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VOL 337 PAGE 62

AMENDMENT TO DECLARATION ESTABLISHING
THE SKI HOUSE II CONDOMINIUM SECTION

THIS AMENDMENT made and executed as of the 2nd day of February, 1981, by Brooks Resources Corporation, an Oregon corporation (hereinafter referred to as "Developer"), and all unit owner of the Ski House II Condominium Section (hereinafter referred to as "Unit Owner")

W I T N E S S E T H :

WHEREAS by declaration dated February 1, 1977, recorded in Deed Records of Deschutes County, Oregon (hereinafter referred to as the "Declaration"), Developer allotted certain property to the provisions of the Oregon Unit Owners Association and

WHEREAS the parties desire to amend the Declaration to provide for an additional phase of development which will permit the annexation of additional units in the Ski House II Condominium Section,

NOW, THEREFORE, the Declaration is hereby amended as follows:

1. Section 10 of the Declaration is amended to read as follows:

SECTION 10. Unit Description. There shall be a total in all phases of 40 units. The units shall be situated in five buildings with each building containing eight units. Phase A has been completed and consists of 24 units as described in the Declaration. Phase B shall consist of eight units situated

in one building located on the land described on Exhibit B. Phase C shall consist of eight units situated in one building located on the land described on Exhibit B. Each building has two stories with four units on each story. Each building is of wood frame construction without basement and has a cedar shake roof, pine board siding on the exterior walls and interior and partition walls of gypsum wallboard and wood paneling. Each unit is bounded by the undecorated interior surfaces of its perimeter walls, ceilings, floor decks and chimney area. Each unit has an undivided 1/8th interest in the land occupied by the building in which the unit is located. The buildings included in Phase B and Phase C shall be substantially the same as the buildings included in Phase A. The dimension, design and approximate area of each unit in Phase B and Phase C shall be substantially the same as comparably situated units within each building included in Phase A.

2. Section 11 of the Declaration is hereby amended to read as follows:

SECTION 11. Location of Units. The designation and location of each unit in Phase A is shown on the site plan attached as an exhibit to the Declaration. The location of the buildings included in Phase B and Phase C is shown on Exhibit C attached hereto. The location of each unit within each building shall be substantially the same as the location of units within each building in Phase A. Unit designations shall be 25 through 32 in Phase B and 33 through 40 in Phase C with the same progression of numbering as indicated in the Declaration.

3. Section 12 of the Declaration is hereby amended to read as follows:

SECTION 12. General Common Elements. The general common elements of the land other than the land underlying each unit, and which are not part of any unit, pathways, driveways, fences, grounds, parking areas, utility and general storage areas and improvements thereon that are not a part of a unit. Each unit will be entitled to an undivided 1/24th interest in the general common elements upon completion of Phase A. Upon completion of Phase B, each unit will be entitled to an undivided 1/32nd interest in the general common elements. Upon completion of Phase C, each unit will be entitled to an undivided 1/40th interest in the general common elements.

4. The following Section 18 is hereby added to the
ration:

ON 18. Plan of Development. (a) The maximum number of units to be included in the Ski House II Condominium Section in all phases are completed is 40.

(b) The plan of development contemplates three phases of construction. Phase A is described in the Declaration. Phase B will consist of eight units situated in one building at the location shown on Exhibit C attached hereto. Phase C shall consist of eight units situated in one building at the location shown on Exhibit C attached hereto. Concurrent with the annexation of the first to be annexed of Phase B or Phase C, there shall be annexed to the Ski House II Condominium Section, the land described on Exhibit D attached hereto. In connection with the annexation of each phase Developer shall record appropriate amendments to the plan and floor plans of Ski House II Condominium Section in accordance with the requirements of Oregon Revised Statute Section 91.515.

(c) Developer's option to annex additional units and additional property will expire five years from the date of recording this Amendment to Declaration.

(d) The allocation of undivided interests in the general common elements at each stage of development is set forth in Section 12. The undivided interests in general common elements are allocated equally among all units completed at each stage of development.

(e) Developer has no obligation to construct Phase B and Phase C. Developer shall have the right to change the order of development of the proposed phases without the necessity of complying with the formal notice requirements of Oregon Revised Statutes, Section 91.521.

(f) So long as Developer proceeds in accordance with the plan of development including Developer's right to change the order of development, Owners' approval shall not be required with respect to annexation of units or general common elements. Owners hereby designate Developer as their true and lawful attorney in fact to execute and record all necessary amendments to the Declaration, plan and floor plans to carry out the plan of development.

(g) No consent of the Architectural Review Committee shall be required in connection with the construction of units in Phase B and Phase C.

5. The following Section 19 is hereby added to the Declaration:

SECTION 19. Conveyance. Owners hereby grant, bargain, sell and convey unto Developer

(a) the right to construct additional units in accordance with the plan of development specified in Section 18;

(b) the right of access to the land upon which additional units are to be constructed; and

(c) during the period of construction, the exclusive right to possession of the land described on Exhibits A and B and such additional land adjacent thereto as is reasonably required by Developer to construct additional units. The period of construction shall begin upon commencement of construction with respect to each phase and shall end upon the annexation of such phase.

All materials used by Developer in the construction of additional units pursuant to the plan of development shall remain the property of Developer until such time as individual units are conveyed by it to purchasers. Upon the annexation of additional units, title to such units, including without limitation, the undivided interest in the general common elements and limited common elements appurtenant to such units as specified in the Declaration and in this amendment shall vest in Developer and an undivided interest in the additional general common elements included in each phase of development shall vest in Owners.

6. This Declaration may be executed in several counterparts of which taken together shall constitute an original document.

IN WITNESS WHEREOF the undersigned have executed this amendment as of the date first hereinabove written.

OKS RESOURCES CORPORATION

William T. Amie

BROOKS RESOURCES CORPORATION,
as attorney in fact for the
following-named persons:

By William T. Amie

KS RESOURCES CORPORATION, as attorney in fact for the following
d owners of Ski House II Condominium Section, Mt. Bachelor Village,
of Bend, Deschutes County, Oregon:

<u>NO.</u>	<u>NAME</u>
9	Charles W. Mohill and Martha V. Mohill
0	James H. Gidley and Karen N. Gidley
1	Robert McIver, Marily McIver and Winnie Gallagher
2	G. Ross Mather
3	Claire E. Page and L. Kimball Page
4	Daniel J. Stack and Virginia A. Stack
5	Edwin J. Sherman, Neil L. Zimmerman and LaVerne R. Zimmerman
6	Howard K. Hopkins and Velma L. Hopkins
7	Theodore A. McKee and Charleen L. McKee
8	Shirley Anne Mairson
9	Robert S. Hazeldine and John G. Hazeldine
0	Robert C. Simmons and Harriet A. Simmons
9	Max J. Clausen and Deborah L. Clausen
0	Wayne E. Allen
1	Harrower, Kerl, McKenzie, a Partnership
2	John F. Fast and Patricia G. Fast
3	Roderick L. Johnson and Stephanie C. Johnson
4	Elaine K. DeHarpport
5	Harold L. Patton and Carol J. Patton
6	Alan C. Marble and Sally A. Marble
7	Thomas J. Walsh
8	Jeffrey M. Lake and Shirley K. Lake
9	Emery F. Summers and Joyce D. Summers
0	Paul H. Hammer and Thomas Hammer

The undersigned Chairman and Secretary of the Association of Unit Owners of The Ski House II Condominium Section hereby certify that the foregoing Amendment to Declaration Establishing The Ski House II Condominium Section was duly adopted by the Association of Unit Owners of The Ski House II Condominium Section.

Harold L. Patton
Chairman of the Board

Stephanie C. Johnson
Secretary

OF OREGON)
OF Deschutes) SS

On this 28 day of NOVEMBER 1980, before me, a notary in and for said county and state, personally appeared the witnesses Harold L. Patton and Stephanie C. Johnson who being first asked to say that they are the Chairman and Secretary, respectively of the Association of Unit Owners of The Ski House II Condominium Section, they said that the execution of said instrument was the voluntary act and deed of the Chairman and Secretary on behalf of the Association of Unit Owners of The Ski House II Condominium Section.

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed my official seal the date first hereinabove written.

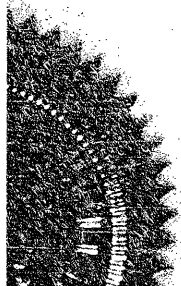
Patrick David Cornell
Notary Public for Oregon
My commission expires:

The foregoing Amendment to Declaration Establishing The Ski House II Condominium Section is approved pursuant to ORS 91.521 this February, 1981.

Barbara Kang
Real Estate Commissioner of Oregon

The foregoing Amendment to Declaration Establishing The Ski House II Condominium Section is approved pursuant to ORS 91.512 this February day of February, 1981.

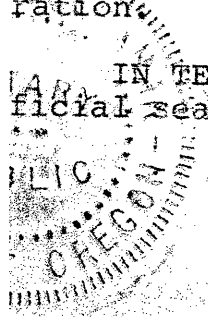
Oscar B. Brattin
Deschutes County Assessor



OF OREGON)
)
Y OF DESCHUTES) SS

On this 2nd day of February, 1981, before me, a notary public in and for said county and state, personally appeared the witness William L. Smith who being first duly sworn did say that President of Brooks Resources Corporation, the corporation hereinbefore named; that said instrument was signed on behalf of the board of directors and said William L. Smith acknowledged the execution of said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF I have hereunto set my hand and official seal the date first hereinabove written.

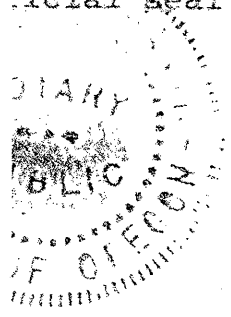


Paul H. Buchanan
Notary Public for Oregon
My commission expires: Jan. 22,

OF OREGON)
)
Y OF DESCHUTES) SS

On this 2nd day of February, 1981, before me, a notary public in and for said county and state, personally appeared the witness William L. Smith who being first duly sworn did say that President of Brooks Resources Corporation, attorney at law for the Association of Unit Owners of The Ski House II Condominium; that said instrument was signed in behalf of the Association of Unit Owners and said William L. Smith acknowledged the execution of said instrument to be the free act and deed of the Association of Unit Owners.

IN TESTIMONY WHEREOF I have hereunto set my hand and official seal the date first hereinabove written.



Paul H. Buchanan
Notary Public for Oregon
My commission expires: Jan. 22,

PROPERTY DESCRIPTION

Parcel of land containing 0.066 acres, more or less, located in a portion of Northwest one-quarter of Section 7, Township 18 South, Range 12 East, Willamette Meridian, City of Bend, Deschutes County, Oregon, being more particularly described as follows:

Beginning at a point from which a 3" Brass Cap marking the "Initial Point" of SKI HOUSE II CONDOMINIUM SECTION, MT. BACHELOR VILLAGE, as described and contained in the Declaration thereof recorded February 11, 1977, in Volume 245, page 411 of Deschutes County Deed Records bears South $87^{\circ} 28' 31''$ West a distance of 423.90 feet, and from which a $5/8$ " iron rod marking the most northerly corner of said plat bears North $16^{\circ} 32' 52''$ West a distance of 334.88 feet, and from which a $1/2$ " iron rod marking the Northwest corner of said Section 7 bears North $69^{\circ} 48' 52''$ West a distance of 2758.78 feet; thence South $60^{\circ} 46' 40''$ West a distance of 40.00 feet; thence North $29^{\circ} 13' 20''$ West a distance of 14.89 feet; thence North $60^{\circ} 46' 40''$ East a distance of 7.15 feet; thence North $29^{\circ} 13' 20''$ West a distance of 7.75 feet; thence South $60^{\circ} 46' 40''$ West a distance of 7.15 feet; thence North $29^{\circ} 13' 20''$ West a distance of 14.89 feet; thence South $60^{\circ} 46' 40''$ West a distance of 7.00 feet; thence North $29^{\circ} 13' 20''$ West a distance of 14.89 feet; thence North $60^{\circ} 46' 40''$ East a distance of 7.15 feet; thence North $29^{\circ} 13' 20''$ West a distance of 7.75 feet; thence South $60^{\circ} 46' 40''$ West a distance of 7.15 feet; thence North $29^{\circ} 13' 20''$ West a distance of 14.87 feet; thence North $60^{\circ} 46' 40''$ East a distance of 40.00 feet; thence South $29^{\circ} 13' 20''$ East a distance of 37.52 feet; thence North $60^{\circ} 46' 40''$ East a distance of 7.00 feet; thence South $29^{\circ} 13' 20''$ East a distance of 37.52 feet to the point of beginning, the terminus of this description.

NOTE: All easements, restrictions, and rights-of-way of record and common and apparent on the land.

The above description is based upon a survey by Century West Engineering Corporation, performed in July of 1980. Sectional information is based upon a survey by Century West Engineering Corporation of Sections 5, 6, and 7, Township 18 South, Range 12 East, Willamette Meridian, dated May 1, 1980, on file with the Deschutes County Surveyor.

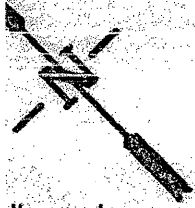
PROPERTY DESCRIPTION

parcel of land containing 0.066 acres, more or less, located in a portion of the Northwest one-quarter of Section 7, Township 18 South, Range 12 East, Willamette Meridian, City of Bend, Deschutes County, Oregon, being more particularly described as follows:

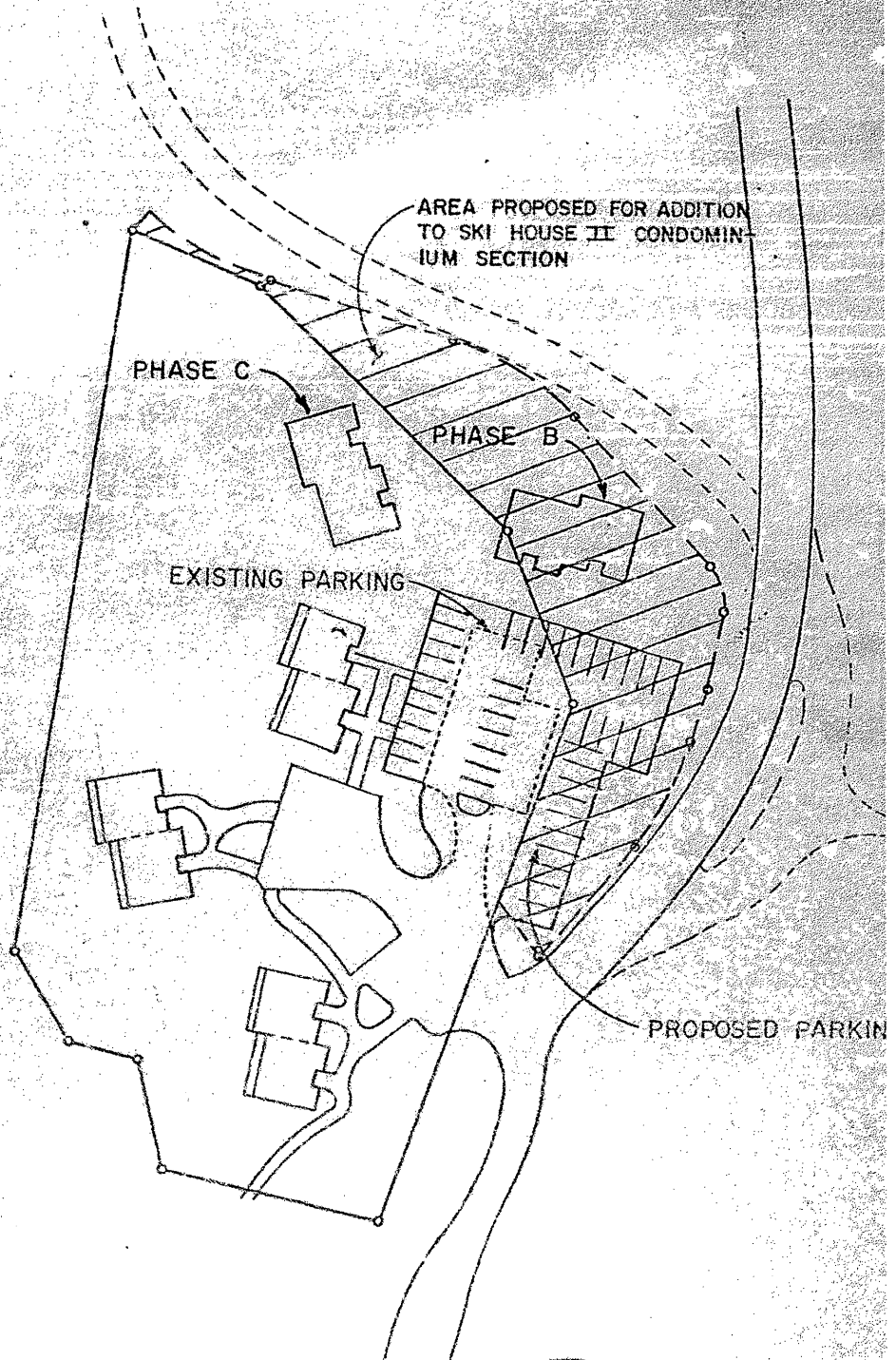
Beginning at a point from which a 3" Brass Cap marking the "Initial Point" of SKI HOUSE II CONDOMINIUM SECTION, MT. BACHELOR VILLAGE, as described and contained in the Declaration thereof recorded February 11, 1977, in Volume 245, page 411 of Deschutes County Deed Records, bears South 65° 22' 23" West a distance of 312.38 feet, and from which a 5/8" iron rod marking the most northerly corner of said plat bears North 11° 53' 50" East a distance of 214.12 feet, and from which a 1/2" iron rod marking the Northwest corner of said Section 7 bears North 71° 03' 52" West a distance of 2589.97 feet; thence North 27° 58' 19" East a distance of 37.52 feet; thence North 62° 01' 41" West a distance of 7.00 feet; thence North 27° 58' 19" East a distance of 37.52 feet; thence South 62° 01' 41" East a distance of 40.00 feet; thence South 27° 58' 19" West a distance of 14.89 feet; thence North 62° 01' 41" West a distance of 7.15 feet; thence South 27° 58' 19" West a distance of 7.75 feet; thence South 62° 01' 41" East a distance of 7.15 feet; thence South 27° 58' 19" West a distance of 14.89 feet; thence South 62° 01' 41" East a distance of 7.00 feet; thence South 27° 58' 19" West a distance of 14.89 feet; thence North 62° 01' 41" West a distance of 7.15 feet; thence South 27° 58' 19" West a distance of 7.75 feet; thence South 62° 01' 41" East a distance of 7.15 feet; thence South 27° 58' 19" West a distance of 14.89 feet; thence North 62° 01' 41" West a distance of 40.00 feet to the point of beginning, the terminus of this description.

NOT TO: All easements, restrictions, and rights-of-way of record and common and apparent on the land.

The above description is based upon a survey by Century West Engineering Corporation performed in July of 1980. Sectional information is based upon a survey by Century West Engineering Corporation of Sections 5, 6, and 7, Township 18 South, Range 12 East, Willamette Meridian, dated May 1, 1979, in accordance with the Deschutes County Surveyor.



" = 100'



RECEIVED
FEB 04 1981

REAL ESTATE DIV.
SALEM, OREGON

EXHIBIT C

PROPERTY DESCRIPTION

Parcel of land containing 0.72 acres, more or less, located in a portion of the Northwest 1/4 of Section 7, Township 18 South, Range 12 East, Willamette Meridian, City of Bend, Deschutes County, Oregon, being more particularly described as follows:

Beginning at the most northerly corner of Ski House II Condominium Section, Mt. Bachelor Village, as described and contained in the Declaration thereof recorded February 2, 1977, in Volume 245, page 411 of Deschutes County Deed Records, from which a 1/2" iron rod marking the northwest corner of said Section 7 bears North 75°48'10" West a distance of 2572.52 feet and from which a 1" drill steel marking the North 1/4 corner of said Section 7 bears North 10°32'22" East a distance of 628.27 feet; thence North 87°33'27" East a distance of 15.24 feet; thence following the arc of a 180.97 foot radius curve left a distance of 80.83 feet (chord bears South 15°14'20" East 80.16 feet); thence South 28°02'07" East a distance of 108.92 feet; thence following the arc of a 159.29 foot radius curve right a distance of 84.40 feet (chord bears South 12°51'21" East 83.42 feet); thence South 02°19'25" West a distance of 116.28 feet; thence following the arc of a 30.00 foot radius curve right a distance of 27.30 feet (chord bears South 28°23'49" West 26.37 feet); thence following the arc of a 373.42 foot radius curve right a distance of 44.01 feet (chord bears South 57°50'48" West 43.99 feet); thence South 61°13'23" West a distance of 31.89 feet; thence following the arc of a 159.90 foot radius curve right a distance of 68.13 feet (chord bears South 73°25'48" West 67.62 feet); thence South 85°38'13" West a distance of 83.54 feet; thence North 08°13'38" East a distance of 38.07 feet to a point on the easterly boundary of said Ski House II Condominium Section; thence following the said plat boundary the 4 following courses and distances: North 64°46'32" East a distance of 120.21 feet (record North 64°46'05" East per plat); North 24°27'36" East a distance of 104.93 feet (record North 24°29'56" East 104.97 per plat); North 01°01'32" West a distance of 198.20 feet (record North 00°59'13" West 198.27 per plat); North 21°26'11" West a distance of 80.96 feet (record North 21°24'34" West 80.90 per plat) to the Point of Beginning, the terminus of this description

SUBJECT TO: All easements, restrictions and rights-of-way of record and those common and apparent on the land.

The above description is based upon a survey performed by Century West Engineering Corporation.

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STATE OF OREGON
County of Deschutes

I hereby certify that the within instrument of writing was received for Record the 27 day of Feb A.D. 19 81 at 3:10 o'clock P M. and recorded in Book 337 on Page 62 Records of Ueda

ROSEMARY PATTERSON
County Clerk

By Annie Pauline Deputy