

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

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 6th 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-C 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-C have been constructed, sold and declared. They consist of fifteen condominium 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 11 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-D.
4. Unit Description. The property declared hereunder is contained in one residential condominium building, Building No. 14, consisting of 12 units. Building No. 14 also contains six service closet units designated as Units 141 through 146, the ownership of which will be maintained by the developer. Building No. 14 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 19th day of Sept, 1972.

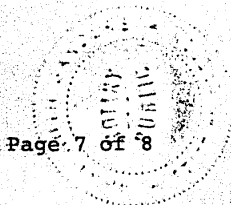
Sheriff & Tax Collector
Deschutes County

By: [Signature]

STATE OF OREGON)
) ss.
County of Marion)

9-7, 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:



Mary Ruth Sanders
Notary Public for Oregon
My commission expires: 12-27-73

STATE OF OREGON)
) ss.
County of Marion)

September 6, 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-D)

Beginning at a point being North 549.51 feet and West 1076.06 feet from the South One-Quarter (1/4) corner of Section 22, Township 18 South, Range 11 East of the Willamette Meridian; thence South 265.39 feet; thence North 75° 35' 45" West 122.86 feet; thence North 234.83 feet; thence East 119.00 feet to the point of beginning, in Deschutes County, Oregon.

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

<u>Bldg. No. 14</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)
	276-277	.600
	278-279	.600
	280-281	.600
	282-283	.600
	476-477	.643
	478-479	.643
	480-481	.643
	482-483	.643
	676-677	.665
	678-679	.665
	680-681	.665
	682-683	.665
	141	.022
	142	.022
	143	.022
	144	.022
	145	.022
	146	.022

EXHIBIT B

TO SUPPLEMENTAL DECLARATION

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

The following chart shows the percentage interest of units in Building 14 to the limited common elements of Building 14.

<u>Bldg. No. 14</u>	<u>Unit Number</u>	<u>Percentage of Ownership of Limited Common Elements</u>
	276-277	7.735
	278-279	7.735
	280-281	7.735
	282-283	7.735
	476-477	8.287
	478-479	8.287
	480-481	8.287
	482-483	8.287
	676-677	8.564
	678-679	8.564
	680-681	8.564
	682-683	8.564
	141	.276
	142	.276
	143	.276
	144	.276
	145	.276
	146	.276

EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-D 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. 14</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)
	276-277	.557
	278-279	.557
	280-281	.557
	282-283	.557
	476-477	.597
	478-479	.597
	480-481	.597
	482-483	.597
	676-677	.617
	678-679	.617
	680-681	.617
	682-683	.617
	141	.020
	142	.020
	143	.020
	144	.020
	145	.020
	146	.020

EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-D 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. 14</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)
	276-277	.458
	278-279	.458
	280-281	.458
	282-283	.458
	476-477	.491
	478-479	.491
	480-481	.491
	482-483	.491
	676-677	.508
	678-679	.508
	680-681	.508
	682-683	.508
	141	.016
	142	.016
	143	.016
	144	.016
	145	.016
	146	.016

EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-D 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. 14</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>
	276-277	.444
	278-279	.444
	280-281	.444
	282-283	.444
	476-477	.475
	478-479	.475
	480-481	.475
	482-483	.475
	676-677	.492
	678-679	.492
	680-681	.492
	682-683	.492
	141	.016
	142	.016
	143	.016
	144	.016
	145	.016
	146	.016

EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-D 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. 14</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)
	276-277	.429
	278-279	.429
	280-281	.429
	282-283	.429
	476-477	.459
	478-479	.459
	480-481	.459
	482-483	.459
	676-677	.476
	678-679	.476
	680-681	.476
	682-683	.476
	141	.015
	142	.015
	143	.015
	144	.015
	145	.015
	146	.015

EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-D 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. 14</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)
	276-277	.415
	278-279	.415
	280-281	.415
	282-283	.415
	476-477	.444
	478-479	.444
	480-481	.444
	482-483	.444
	676-677	.459
	678-679	.459
	680-681	.459
	682-683	.459
	141	.015
	142	.015
	143	.015
	144	.015
	145	.015
	146	.015

EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-D 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. 14</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)
	276-277	.401
	278-279	.401
	280-281	.401
	282-283	.401
	476-477	.428
	478-479	.428
	480-481	.428
	482-483	.428
	676-677	.442
	678-679	.442
	680-681	.442
	682-683	.442
	141	.014
	142	.014
	143	.014
	144	.014
	145	.014
	146	.014

EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-D 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. 14</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>
	276-277	.386
	278-279	.386
	280-281	.386
	282-283	.386
	476-477	.413
	478-479	.413
	480-481	.413
	482-483	.413
	676-677	.426
	678-679	.426
	680-681	.426
	682-683	.426
	141	.014
	142	.014
	143	.014
	144	.014
	145	.014
	146	.014

EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-D 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. 14</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>
	276-277	.372
	278-279	.372
	280-281	.372
	282-283	.372
	476-477	.397
	478-479	.397
	480-481	.397
	482-483	.397
	676-677	.410
	678-679	.410
	680-681	.410
	682-683	.410
	141	.013
	142	.013
	143	.013
	144	.013
	145	.013
	146	.013

EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-D 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. 14</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>
	276-277	.357
	278-279	.357
	280-281	.357
	282-283	.357
	476-477	.382
	478-479	.382
	480-481	.382
	482-483	.382
	676-677	.397
	678-679	.397
	680-681	.397
	682-683	.397
	141	.013
	142	.013
	143	.013
	144	.013
	145	.013
	146	.013

EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-D 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. 14</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)
	276-277	.343
	278-279	.343
	280-281	.343
	282-283	.343
	476-477	.366
	478-479	.366
	480-481	.366
	482-483	.366
	676-677	.380
	678-679	.380
	680-681	.380
	682-683	.380
	141	.012
	142	.012
	143	.012
	144	.012
	145	.012
	146	.012

EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-D 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. 14</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)
	276-277	.326
	278-279	.326
	280-281	.326
	282-283	.326
	476-477	.349
	478-479	.349
	480-481	.349
	482-483	.349
	676-677	.361
	678-679	.361
	680-681	.361
	682-683	.361
	141	.012
	142	.012
	143	.012
	144	.012
	145	.012
	146	.012

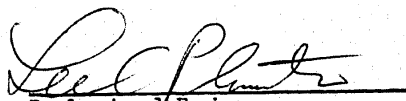
EXHIBIT D
TO SUPPLEMENTAL DECLARATION
(INN OF THE SEVENTH MOUNTAIN--PHASE III-D)

<u>Bldg. 14</u>	<u>Unit Number</u>	<u>Approximate area in square feet</u>
	276-277	807.41
	278-279	816.92
	280-281	816.92
	282-283	807.41
	476-477	807.41
	478-479	816.92
	480-481	816.92
	482-483	807.41
	676-677	807.41
	678-679	816.92
	680-681	816.92
	682-683	807.41
	141	55.86
	142	55.86
	143	55.86
	144	55.86
	145	55.86
	146	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

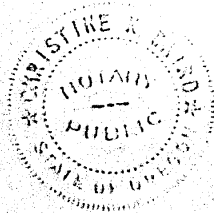

Professional Engineer

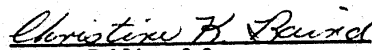
STATE OF OREGON)
County of Lane) SS

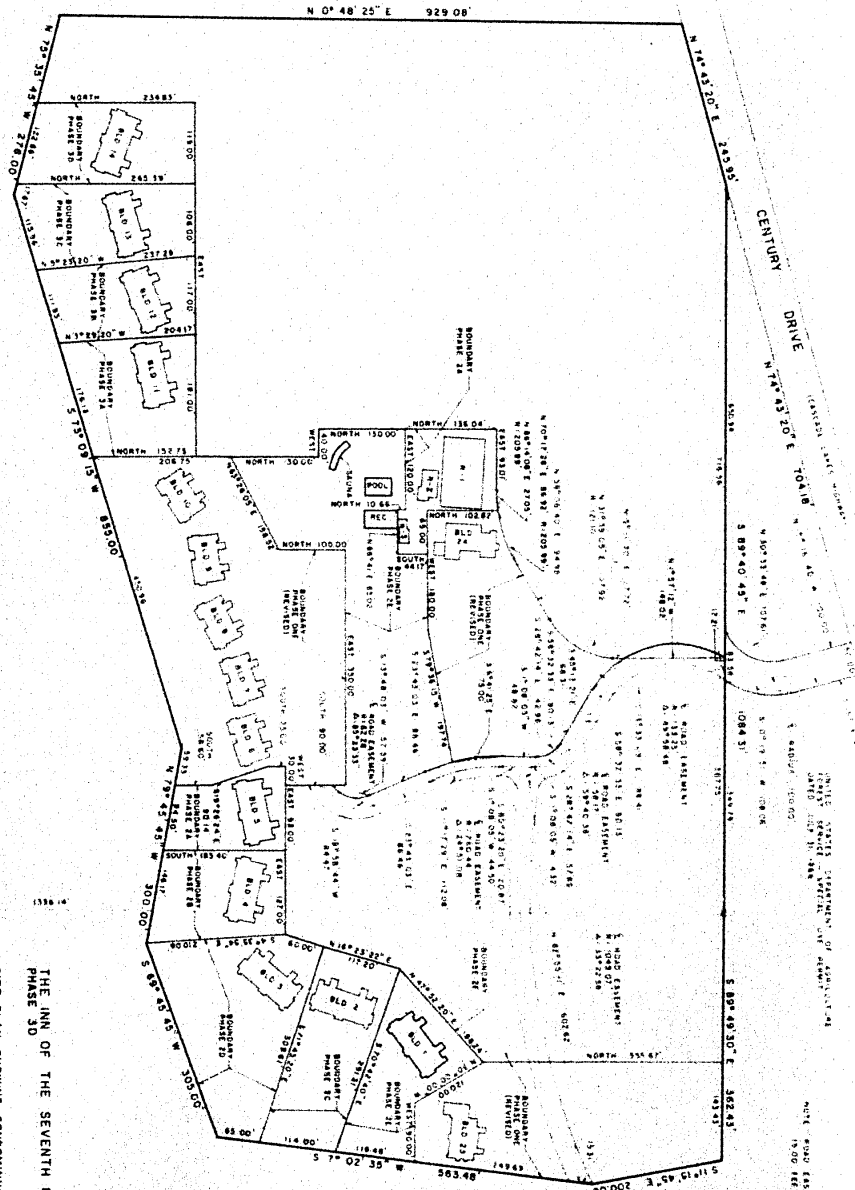
Personally appeared the above named Lee C. Plants and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:

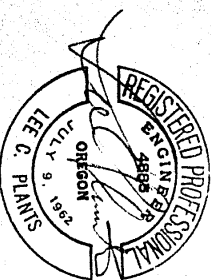
Dated: 9-1-72

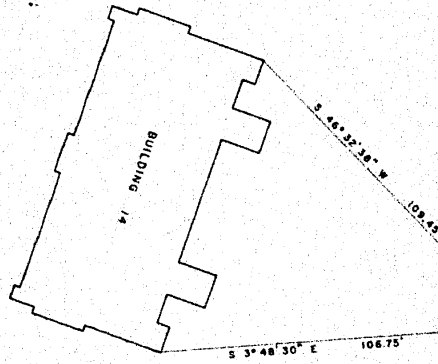



Notary Public of Oregon
My Commission expires August 24, 1976



THE INN OF THE SEVENTH MOUNTAIN
PHASE 30
SITE PLAN SHOWING CONDOMINIUM BOUNDARY
AND APPROXIMATE LOCATION OF BUILDINGS
PREPARED BY LEE C. PLANTS, P.E.
AUGUST 31, 1972



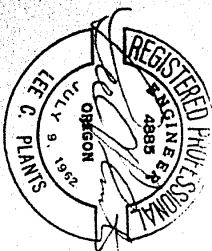


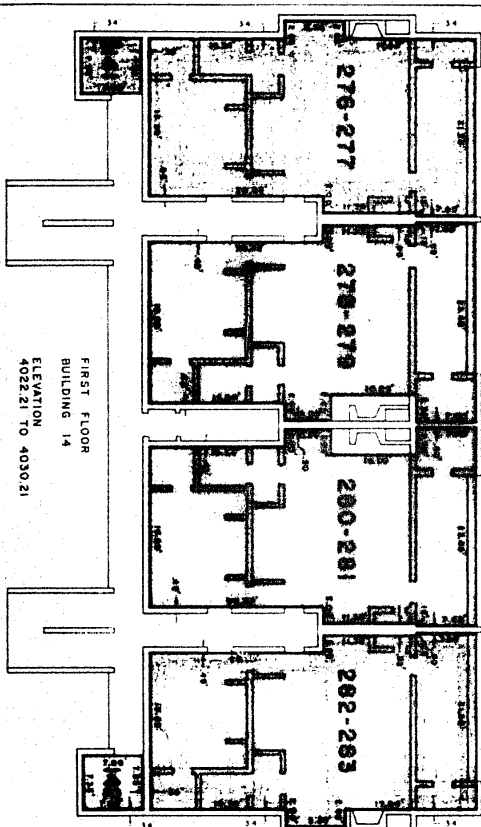
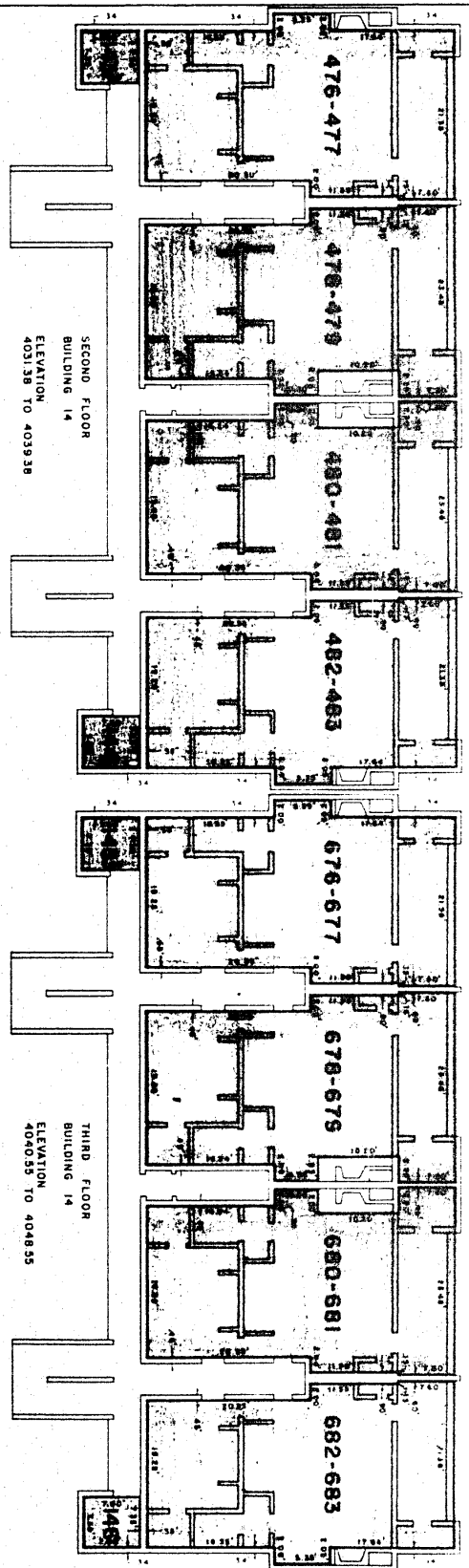
CONTROL POINT IS NORTH 3431 FEET
AND WEST 1095.00 FEET FROM THE SOUTH
CORNER OF SECTION 16, TOWNSHIP 15 SOUTH, RANGE 11 EAST,
WILLAMETTE MERIDIAN, DESCHUTES
COUNTY, OREGON.

SCALE: 1" = 40'



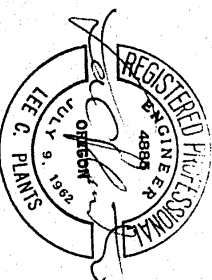
THE INN OF THE SEVENTH MOUNTAIN
PHASE 3D
SITE PLAN SHOWING EXACT LOCATION OF
BUILDING 14
PREPARED BY LEE C. PLANTS, P.E.
AUGUST 31, 1972





NOTE
 [Symbol] DENOTES COMMON AREA
 [Symbol] DENOTES PRIVATE AREA
 ELEVATIONS BASED UPON USCGS BRASS CAP
 SET 1842 NO U 569 396407 FEET
 DIMENSIONS GIVEN ARE INTERIOR
 MEASUREMENTS UNLESS OTHERWISE NOTED
 ELEVATIONS ARE FROM SUBFLOOR TO CEILING

THE INN OF THE SEVENTH MOUNTAIN
 PHASE 3D
 PLAN SHOWING UNITS IN BUILDING 14
 SCALE: 1" = 16'
 PREPARED BY LEE C. PLANTS, P.E.
 AUGUST 31, 1972



9174

INDEX

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 4:29 o'clock P. M., and recorded in Book 188 on Page 547 Records of Deschutes

ROSEMARY PATTERSON

County Clerk

By J. Schutte Deputy