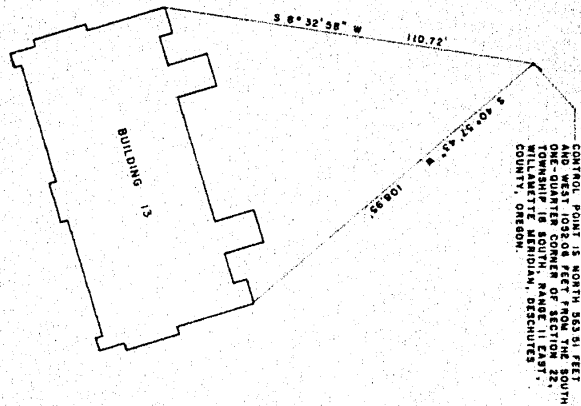
Before me:

Dated: 9-1-72

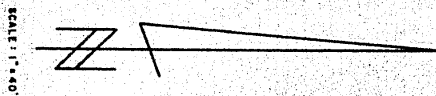



Notary Public of Oregon
My Commission expires August 24, 1976

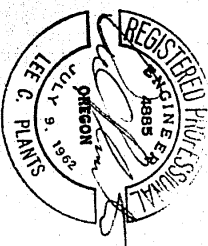


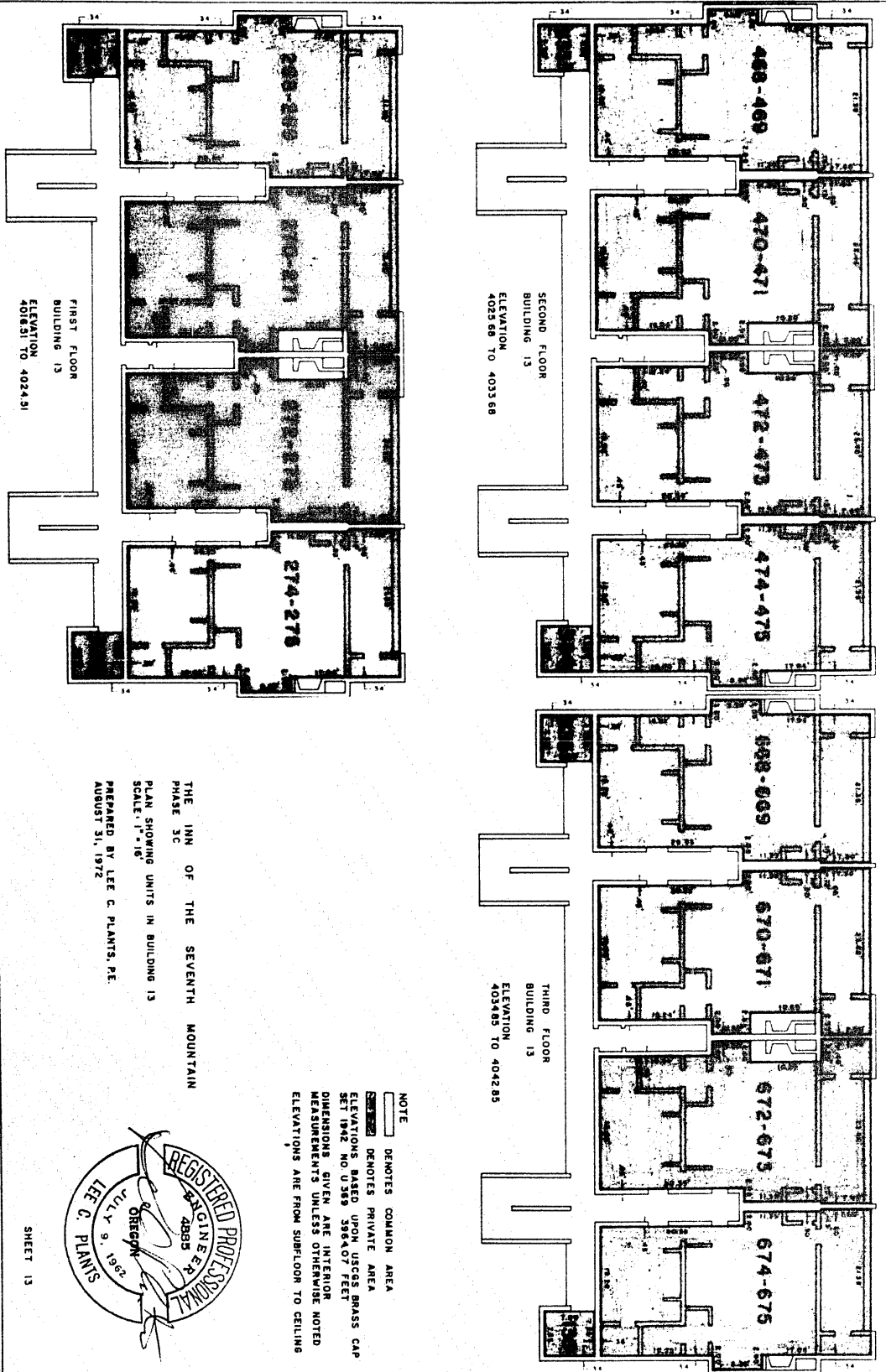


CONTROL POINT IS NORTH 563.51 FEET
ONE CORNER OF SECTION 30
TOWNSHIP 18 SOUTH, RANGE 11 EAST,
WILLAMETTE MERIDIAN, DESCHUTES
COUNTY, OREGON.



THE INN OF THE SEVENTH MOUNTAIN
PHASE 3C
SITE PLAN SHOWING EXACT LOCATION OF
BUILDING 13
PREPARED BY LEE C. PLANTS, P.E.
AUGUST 31, 1972





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STATE OF OREGON
County of Deschutes

I hereby certify that the within instrument of writing was received for Record the 20th day of Sept A.D. 1972 at 4:28 o'clock P M., and recorded in Book 188 on Page 519 Records of Deschutes

ROSEMARY PATTERSON
County Clerk

By J Schutte Deputy