

RETURN AFTER RECORDING
TO : NLS #1 ASSO.
1630 NE. 6th
REDLAND, OR 97156

451 - 2452

97-21080

FIFTH AMENDMENT TO DECLARATION OF
RESERVATIONS, RESTRICTIONS AND COVENANTS
NI-LAH-SHA VILLAGE, PHASE I
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, in 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;

and

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:

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 than 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.

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 19th day of May, 1997.

OWNERS:LOTS OWNED: .LS1

Harry J. & Mary R. McCullough <i>Harry J. McCullough Mary R. McCullough</i>	Lot 8
David E. & W. Charlene Beals <i>David E. Beals W. Charlene Beals</i>	Lot 10
Elmer E. & G. Gladys Howard	Lot 11
Warren L. & Esther A. Ramsay <i>Warren L. Ramsay Esther A. Ramsay</i>	Lot 14
John W. Gunning <i>John W. Gunning</i>	Lot 15
Ramona Y. Wilson	Lot 16. 28
Henry F. & Lucille M. Woollard <i>Henry F. & Lucille M. Woollard</i>	Lot 17
Betty L. Kirk	Lot 18
----- NOT PRESENT -----	Lot 23
James E. & Donna M. Staples <i>James E. Staples Donna M. Staples</i>	Lot 19
Gary S. & Betty L. Criswell	Lot 20
James C. & Norma J. Southern	Lot 24
Richard A. & Helen W. Baron <i>Richard A. Baron Helen W. Baron</i>	Lot 31
Lee O. & Sharon L. Crossan <i>Lee O. Crossan Sharon L. Crossan</i>	Lot 33
Ella A. Strohmaier <i>Ella A. Strohmaier</i>	Lot 34
Art & Lois M. Hearing <i>Lois M. Hearing Art L. H.</i>	Lot 37
Ni-Lah-Sha Village Inc. <i>Allen A. Kirk</i>	Lots 1, 2, 3, 4, 6, 7, 9, 12, 13, 22, 25, 26, 27, 29, 30, 32, 35, 36, 38
Allen A. Kirk, President	

STATE OF OREGON)
) s.
 County of Deschutes)

Personally appeared the above named ALLEN KIRK, who being duly sworn did say that he was the president of Ni-Lah-Sha Village, Inc., and that the said instrument was signed on behalf of said corporation by authority of its board of directors; and he acknowledged said instrument to be its voluntary act and deed.

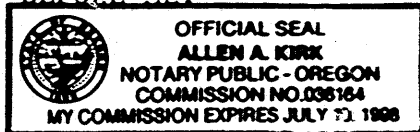


Gina M. Tiano
 Notary Public for Oregon
 My commission expires: 3/2/2008

STATE OF OREGON)
) s.
 County of Deschutes)

Personally appeared the above named *Harry J. McCullough* and acknowledged the foregoing instrument to be their voluntary act and deed.

BEFORE ME:

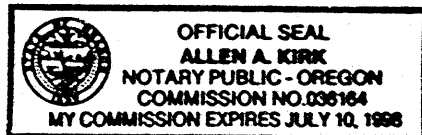


Allen A. Kirk
 Notary Public for Oregon
 My Commission expires 7/10/98

STATE OF OREGON)
) s.
 County of Deschutes)

Personally appeared the above named *David E. Beale* and acknowledged the foregoing instrument to be their voluntary act and deed.

BEFORE ME:



Allen A. Kirk
 Notary Public for Oregon
 My Commission expires 7/10/98

STATE OF OREGON)

County of Deschutes)

s.

James F. & Rosemary Kirk appeared the above named *Zeith A. Rainey*
by Alfred Rainey Attorney in Fact and acknowledged the forgoing instrument
 to be their voluntary act and deed.

BEFORE ME:



Allen A. Kirk
 Notary Public for Oregon
 My Commission expires 7/10/98

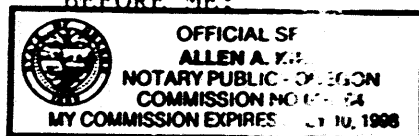
STATE OF OREGON)

County of Deschutes)

s.

Personally appeared the above named *Zeith A. Rainey*
 and acknowledged the forgoing instrument
 to be their voluntary act and deed.

BEFORE ME:



Allen A. Kirk
 Notary Public for Oregon
 My Commission expires 7/10/97

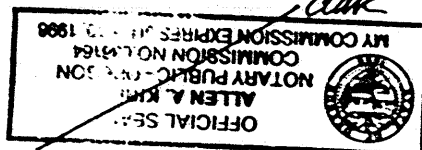
STATE OF OREGON)

County of Deschutes)

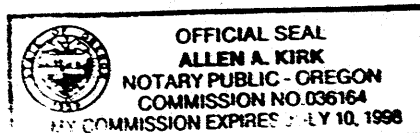
s.

Personally appeared the above named *Nancy F. & Lucille M. Wallace*
 and acknowledged the forgoing instrument
 to be their voluntary act and deed.

BEFORE ME:



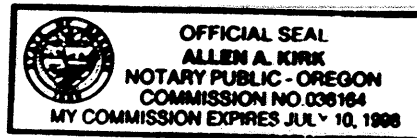
Allen A. Kirk
 Notary Public for Oregon
 My Commission expires 7/10/98



STATE OF OREGON)
) s.
 County of Deschutes)

Personally appeared the above named James E. Staples
Norma M. Staples and acknowledged the forgoing instrument
 to be her voluntary act and deed.

BEFORE ME:



Allen A. Kirk
 Notary Public for Oregon
 My Commission expires 7/10/98

STATE OF OREGON)
) s.
 County of Deschutes)

Personally appeared the above named _____
 and acknowledged the forgoing instrument
 to be her voluntary act and deed.

BEFORE ME:

 Notary Public for Oregon
 My Commission expires _____

STATE OF OREGON)
) s.
 County of Deschutes)

Personally appeared the above named Richard A. Baron
Helin W. Baron and acknowledged the forgoing instrument
 to be their voluntary act and deed.

BEFORE ME:



Allen A. Kirk
 Notary Public for Oregon
 My Commission expires 7/10/98

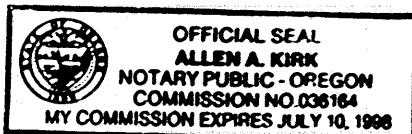
STATE OF OREGON)

County of Deschutes)

s.

Personally appeared the above named Laila Crossan
Laila Crossan and acknowledged the forgoing instrument
 to be her voluntary act and deed.

BEFORE ME:



Allen A. Kirk
 Notary Public for Oregon
 My Commission expires 7/10/98

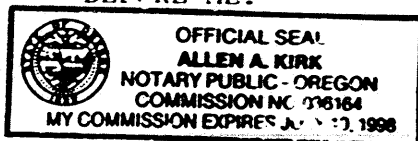
STATE OF OREGON)

County of Deschutes)

s.

Personally appeared the above named _____
 and acknowledged the forgoing instrument
 to be her voluntary act and deed.

BEFORE ME:



Allen A. Kirk
 Notary Public for Oregon
 My Commission expires 7/10/98

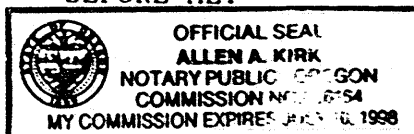
STATE OF OREGON)

County of Deschutes)

s.

x Personally appeared the above named Leis McHealing
Leis McHealing and acknowledged the forgoing instrument
 to be their voluntary act and deed.

BEFORE ME:



Allen A. Kirk
 Notary Public for Oregon
 My Commission expires 7/10/98

taccrna5ak3.5#5

STATE OF OREGON)
 COUNTY OF DESCHUTES) ss.

I, MARY SUE PENHOLLOW, COUNTY CLERK AND
 RECORDER OF CONVEYANCES, IN AND FOR SAID
 COUNTY, DO HEREBY CERTIFY THAT THE WITHIN
 INSTRUMENT WAS RECORDED THIS DAY:

97 JUN 18 AM 10:02

~~FIFTH AMENDMENT~~
~~RESTRICTIONS AND~~

DEPUTY

FEE \$5-

NO. 97-21080

DESCHUTES COUNTY OFFICIAL RECORDS