

29032

ANNEXATION

AND

SUPPLEMENTAL DECLARATION

KITTY HAWK CONDOMINIUMS

STAGE II**RECEIVED**
APR 11 1979
REAL ESTATE DIV.
SALEM, OREGON

THIS SUPPLEMENTAL DECLARATION, pursuant to the provisions of ORS 91.1505 to 91.675, is made and executed this 10 day of April, 1979, by DANARA CONSTRUCTION, INC., an Oregon corporation, hereafter called Declarant, pursuant to the provisions of the Unit Ownership Act of Oregon;

W I T N E S S E T H:

WHEREAS Declarant is the owner of certain real property in an area described as South Great Hall site in Meadow Village, City of Sunriver, in the west half of Section 5, Township 20 S., Range 11 E. of the Willamette Meridian, in Deschutes County, Oregon; and

WHEREAS Declarant has constructed condominium units upon that premises and is making certain other improvements thereon; and

WHEREAS Declarant intends, by filing this Supplemental Declaration, to submit and annex a portion of the above-described property, the condominium units and other improvements thereon, together with all the appurtenances thereto, to the provisions of the Unit Ownership Act and to impose upon the property, buildings, units, improvements and appurtenances mutually beneficial restrictions under a general plan of improvement for the benefit of the townhouse units and the owners thereof; now, therefore,

DECLARANT HEREBY DECLARES AND PUBLISHES that a portion of the above-described property be, and hereby is, annexed and submitted to the provisions of the Unit Ownership Act, together with the buildings, units, improvements and appurtenances constructed thereon and that the buildings, units, improvements and appurtenances are to be held, conveyed, hypothecated, encumbered, leased, rented, used,

occupied and improved subject to certain covenants, conditions, restrictions, uses, limitations and obligations, all of which are declared to be a burden and a benefit to Declarant, its successors and assigns, and any person acquiring or owning an interest in the property and improvements, their grantees, successors, heirs, executors, administrators, devisees and assigns.

1. Condominium Description. Declarant is developing and annexing the property in multiple stages. Stage I has been constructed and declared. It consists of four buildings containing 18 condominium units and the common elements appurtenant thereto. This Supplemental Declaration pertains to four additional buildings containing four condominium units. Declarant plans to construct 11 more residential buildings at which time the project will be completed and will then consist of ~~20~~ buildings containing 97 condominium units.

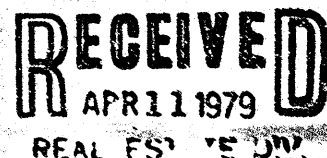
2. Land Description. The real property subject to this Supplemental Declaration is a portion of the total South Great Hall site and is to be a part of the general common elements of the condominium project. The fee is held by Declarant pursuant to the terms of a warranty deed dated August 31, 1978, recorded on October 3, 1978, in Volume 284, at Page 566, Deed Records of Deschutes County, Oregon. The portion subject to this Supplemental Declaration is described more particularly in Exhibit A attached hereto.

Declarant hereby expressly reserves an easement to itself and to the general public on the same conditions and for the same purposes as are set forth in the Declaration of Stage I.

The easement for ingress and egress by unit owners of State I across land herein declared is hereby merged into the fee estate which is subject to this Supplemental Declaration.

3. Name. The name by which the project is known is Kitty Hawk Condominiums, and the name by which the property declared hereunder is known as Kitty Hawk Condominiums, Stage II.

4. Unit Description. The property declared hereunder is contained in 4 townhouse buildings consisting



of four units. Ownership of a unit carries with it the unit's undivided interest in the general common areas. The fractional interest of each unit presently in the project, including the units hereby declared, is Exhibit B attached hereto and hereby made a part hereof. Drawings showing the floor plans and the designation and location of such units are attached as Exhibits C and D, respectively.

5. Common Elements. General common elements include the land described in Exhibit A; yards, gardens, parking areas, streets and outside storage spaces; foundations, columns, girders, beams, supports, roofs, stairs and decks; the exterior undecorated perimeter of walls, floors and ceilings; exterior installations of telephone, power, light, gas, hot and cold water, heating, refrigeration, air conditioning, waste disposal and incinerating and television cable.

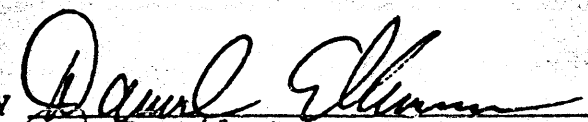
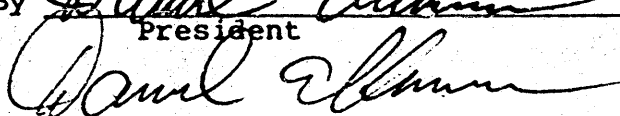
6. Incorporation by Reference. The Stage I Declaration executed on July 31, 1979, and recorded on that date in Vol. 279, beginning at Page 338, Deed Records of Deschutes County, Oregon is incorporated by this reference as if fully set forth.

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

DANARA CONSTRUCTION, INC.

Declarant

By


President


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5. Common Elements. General common elements include the land described in Exhibit A; yards, gardens, parking areas, streets and outside storage spaces; foundations, columns, girders, beams, supports, roofs, stairs and decks; the exterior undecorated perimeter of walls, floors and ceilings; exterior installations of telephone, power, light, gas, hot and cold water, heating, refrigeration, air conditioning, waste disposal and incinerating and television cable.

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

DANARA CONSTRUCTION, INC.

STATE OF OREGON,

County of Deschutes

ss.

FORM NO. 23 — ACKNOWLEDGMENT
STEVENS-NESS LAW PUB. CO., PORTLAND, ORE.

VOL 297 PAGE 678

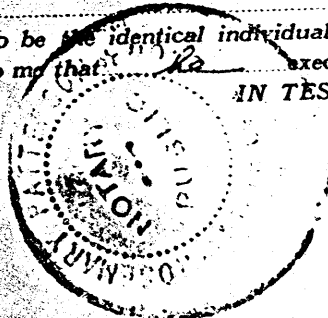
BE IT REMEMBERED, That on this 26th day of April, 1979, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Daniel E. Danara

known to me to be the identical individual described in and who executed the within instrument and acknowledged to me that he executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

[Signature]
Notary Public for Oregon.

My Commission expires 7-22-82



VERIFICATION

STATE OF OREGON

COUNTY OF

Deschutes)
SS.

Personally appeared DANIEL E. KEARNS, who being sworn, stated that he is the President of DANARA CONSTRUCTION, INC., and that the foregoing instrument was voluntarily signed in behalf of the corporation by authority of its Board of Directors.

Subscribed and sworn to before me this 10 day of April, 1979.

Sandra L. Tye
NOTARY PUBLIC FOR OREGON

My Commission Expires: 8-30-82

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SALEM, OREGON

Property Description

A tract of land containing 0.58 acres, located in the West 1/2 of Section 5, T.2C3., R.11E., S.4N., Deschutes County, Oregon, being more particularly described as follows:

Commencing at the Initial Point for the recorded subdivision plat "South Great Hall Site", said point being also N 05° 32' 06" E a distance of 2270.07 feet from the Southwest corner of said Section 5; thence N 55° 41' 12" W along the southerly line of said subdivision a distance of 25.00 feet to the point of beginning; thence continuing along said Southerly line N 55° 41' 12" W a distance of 184.79 feet; thence N 05° 47' 17" W along the Westerly line of said subdivision a distance of 132.45 feet; thence N 35° 53' 29" E along said Westerly line a distance of 34.12 feet; thence S 65° 09' 02" E a distance of 94.00 feet; thence S 03° 50' 00" E a distance of 70.00 feet; thence S 86° 10' 00" E a distance of 32.00 feet; thence N 59° 59' 04" E a distance of 30.76 feet; thence S 01° 02' 25" W a distance of 167.16 feet to the point of beginning.

TOGETHER WITH a non-exclusive roadway easement 20 feet in width and lying 10 feet on either side of the following described centerline: Commencing at the aforementioned Initial Point; thence N 55° 41' 12" W along the Southerly line of the aforesaid subdivision a distance of 25.00 feet; thence N 01° 02' 25" E a distance of 141.16 feet to the point of beginning for the centerline being described; thence N 74° 04' 38" E a distance of 76.63 feet; thence N 41° 11' 09" E a distance of 42.52 feet; thence N 08° 55' 50" E a distance of 70.86 feet; thence N 52° 54' 45" E a distance of 210.60 feet; thence N 35° 44' 03" E a distance of 101.02 feet; thence N 65° 17' 51" E a distance of 110.07 feet; thence N 47° 03' 35" E a distance of 98.35 feet; thence N 23° 33' 08" E a distance of 85.09 feet; thence S 73° 39' 55" E a distance of 17.35 feet to the westerly right-of-way line of Meadow Road and terminus for this easement.

Exhibit A

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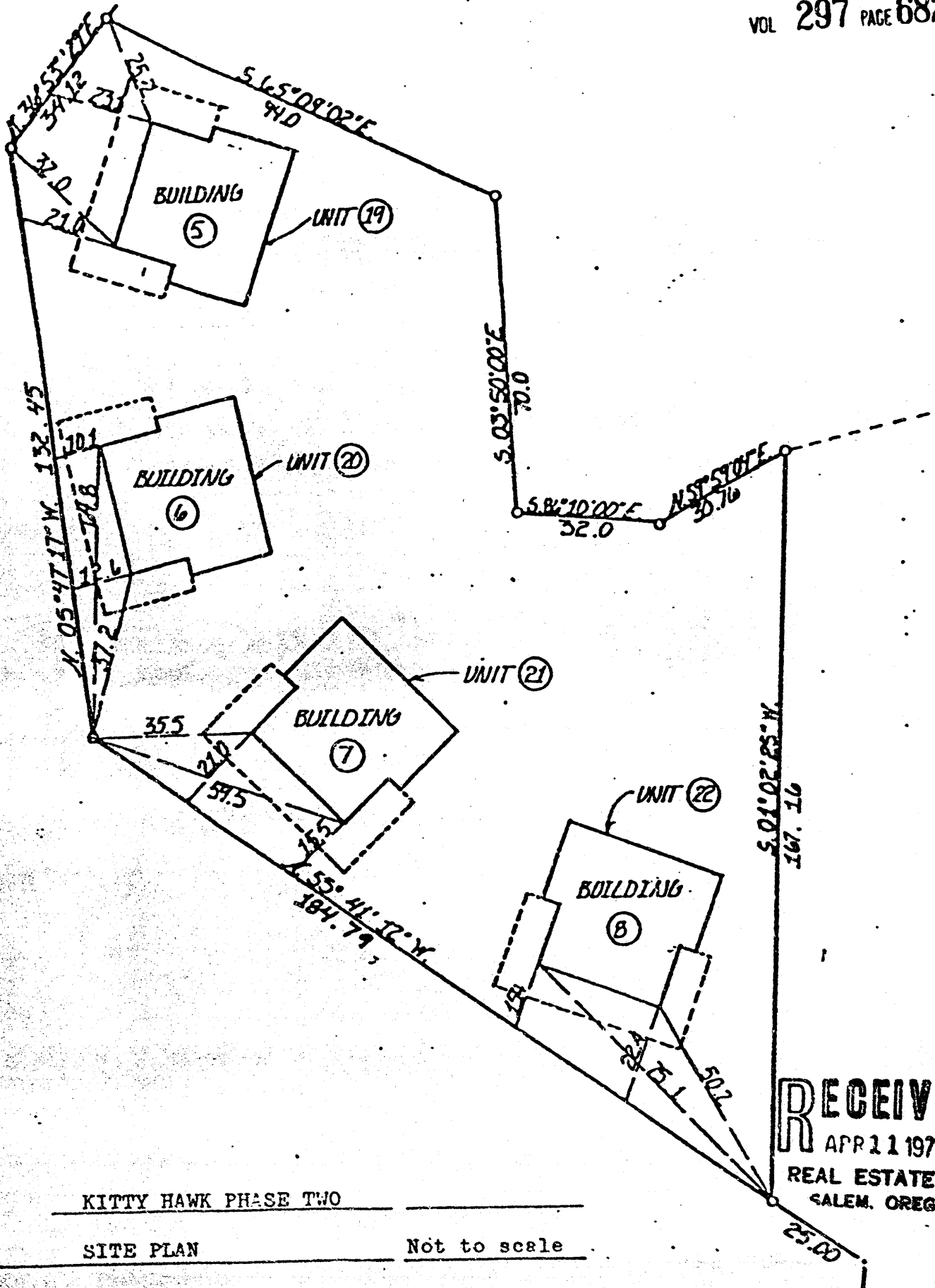
EXHIBIT B

KITTY HAWK CONDOMINIUMS

Percentage of interest in general common elements
of each unit

Unit	Phase I	Phase II	Phase III	Phase IV	Phase V	Phase VI	Phase VII
1	.1180	.0868	.0587	.0393	.0344	.0304	.0254
2	.1180	.0868	.0587	.0393	.0344	.0304	.0254
3	.0387	.0240	.0162	.0129	.0095	.0084	.0070
4	.0387	.0240	.0162	.0129	.0095	.0084	.0070
5	.0387	.0240	.0162	.0129	.0095	.0084	.0070
6	.0387	.0240	.0162	.0129	.0095	.0084	.0070
7	.0460	.0293	.0198	.0153	.0116	.0103	.0086
8	.0460	.0293	.0198	.0153	.0116	.0103	.0086
9	.0676	.0427	.0289	.0225	.0169	.0150	.0125
10	.0676	.0427	.0289	.0225	.0169	.0150	.0125
11	.0387	.0240	.0162	.0129	.0095	.0084	.0070
12	.0387	.0240	.0162	.0129	.0095	.0084	.0070
13	.0387	.0240	.0162	.0129	.0095	.0084	.0070
14	.0387	.0240	.0162	.0129	.0095	.0084	.0070
15	.0460	.0293	.0198	.0153	.0116	.0103	.0086
16	.0460	.0293	.0198	.0153	.0116	.0103	.0086
17	.0676	.0427	.0289	.0225	.0169	.0150	.0125
18	.0676	.0427	.0289	.0225	.0169	.0150	.0125
19		.0868	.0587	.0393	.0344	.0304	.0254
20		.0868	.0587	.0393	.0344	.0304	.0254
21		.0868	.0587	.0393	.0344	.0304	.0254
22		.0868	.0587	.0393	.0344	.0304	.0254
23			.0162	.0129	.0095	.0084	.0070
24			.0162	.0129	.0095	.0084	.0070
25			.0162	.0129	.0095	.0084	.0070
26			.0162	.0129	.0095	.0084	.0070
27			.0162	.0129	.0095	.0084	.0070
28			.0198	.0153	.0116	.0103	.0086
29			.0198	.0153	.0116	.0103	.0086
30			.0289	.0225	.0169	.0150	.0125
31			.0289	.0225	.0169	.0150	.0125
32			.0162	.0129	.0095	.0084	.0070
33			.0162	.0129	.0095	.0084	.0070
34			.0162	.0129	.0095	.0084	.0070
35			.0162	.0129	.0095	.0084	.0070
36			.0198	.0153	.0116	.0103	.0086
37			.0198	.0153	.0116	.0103	.0086
38			.0289	.0225	.0169	.0150	.0125
39			.0289	.0225	.0169	.0150	.0125
40			.0162	.0129	.0095	.0084	.0070
41			.0162	.0129	.0095	.0084	.0070
42			.0162	.0129	.0095	.0084	.0070
43			.0162	.0129	.0095	.0084	.0070
44			.0198	.0153	.0116	.0103	.0086
45			.0198	.0153	.0116	.0103	.0086
46			.0289	.0225	.0169	.0150	.0125
47			.0289	.0225	.0169	.0150	.0125
48			.0129	.0095	.0084	.0070	.0070
49			.0129	.0095	.0084	.0070	.0070
50			.0129	.0095	.0084	.0070	.0070
51			.0129	.0095	.0084	.0070	.0070
52			.0153	.0116	.0103	.0086	.0086
53			.0153	.0116	.0103	.0086	.0086
54			.0225	.0169	.0150	.0125	.0125
55			.0225	.0169	.0150	.0125	.0125
56			.0129	.0095	.0084	.0070	.0070
57			.0129	.0095	.0084	.0070	.0070
58			.0129	.0095	.0084	.0070	.0070
59			.0153	.0116	.0103	.0086	.0086
60			.0153	.0116	.0103	.0086	.0086
61			.0225	.0169	.0150	.0125	.0125
62			.0225	.0169	.0150	.0125	.0125
63			.0129	.0095	.0084	.0070	.0070
64			.0129	.0095	.0084	.0070	.0070
65			.0129	.0095	.0084	.0070	.0070
66			.0129	.0095	.0084	.0070	.0070
67			.0153	.0116	.0103	.0086	.0086
68			.0153	.0116	.0103	.0086	.0086
69			.0225	.0169	.0150	.0125	.0125
70			.0225	.0169	.0150	.0125	.0125
71			.0129	.0095	.0084	.0070	.0070
72			.0129	.0095	.0084	.0070	.0070

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KITTY HAWK PHASE TWO

SITE PLAN

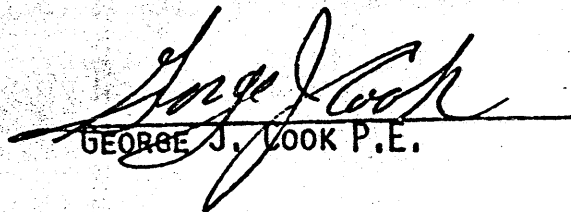
Not to scale

Exhibit

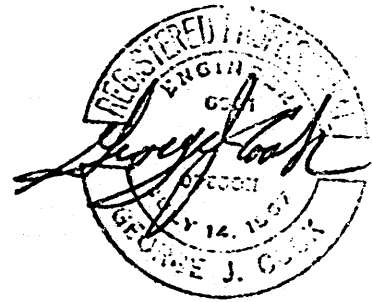
C-1

I, GEORGE J. COOK OF THE FIRM OF HIGH DESERT ENGINEERING INC., OF 1230 NE 3RD STREET; BEND, OREGON, 97701, DO HEREBY CERTIFY THAT SHEET TWO OF TWO OF THE KITTY HAWK PHASE II CONDOMINIUM PLAT ACCURATELY DEPICTS THE BOUNDARIES OF THE UNITS AND FLOORS OF BUILDING FIVE THROUGH EIGHT.

I HEREBY CERTIFY THAT THE DATE THE CONSTRUCTION OF THE BUILDINGS DEPICTED ON THE ACCOMPANYING FLOOR PLANS AND PLAT MAP WAS COMPLETED WAS 9 APRIL, 1979.

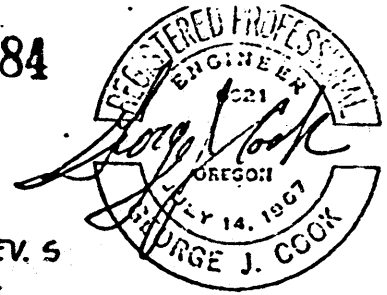

GEORGE J. COOK P.E.

4/9/76
DATE



Sheet one of two
Exhibit C-2

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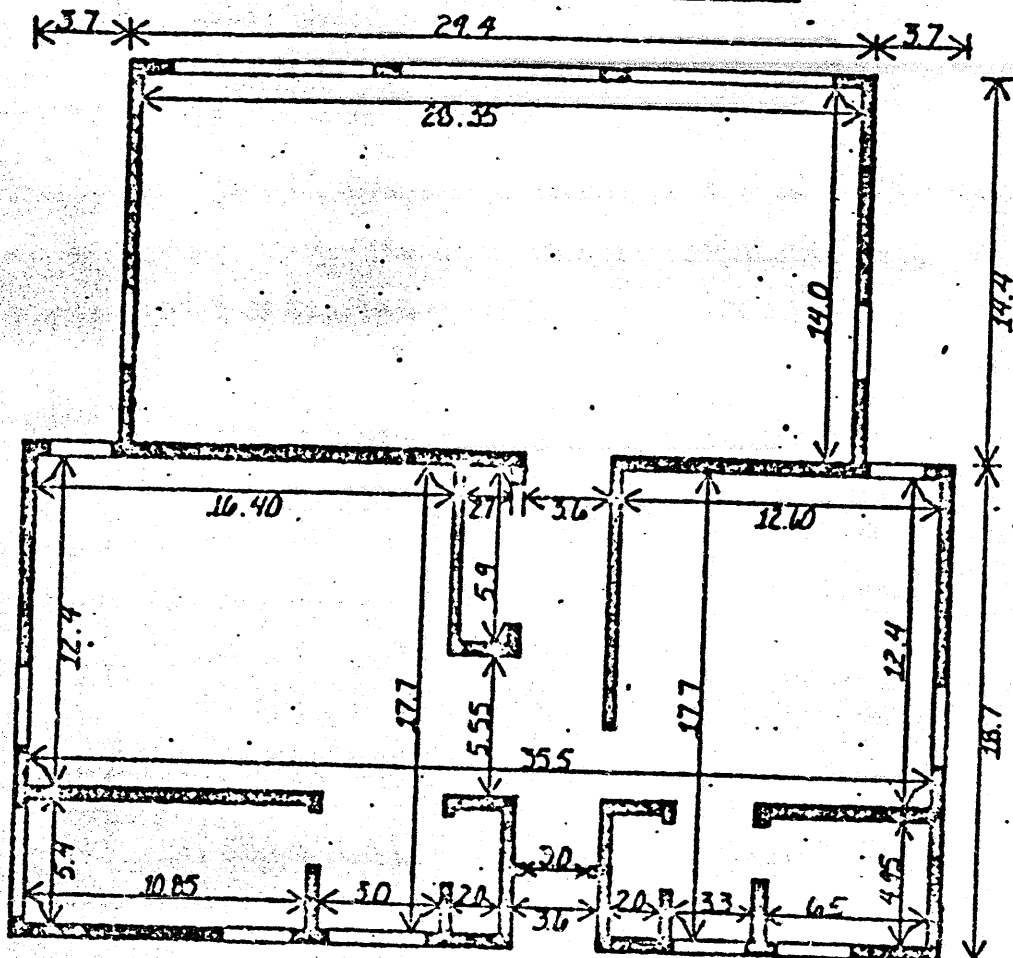


ELEV. Q

ELEV. S

ELEV. T

	BUILDING 1	BUILDING 2	BUILDING 3	BUILDING 4
ELEV. Q	4169.17	4168.60	4169.36	4169.76
ELEV. R	4184.31	4183.74	4184.50	4184.90
ELEV. S	4167.31	4166.74	4167.50	4167.90
ELEV. T	4159.01	4159.24	4160.00	4160.40

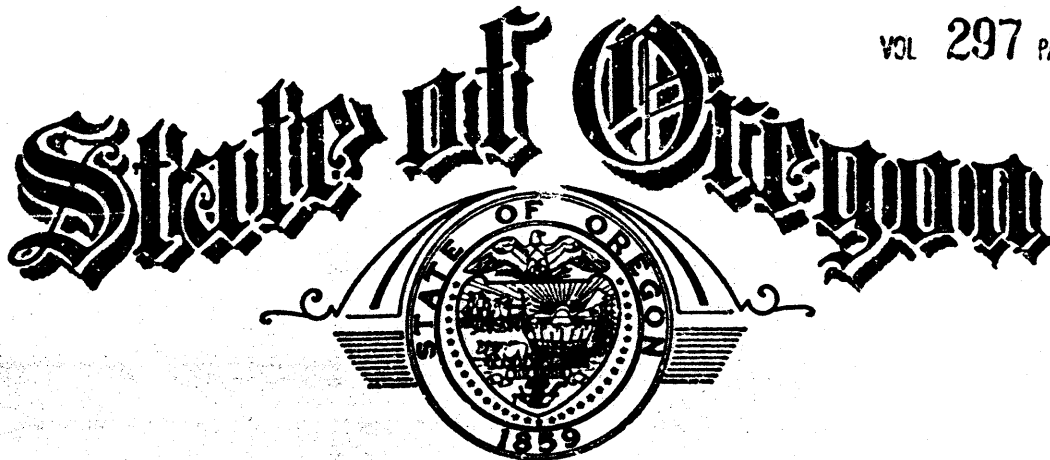


FLOOR PLANS & ELEVATIONS

Sheet two of two

Exhibit C-3

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 SALEM, OREGON



Department of Commerce Real Estate Division

APPROVAL OF SUPPLEMENTAL DECLARATION

THE UNDERSIGNED, pursuant to ORS 91.518, as Real Estate Commissioner of the State of Oregon, hereby approves the Supplemental Declaration of Unit Ownership for

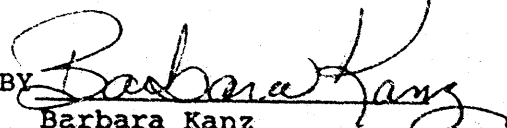
KITTY HAWK CONDOMINIUMS, STAGE II

In Deschutes County, Oregon.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed hereto the seal of the Real Estate Division of the Department of Commerce of the State of Oregon this

18th day of April, 1979.

GORDON W. BURBEE
Real Estate Commissioner

BY 
Barbara Kanz
Condominium Project Manager
Subdivision Section

APPROVAL OF KITTY HAWK CONDOMINIUMS

We, the Assessor and Tax Collector, respectively, of Deschutes County, Oregon, hereby approve the Bylaws and Declaration of Stage II of Kitty Hawk Condominiums, a condominium in Deschutes County, Oregon. All taxes, charges and assessments have been paid as of this date.

DATED this 25th day of April, 1979.

Osborn B. Bratton
Assessor, Deschutes County, Oregon

John L. Taylor
Tax Collector, Deschutes County, Oregon

29032

STATE OF OREGON

County of Deschutes

I hereby certify that the within instrument of writing was received for Record

the 26 day of Apr A.D. 1979at 8:47 o'clock A M., and recordedin Book 297 on Page 675 Recordof DeedsROSEMARY PATTERSON
County ClerkBy Haris J. Davis Deputy

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