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97-21080

FIFTH AMENDMENT TO DECLARATION OF RESERVATIONS, RESTRICTIONS AND COVENANTS

NI-LAH-SHA VILLAGE, PHASE !

A PLANNED COMMUNITY

WHEREAS, the "Declaration of Reservations, Restrictions and Covenants, Ni-Lah-Sha Village, Phase I, a Planned Community" (hereinafter referred to as "Declaration") was recorded on the 4th day of June, 1992, ir Volume 267, Page 931, Records of Deschutes County, Oregon; and

WHEREAS, paragraph N provides for the amendment of the Declaration by vote or agreement of the following listed owners representing more than 75% of the total votes in the planned community:

1) Baron, Richard A. & Helen W.; 2) Beals, David E. & W. Charlene; 3) Crossan, Lee O. & Sharon L.; 4) Gunning, John W.; 5) Hearing, Art L. & Lois M.; 6) Howard, Elmer E. & G Gladys; 7) Kirk, Betty J.; 8) McCullough, Harry J. Jr., & Donelyn Mary; 9) Motley, Duane & Sally; 10) Ramsay, Warren L. & Esther; 11) Southern, James C. and Norma J.; 12) Staples, James E. & Donna M.; 13) Strohmaier, Ella A.; 14) Wilson, Ramona Y.; 15) Ni-Lah-Sha Village, Inc, Kirk, Allen A., President;

WHEREAS, the undersigned being the owners of more than 75% of the total votes in the planned community desire to amend the Declaration as hereinafter set forth:

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^{1 --} FIFTH AMENDMENT TO DECLARATION OF RESERVATIONS.
RESTRICTIONS AND COVENANTS

NOW THEREFORE, The First Amendment to the Declaration is hereby amended as follows:

1. The paragraph numbered 1. which reads as follows: "The following is hereby added to paragraph M.: "Each manufactured home shall be occupied by at least one person fifty-five (55) years or older, unless the occupant is (a) the surviving spouse of a deceased owner who was at least fifty-five (55) years old at the time of his or her death; (b) the devisee or heir of a deceased owner who was at least fifty-five (55) years old at the time of his or her death; or (c) the divorced spouse of an owner age fifty-five (55) years or older, who has been awarded the manufactured home by judicial decree. -----

Shall be changed to read ---- "Not less that 80% of the manufactured homes shall be occupied by at least one person fifty-five (55) years or older. Of those homes not occupied by at least one person fifty-five (55) years or older, not more than twenty percent shall be occupied by at least one person fifty (50) years of age or older, unless the occupant is (a) the surviving spouse of a deceased owner who was at least fifty (50) years old at the time of his or her death; (b) the devisee or heir of a deceased owner who was at least fifty (50) years old at the time of his or her death; or (c) the divorced spouse of an owner age fifty (50) years or older, who has been awarded the manufactured home by judicial decree.

P -- FIFTH AMENDMENT TO DECLARATION OF RESERVATIONS, RESTRICTIONS AND COVENANTS

2. Except as amended herein, the Declaration as previously amended shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned being the owners of more than 75% of the total votes in Ni-Lah-Sha Village, have executed this Amendment as this 1974 day of _________, 1997.

OWNERS:	LOTS OWNE	D:.LS1
Harry J. & Mary R. McCullough		Lot 8
David E. & W. Charlene Reals Aurd E. Beals (1) (Mallie For e		Lot 10
Elmer E. & G. Gladys Howard	. 0	Lot 11
Letter L. & Esther A. Ramsay Hiller A	Remosy	Lot 14
John W Ganning thistory	nin guet	Lot 15
Ramona Y. Wilson		Lot 16. 28
Henry F. & Lucille & Woollard Densy F. Y Lucille M. Woolland		Lot 17
Betty . Kirk		Lot 18
NOT PRESENT		Lot 23
James E. & Donna M. Staples		Lot 19
Janes R. Saples Norma VI Stack	12-	.,
Gary S. & Betty L. Criswell		Lot 20
James C. & Norma J. Southern	<u>and B</u> ethank on the same	Lot 24
Richard A. & Helen W. Baron Seelen A. Baratkler w Barr	<u>pril di</u> e este e e e e e e e e e e e e e e e e	Lot 31
Laco & Sharon L. Crossan Marand Cia	- la	Lot 33
Ella A. Strohmaier		Lot 34
Art I & Lois M. Hearing Bet 191		Lot 37
Ni Jah-Sha Willage Inc.	J Lots	1, 2, 3, 4, 6,
Men G. Kick	2003	7, 9, 12, 13,
Allen A. Kirk, President		22. 25. 26, 27
		29 . 30, 32, 35,
		36. 38
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^{3 --} FIFTH AMENDMENT TO DECLARATION OF RESERVATIONS.
RESTRICTIONS AND COVENANTS

	STATE OF OREGON)
	County of Deschutes) s.
	duly sworn did say that he Village, Inc., and that the s of said corporation by author	above named ALLEN KIRK, who being was the president of Ni-Lah-Shasaid instrument was signed on behalf rity of its board of directors; and not to be its voluntary act and deed.
ese	OFFICIAL SEAL	3000
	GINA M TIANO HOTARY PUBLIC - OREGON COMMISSION NO. 050905 MY COMMISSION EXPRES MAA 2, 2800	Notary Public for Oregon My commission expires: 32 200
	STATE OF OREGON	——————————————————————————————————————
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	County of Deschutes)	W 14 0/2 1
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	OFFICIAL SEAL ALLEN A. KIRK NOTARY PUBLIC - OREGON COMMISSION NO.038164 MY COMMISSION EXPIRES JULY 13, 1998	Notary Public for Oregon My Commission expires 7/10/98
	STATE OF OREGON)	
	County of Deschutes)	•
11	Personally appeared the and act to be their voluntary act and	knowledged the forgoing instrument
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	ALLEN A. KIRK NOTARY PUBLIC - OREGON	Notary Public for Oregon
	COMMISSION NO.036164 MY COMMISSION EXPIRES JULY 10, 1998	My Commission expires 7/10/98

⁻⁻ FIFTH AMENDMENT TO DECLARATION OF RESERVATIONS. RESTRICTIONS AND COVENANTS

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County of Deschutes)	
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County of Deschutes)	. 1
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to be their voluntary act and	d deed.
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POLOTION NOISSIMMOD	Notary Public for Oregon
MOTARY PRINCIPES ON	My Commission expires 7/10/98
OFFICIAL SEA	

- FIFTH AMENDMENT TO DECLARATION OF RESERVATIONS. RESTRICTIONS AND COVENANTS

OFFICIAL SEAL

NOTARY PUBLIC - OREGON
COMMISSION NO.036164
ANY COMMISSION EXPIRES 7-4.Y 10, 1998

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) s. County of Deschutes)	
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^{6 --} FIFTH AMENDMENT TO DECLARATION OF RESERVATIONS.
RESTRICTIONS AND COVENANTS

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My Commission expires 7/101	98
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to be their voluntary act and deed.	
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