

SUPPLEMENT TO PLAN OF SUNRIVER

The following Supplement to The Plan of Sunriver is made as of this 17 day of August, 1976, by SUNRIVER PROPERTIES, INC., an Oregon corporation ("Developer").

OBJECTIVES AND RECITALS

Developer has heretofore filed a document entitled "Plan of Sunriver" dated June 20, 1968 ("the Plan of Sunriver") which was recorded in the Deed Records of Deschutes County in Volume 159 at page 198, and following. The objectives of the Plan of Sunriver are stated in the preamble thereto and are incorporated herein by reference. In summary, the Plan of Sunriver is intended to create a plan of covenants, conditions and restrictions running with the land for the benefit of various lots, condominium units and other properties from time to time developed thereunder for the mutual benefit of all of those parcels of property and every part thereof and interest therein.

Pursuant to the terms of the Plan of Sunriver, Developer reserved the right to subject certain property to the Plan of Sunriver from time to time by filing a Declaration pursuant to Section 2 thereof. Pursuant to Section 7.1 of the Plan of Sunriver, assessments are levied for maintenance of various common areas and for other purposes described in the Plan of Sunriver on all persons owning various units other than Developer.

Developer desires to subject the units owned by Developer to assessment, pursuant to Section 7 of the Plan of Sunriver on an equitable basis so that Developer shall be subject to assessment with respect to units in inventory and ready for sale under all applicable laws. Developer desires to record this Supplement to the Plan of Sunriver relinquishing and waiving its right to be free of assessments with respect to such units owned by it.

NOW, THEREFORE, IN CONSIDERATION of the benefits to be derived by Developer from enhancement of the operations of Sunriver pursuant to the Plan of Sunriver as a result of the waivers and undertakings on its part herein set forth, and as a supplement to the Plan of Sunriver to be construed as covenants running with the land, binding upon and inuring to the benefit of the heirs, successors and assigns of all persons acquiring any right, title or interest in and to any unit in Sunriver or any portion thereof or interest therein, Developer hereby agrees as follows:

1. Units Owned by Developer Shall Be Subject to Assessment. From and after the date hereof, units available for sale (as hereinafter defined) shall be subject to assessment pursuant to Section 7 of the Plan of Sunriver, notwithstanding the fact that they are owned by Developer.

2. Units Available For Sale Defined. The term "unit available for sale" shall mean any "unit", as defined in Section 1.20 of the Plan of Sunriver, (i) shown on a plat or map thereof, subject to the Plan of Sunriver and approved for offer of sale to the public pursuant to all applicable laws, ordinances, rules and regulations of the

State of Oregon and the United States Department of Housing and Urban Development, Office of Interstate Land Sale Registration, (ii) from and after the date when the first unit in the subdivision or platted area, so approved, has been sold to a person, firm or entity other than Developer. By way of example, when the first sale of a unit occurs in a platted area, consisting of twenty (20) lots and common area which has been approved for sale, and the purchaser of that unit becomes subject to assessment pursuant to Section 7 of the Plan of Sunriver, then, from and after that date, Developer shall be liable for the assessments on the remaining unsold lots within the platted area during the period when Developer is the owner thereof. The purpose of this provision is to subject Developer to liability for assessments with respect to all units in increments of Sunriver from and after the date when the first unit sale in such increment has occurred to a person other than Developer.

3. Plan of Sunriver To Remain in Full Force and Effect. The provisions hereof supplement the Plan of Sunriver and are provided by Developer as a waiver of certain of the provisions of the Plan of Sunriver which are for Developer's benefit, to wit, the provisions of Section 7.1 exempting units owned by Developer from assessment. The provisions hereof are given to Supplement the Plan of Sunriver and are intended to operate as covenants running with the land for the benefit of all persons owning any interest in property subject to the

Plan of Sunriver including, but without limitation, existing unit owners, their successors, assigns and mortgagees.

IN WITNESS WHEREOF, the Developer has executed this Supplement to the Plan of Sunriver, the day and year first above written.



SUNRIVER PROPERTIES, INC.

By [Signature]  
Its President

STATE OF OREGON )  
COUNTY OF DESCHUTES ) ss.

On this 17 day of August, 1976, personally appeared before me R. C. ANDERSON, who, being duly sworn, did say that he is the President of SUNRIVER PROPERTIES, INC., a corporation, and that said instrument was signed in behalf of said corporation by authority of its Board of Directors; and he acknowledged said instrument to be its voluntary act and deed.



[Signature]  
Notary Public for Oregon.  
My Commission Expires: 8-6-78.

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SUNRIVER DECLARATION SUBJECTING CERTAIN  
AREAS TO THE PLAN OF SUNRIVER

By instrument dated June 20, 1968 and recorded on June 20, 1968 in Volume 159 of the Records of Deeds of Deschutes County, Oregon at Page 198, SUNRIVER PROPERTIES, INC., an Oregon corporation, "the Developer", has established the Plan of Sunriver.

The Plan of Sunriver provides that land may be subjected to the Plan of Sunriver by the filing of a declaration by Developer in the Records of Deeds of Deschutes County, Oregon, subjecting such land to the Plan of Sunriver. The Plan further provides for the classification of land so subjected to the Plan of Sunriver. Such land classifications include "common areas" and "leased scenic areas".

Developer now wishes to subject certain land to the Plan of Sunriver and to provide for the classification thereof.

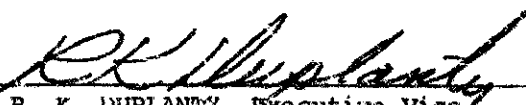
NOW, THEREFORE, Developer does hereby declare and provide as follows:

Pursuant to Sections 1.2 and 2.1 of the Plan of Sunriver, Developer does hereby declare that the property described on Exhibit "A" attached hereto shall be subject to the Plan of Sunriver and shall constitute "common areas" within the meaning of Section 4.4 of the Plan of Sunriver.

IN WITNESS WHEREOF, Sunriver Properties, Inc. has executed this declaration on the 29 day of December, 1977.

SUNRIVER PROPERTIES, INC.

By

  
R. K. DUPLANTY, Executive Vice  
President and General Manager

ATTEST:



Charles P. Hansen, Secretary

E OF OREGON )  
 ) ss.  
ty of Deschutes )

his 29 day of December, 1977, personally appeared R. K. DUPLANTY,  
being first duly sworn, did say that he is the Executive Vice Presi-  
and General Manager of SUNRIVER PROPERTIES, INC., and that the seal  
xed to the foregoing instrument is the corporate seal of said corpo-  
on and that said instrument was signed and sealed in behalf of said  
oration by authority of its board of directors; and he acknowledged  
instrument to be its voluntary act and deed.

re me:

  
Notary Public for Oregon.  
My commission expires: 8-6-78