

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

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-D 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-D have been constructed, sold and declared. They consist of sixteen 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 10 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-E.
4. Unit Description. The property declared hereunder is contained in one residential condominium building, Building No. 15, consisting of 12 units. Building No. 15 also contains six service closet units designated as Units 151 through 156, the ownership of which will be maintained by the developer. Building No. 15 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: *W. J. Bond*

Approved this 19th day of Sept, 1972.

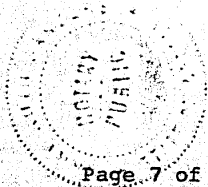
Sheriff & Tax Collector
Deschutes County

By: *F. C. Sholes*

STATE OF OREGON)
) ss.
County of Marion)

20 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

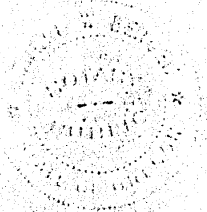


EXHIBIT R

TO SUPPLEMENTAL DECLARATION

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

Beginning at a point being North 549.51 feet and West 1195.06 feet from the South One-Quarter (1/4) corner of Section 22, Township 18 South, Range 11 East of the Willamette Meridian; thence South 234.83 feet; thence North 75° 35' 45" West 135.27 feet; thence North 0° 48' 25" East 201.20 feet; thence East 128.19 feet to the point of beginning, in Deschutes County, Oregon.

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

<u>Bldg. No. 15</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)
	284-285	.557
	286-287	.557
	288-289	.557
	290-291	.557
	484-485	.597
	486-487	.597
	488-489	.597
	490-491	.597
	684-685	.617
	686-687	.617
	688-689	.617
	690-691	.617
	151	.020
	152	.020
	153	.020
	154	.020
	155	.020
	156	.020

EXHIBIT B

TO SUPPLEMENTAL DECLARATION

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

The following chart shows the percentage interest of units in Building 15 to the limited common elements of Building 15.

<u>Bldg. No. 15</u>	<u>Unit Number</u>	<u>Percentage of Ownership of Limited Common Elements</u>
	284-285	7.735
	286-287	7.735
	288-289	7.735
	290-291	7.735
	484-485	8.287
	486-487	8.287
	488-489	8.287
	490-491	8.287
	684-685	8.564
	686-687	8.564
	688-689	8.564
	690-691	8.564
	151	.276
	152	.276
	153	.276
	154	.276
	155	.276
	156	.276

EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-E 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. 15</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)
	284-285	.458
	286-287	.458
	288-289	.458
	290-291	.458
	484-485	.491
	486-487	.491
	488-489	.491
	490-491	.491
	684-685	.508
	686-687	.508
	688-689	.508
	690-691	.508
	151	.016
	152	.016
	153	.016
	154	.016
	155	.016
	156	.016

EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-E 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. 15</u>	<u>1.</u> <u>Unit Number</u>	<u>2.</u>
		<u>Percentage of Ownership of</u> <u>Common Elements</u> (Also determinative of owners' voting rights and pro rata share of common expenses)
	284-285	.444
	286-287	.444
	288-289	.444
	290-291	.444
	484-485	.475
	486-487	.475
	488-489	.475
	490-491	.475
	684-685	.492
	686-687	.492
	688-689	.492
	690-691	.492
	151	.016
	152	.016
	153	.016
	154	.016
	155	.016
	156	.016

EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-E 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. 15</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)
	284-285	.429
	286-287	.429
	288-289	.429
	290-291	.429
	484-485	.459
	486-487	.459
	488-489	.459
	490-491	.459
	684-685	.476
	686-687	.476
	688-689	.476
	690-691	.476
	151	.015
	152	.015
	153	.015
	154	.015
	155	.015
	156	.015

EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-E 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. 15</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>
	284-285	.415
	286-287	.415
	288-289	.415
	290-291	.415
	484-485	.444
	486-487	.444
	488-489	.444
	490-491	.444
	684-685	.459
	686-687	.459
	688-689	.459
	690-691	.459
	151	.015
	152	.015
	153	.015
	154	.015
	155	.015
	156	.015

EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-E 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. 15</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)
	284-285	.401
	286-287	.401
	288-289	.401
	290-291	.401
	484-485	.428
	486-487	.428
	488-489	.428
	490-491	.428
	684-685	.442
	686-687	.442
	688-689	.442
	690-691	.442
	151	.014
	152	.014
	153	.014
	154	.014
	155	.014
	156	.014

EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-E 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. 15</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)
	284-285	.386
	286-287	.386
	288-289	.386
	290-291	.386
	484-485	.413
	486-487	.413
	488-489	.413
	490-491	.413
	684-685	.426
	686-687	.426
	688-689	.426
	690-691	.426
	151	.014
	152	.014
	153	.014
	154	.014
	155	.014
	156	.014

EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-E 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. 15</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)
	284-285	.372
	286-287	.372
	288-289	.372
	290-291	.372
	484-485	.397
	486-487	.397
	488-489	.397
	490-491	.397
	684-685	.410
	686-687	.410
	688-689	.410
	690-691	.410
	151	.013
	152	.013
	153	.013
	154	.013
	155	.013
	156	.013

EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-E 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. 15</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>
	284-285	.357
	286-287	.357
	288-289	.357
	290-291	.357
	484-485	.382
	486-487	.382
	488-489	.382
	490-491	.382
	684-685	.397
	686-687	.397
	688-689	.397
	690-691	.397
	151	.013
	152	.013
	153	.013
	154	.013
	155	.013
	156	.013

EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-E 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. 15</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)
	284-285	.343
	286-287	.343
	288-289	.343
	290-291	.343
	484-485	.366
	486-487	.366
	488-489	.366
	490-491	.366
	684-685	.380
	686-687	.380
	688-689	.380
	690-691	.380
	151	.012
	152	.012
	153	.012
	154	.012
	155	.012
	156	.012

EXHIBIT C

The following chart shows the percentage interest of each unit owner in Phase III-E 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. 15</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)
	284-285	.326
	286-287	.326
	288-289	.326
	290-291	.326
	484-485	.349
	486-487	.349
	488-489	.349
	490-491	.349
	684-685	.361
	686-687	.361
	688-689	.361
	690-691	.361
	151	.012
	152	.012
	153	.012
	154	.012
	155	.012
	156	.012


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

<u>Bldg. 15</u>	<u>Unit Number</u>	<u>Approximate area in square feet</u>
	284-285	807.41
	286-287	816.92
	288-289	816.92
	290-291	807.41
	484-485	807.41
	486-487	816.92
	488-489	816.92
	490-491	807.41
	684-685	807.41
	686-687	816.92
	688-689	816.92
	690-691	807.41
	151	55.86
	152	55.86
	153	55.86
	154	55.86
	155	55.86
	156	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

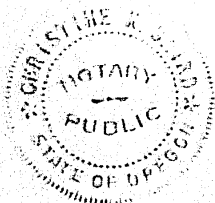

Professional Engineer

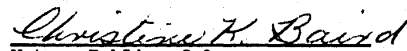
STATE OF OREGON)
SS
County of Lane)

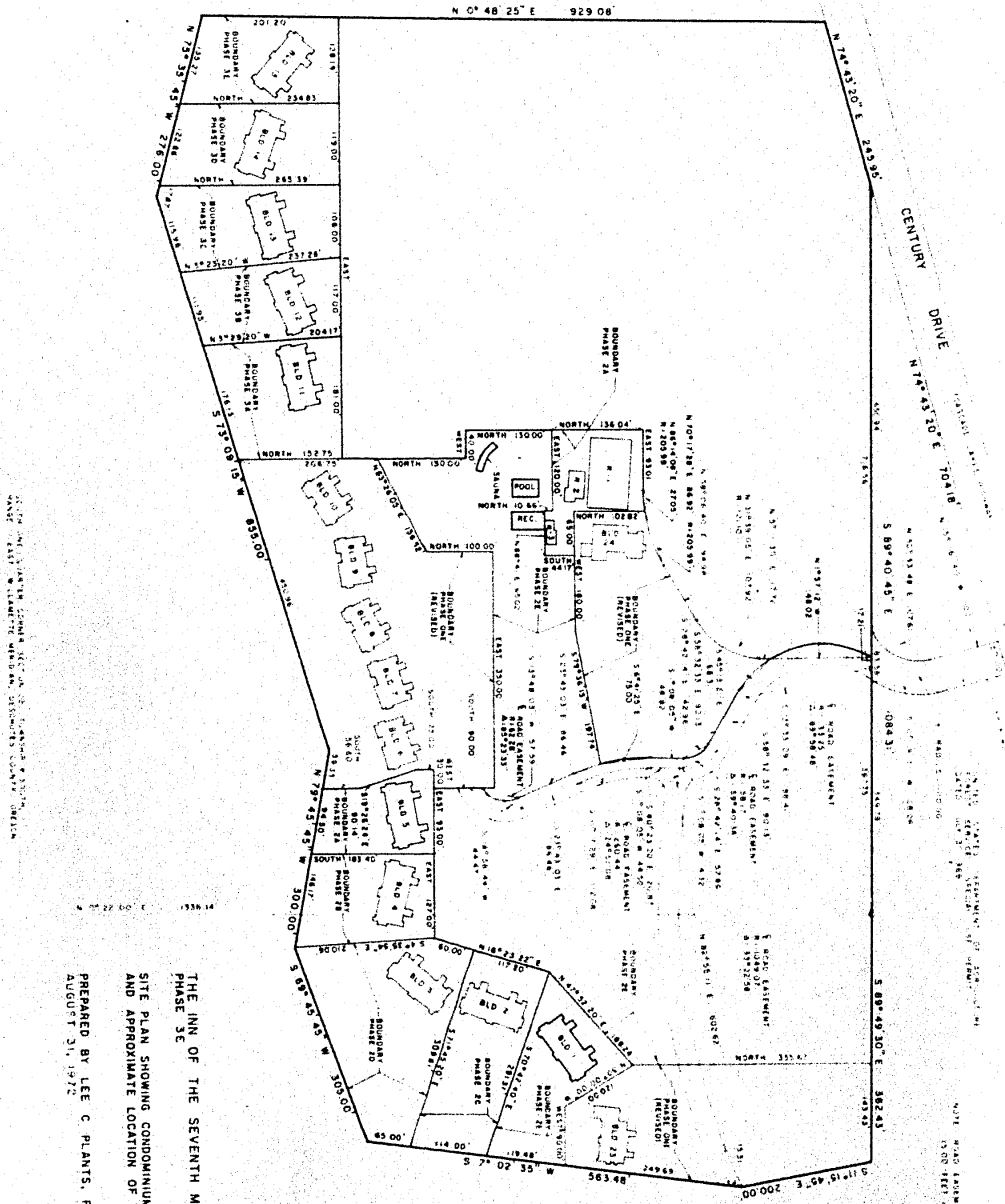
Personally appeared the above named Lee C. Plants and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:

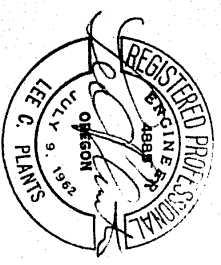
Dated: 9-1-72



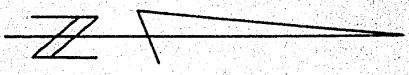

Notary Public of Oregon
My Commission expires August 24, 1976

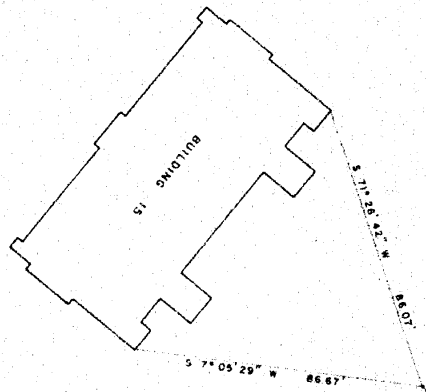


THE INN OF THE SEVENTH MOUNTAIN
PHASE 3C
SITE PLAN SHOWING CONDOMINIUM BOUNDARY
AND APPROXIMATE LOCATION OF BUILDINGS
PREPARED BY LEE C. PLANTS, P.E.
AUGUST 31, 1972

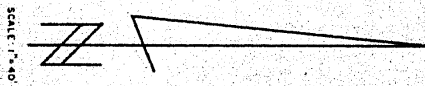


SCALE: 1" = 200'

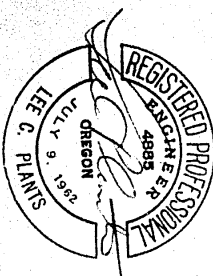


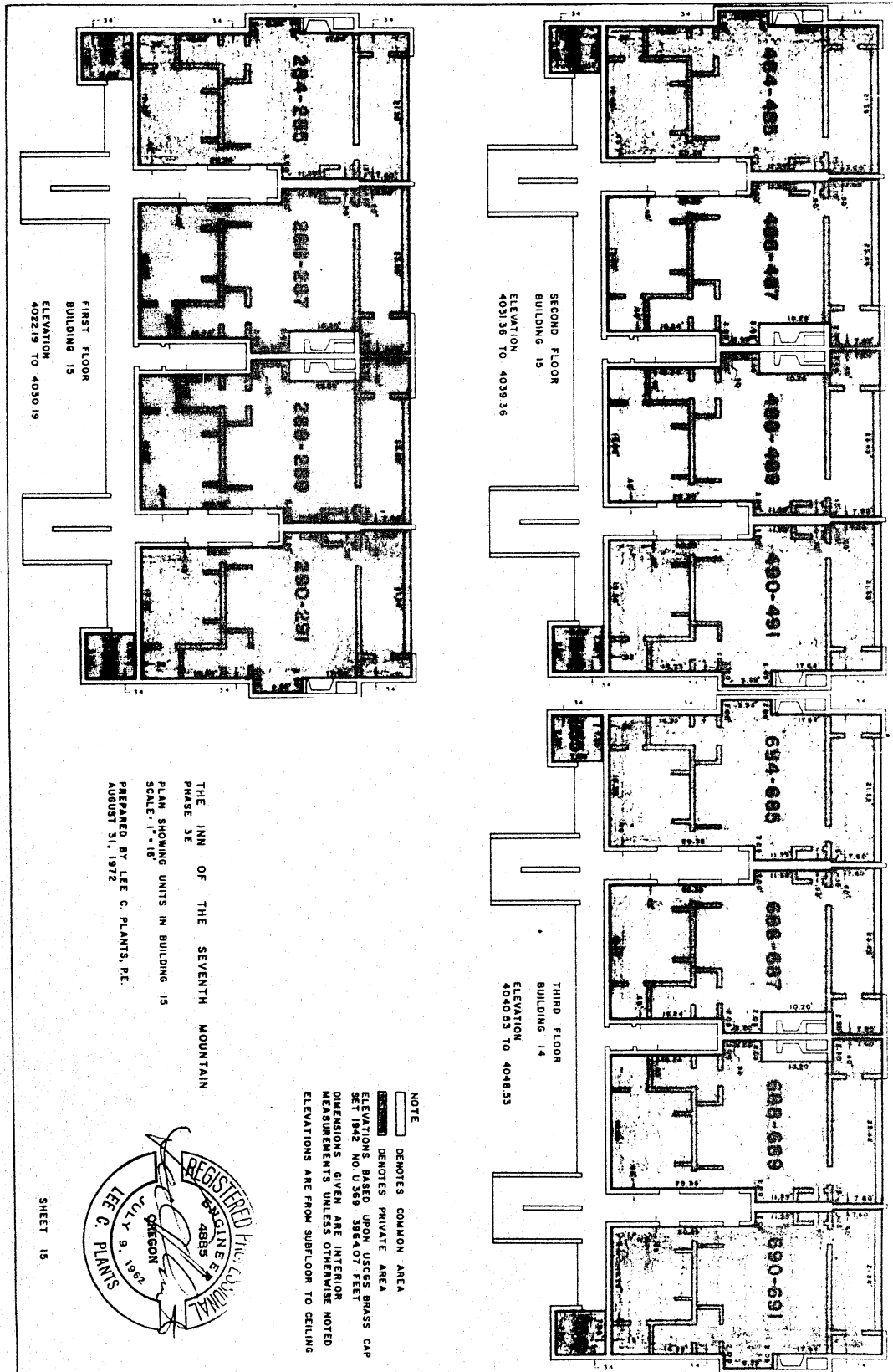


CONTROL POINT IS NORTH 343 51 FEET
AND 107 19 FEET EAST OF SECTION SOUTH
AND 107 19 FEET EAST OF SECTION SOUTH
TOWNSHIP 18 SOUTH, RANGE 11 EAST,
WILLAMETTE MERIDIAN, DESCHUTES
COUNTY, OREGON.



THE INN OF THE SEVENTH MOUNTAIN
PHASE 3E
SITE PLAN SHOWING EXACT LOCATION OF
BUILDING 15
PREPARED BY LEE C. PLANTS, P.E.
AUGUST 31, 1972





9125 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. 1922
at 4:30 o'clock P. M. and recorded
in Book 188 on Page 574 Records
of Deschutes
ROSEMARY PATTERSON
County Clerk
By J. Schutte Deputy