

40-

112777-36

186 - 1208

SUPPLEMENTAL CONDOMINIUM DECLARATION
FOR STAGE IVTHE RIDGE CONDOMINIUM
89-14536

This Supplemental Declaration submits to the provisions, restrictions and limitations of the Oregon Condominium Act, land hereinafter described and all improvements now existing or to be constructed on such real property to become a part of the condominium known as THE RIDGE CONDOMINIUM, a condominium lying and being in the County of Deschutes, State of Oregon. The real property being submitted hereby is Stage IV of THE RIDGE CONDOMINIUM, as set forth in the Condominium Declaration of said condominium, recorded July 7, 1988, in the records of Deschutes County, Oregon, Volume 166, Pages 1467, et seq. and the Supplemental Condominium Declaration for Stage II of THE RIDGE CONDOMINIUM, recorded February 8, 1989, in the records of Deschutes County, Oregon, Volume 178, Pages 1752, et seq., and the Supplemental Condominium Declaration for Stage III of THE RIDGE CONDOMINIUM, recorded June 9, 1989, in the records of Deschutes County, Oregon, Volume 185, Pages 2315, et seq.

Recitals, Intent and Purpose

Wiergate Corporation ("Declarant"), is owner in fee simple of the real property described hereinbelow and desires to submit said real property to the condominium form of ownership as Stage IV of THE RIDGE CONDOMINIUM, to be converted, handled and used in the manner provided by the Oregon Condominium Act.

Declarant has previously filed the Condominium Declaration and Bylaws of THE RIDGE CONDOMINIUM, which Declaration submitted eight (8) units in Stage I to the condominium form of ownership and contemplates up to a maximum of thirteen (13) additional stages with a maximum of forty-six (46) units in such stages, and the Supplemental Condominium Declaration for Stage II of THE RIDGE CONDOMINIUM, which submitted an additional six (6) units to the Condominium, contemplating up to twelve (12) additional stages with a maximum of forty (40) additional units in such stages, and the Supplemental Condominium Declaration for Stage III of THE RIDGE CONDOMINIUM, which submitted an additional four (4) units to the

PAGE 1. SUPPLEMENTAL CONDOMINIUM DECLARATION FOR STAGE IV

DESCHUTES COUNTY TITLE CO
P. O. BOX 323
BEND, OREGON 97701

Condominium, contemplating up to eleven (11) additional stages with a maximum of thirty-six (36) additional units in such stages.

The Declarant with this Supplemental Declaration desires to and does hereby submit the four (4) units in Stage IV to the condominium form of ownership.

NOW, THEREFORE:

Supplemental Declaration

Declarant hereby declares on behalf of itself, its successors, grantees and assigns, as well as to any and all persons having, acquiring or seeking to have or acquire any interest of any nature whatsoever in and to any part of the property described on Exhibit "A," that said real property in all respects shall be subject to the Oregon Condominium Act and is a part of THE RIDGE CONDOMINIUM, subject to all of the rights, restrictions and obligations of the Condominium Declaration and Bylaws of said condominium recorded July 7, 1988 in the records of Deschutes County, Oregon, Volume 166, Pages 1467, et seq., the Supplemental Condominium Declaration for Stage II of THE RIDGE CONDOMINIUM, recorded February 8, 1989, in the records of Deschutes County, Oregon, Volume 178, Pages 1752, et seq., and the Supplemental Condominium Declaration for Stage III of THE RIDGE CONDOMINIUM, recorded June 9, 1989, in the records of Deschutes County, Oregon, Volume 185, Pages 2315, et seq. Except as herein amended to permit the addition of the four (4) units in Stage IV, the Condominium Declaration and Bylaws shall remain in full force and effect.

1. LAND DESCRIPTION. The land submitted to the Oregon Condominium Act hereunder is owned and submitted by the Declarant in fee simple. The land is located in the County of Deschutes, State of Oregon, and is more particularly described on Exhibit "A" attached hereto.

2. NAME AND UNIT DESCRIPTION.

2.1 Name. The property submitted hereby shall become a part of and shall be known together with the eighteen (18) units in Stages I, II and III as THE RIDGE CONDOMINIUM.

2.2 Boundaries of Units. Each unit shall be bounded by the interior surfaces of its perimeter walls, floors, ceilings, and trim. The units shall include all lath, furring, wallboard, plasterboard, plaster, paneling, tiles, wallpaper, paint, finished flooring, and any other materials constituting any part of its

PAGE 2. SUPPLEMENTAL CONDOMINIUM DECLARATION FOR STAGE IV

finished surfaces and the exterior surfaces so described. All other portions of the walls, floors or ceilings shall be a part of the common elements. In addition, each unit shall include the following:

(a) All spaces, nonbearing interior partitions, windows, window frames, exterior doors, door frames, and all other fixtures and improvements within the boundaries of the unit; and

(b) All outlets of utility service lines, including, but not limited to, power, light, gas, hot and cold water, heating, refrigeration, air conditioning and waste disposal within the boundaries of the unit, but shall not include any part of such lines or ducts themselves.

In interpreting deeds, mortgages, deeds of trust and other instruments for any purpose whatsoever or in connection with any matter, the existing physical boundaries of the unit or of a unit reconstructed in substantial accordance with the original plans hereof shall be conclusively presumed to be the boundaries regardless of settling, rising or lateral movement of the building and regard less of variances between boundaries as shown on the plat and those of the actual building or buildings.

2.3 Building Description and Unit Designation. The land submitted by this Supplemental Declaration has one (1) building thereon in which four (4) condominium units are located. The condominium buildings are two-story, wood frame construction on concrete foundations with plywood siding and composition shingle roofs. The vertical and horizontal boundaries, number designation, location and dimension of each unit and the designation, location, description of boundaries and approximate area of each parking unit are shown on the plat for Stage IV, which is being recorded simultaneously with this Declaration.

The allocation to each unit in Stage IV of an undivided interest in the common elements was determined by dividing the sum of the approximate floor space of all units into the approximate floor space of each respective unit, and by arbitrarily allocating an additional .0001 percentage interest in the common elements to each of the units in Stage IV for purposes of this Supplemental Declaration only.

The unit designation, approximate area and percentage ownership in common elements as of the annexation of Stage IV is as follows:

	<u>Unit No.</u>	<u>Approximate Area</u>	<u>Percentage Ownership in Common Elements Stage IV</u>	<u>Minimum Percentage Ownership in Common Elements As of Completion</u>
STAGE I	7	1260	4.4888	1.3393
	8	1260	4.4888	1.3393
	9	1260	4.4888	1.3393
	10	1260	4.4888	1.3393
	11	1260	4.4888	1.3393
	12	1260	4.4888	1.3393
	13	1260	4.4888	1.3393
	14	1260	4.4888	1.3393
STAGE II	1	1285	4.5778	1.3393
	2	1285	4.5778	1.3393
	3	1285	4.5778	1.3393
	4	1285	4.5778	1.3393
	5	1285	4.5778	1.3393
	6	1285	4.5778	1.3393
STAGE III	15	1285	4.5778	1.3393
	16	1285	4.5778	1.3393
	17	1285	4.5778	1.3393
	18	1285	4.5778	1.3393
Stage IV	19	1285	4.5779	1.3393
	20	1285	4.5779	1.3393
	21	1285	4.5779	1.3393
	22	1285	4.5779	1.3393

3. GENERAL COMMON ELEMENTS.

3.1 Definition. The general common elements consist of all portions of the condominium not part of a unit or a limited common element, including, but not limited to the following:

- (a) The land;
- (b) The foundations, columns, girders, beams, supports, bearing walls, main walls, roofs, halls, corridors, lobbies, stairs, fire escapes, entrances and exits of the building(s);
- (c) Those basements, yards, gardens, recreational facilities, parking areas and outside storage spaces;

(d) Installations of central services, such as power, light, gas, hot and cold water, heating, refrigeration, air conditioning, waste disposal and incinerators, up to the outlets within any units;

(e) The tanks, pumps, motors, fans, compressors, ducts and, in general, all apparatus and installations existing for common use;

(f) All other elements of any building necessary or convenient to its existence, maintenance and safety, or normally in common use.

3.2. Maintenance, Repair and Replacement; Liability for Common Expense. Except as otherwise specifically provided in this Declaration, the cost of maintenance, repair and replacement of the general common elements shall be a common expense, and the performance of such work shall be the responsibility of the Association, except that any damage caused by the negligence or intentional act of an owner, his invitee, guest or servant shall be repaired by the Association at such owner's sole cost and expense. Common expenses shall be assessed and allocated among the owners in accordance with Section 10.6 of the Declaration.

4. LIMITED COMMON ELEMENTS. The following shall constitute limited common elements, the use of which shall be restricted to the units to which they pertain:

4.1 Definitions.

(a) Each of the patios and/or decks and storage areas is a limited common element appertaining to the unit which it adjoins as shown on the plat.

(b) Each of the numbered parking spaces is a limited common element appertaining to the unit bearing the corresponding numeration as shown on the plat.

4.2 Parking. Each of the numbered parking spaces is a limited common element appertaining to the unit bearing the corresponding numeration as shown on the plat.

4.3 Maintenance, Repair and Replacement of Limited Common Elements. Except as otherwise specifically provided in this Declaration, the cost of maintenance, repair and replacement of the limited common elements shall be a common expense, and the performance of such work shall be the responsibility of the Association, except that any damage caused by the negligence or intentional act of an owner,

his invitee, guest or servant shall be repaired by the Association at such owner's sole cost and expense. Common expenses shall be assessed and allocated among the owners in accordance with Section 10.6 of the Declaration.

5. STATEMENT OF USE. The four (4) units in Stage IV shall be used for vacation, recreational and residential purposes only.

6. DECLARATION AND BYLAWS. The annexation of the units in this Stage IV is being made pursuant to rights reserved in the Declaration, Bylaws and Supplemental Declaration which have been recorded in the Records of Deschutes County, Oregon. Except as amended herein to permit the annexation of the four (4) units in Stage IV, said Declaration and Bylaws which have been previously recorded shall be binding, enforceable and shall fully appertain to all of the property in Stage IV as well as the property in the previously submitted stages.

IN WITNESS WHEREOF, the undersigned fee owner of the subject property has caused this Supplemental Declaration for Stage IV to be executed this 5th day of June, 1989.

WIERGATE CORPORATION

By Cathleen E. Londahl
Cathleen E. Londahl
Its Attorney-in-Fact

STATE OF OREGON)
County of Deschutes) ss. June 5, 1989

Personally appeared CATHLEEN E. LONDAHL who, being duly sworn, did say that she is the Attorney-in-Fact respectively, of WIERGATE CORPORATION, and that the foregoing instrument was signed in behalf of said corporation by authority of its Board of Directors; and she acknowledged said instrument to be its voluntary act and deed.

BEFORE ME:



Karen A. Griffin
Notary Public for Oregon
My Commission Expires: 8-17-92

186 - 1214

The foregoing Supplemental Declaration is approved pursuant to
ORS 94.036 this 15th day of June,
1989.



MORELLA LARSEN
Real Estate Commissioner

By Stan F. Mayhew

EXHIBIT "A"

TO

SUPPLEMENTAL CONDOMINIUM DECLARATION
FOR STAGE IV
THE RIDGE CONDOMINIUM

A portion of 'Tract A', Mountain Village East V, a subdivision of record in the southeast one-quarter of Section 32, Township 19 South, Range 11 East, Willamette Meridian, Deschutes County, Oregon, more particularly described as follows:

Beginning at the initial point of this plat, said point being also the initial point of THE RIDGE CONDOMINIUMS, STAGE III, a brass capped iron rod;
thence North 2° 31' 02" East, 56.66 feet, to a 5/8 inch iron rod;
thence North 27° 57' 43" East, 276.08 feet, to a 5/8 inch iron rod;
thence South 50° 31' 57" East, 192.06 feet, to a 5/8 inch iron rod;
thence along the arc of a 512.50 foot radius curve 116.67 feet, the long chord of which bears South 45° 59' 22" West,
thence North 55° 47' 21" West, 26.41 feet, to a 5/8 inch iron rod;
thence South 57° 14' 57" West, 207.65 feet, to a 5/8 inch iron rod;
the initial point and terminus of this description, containing 0.81 acres more or less.

STATE OF OREGON) SS.
COUNTY OF DESCHUTES)

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:

89 JUN 20 PM 1:57

MARY SUE PENHOLLOW
COUNTY CLERK

BY M. Ryberg DEPUTY
NO. 89-14536 REC 40
DESCHUTES COUNTY OFFICIAL RECORDS