

90-05746

DECLARATION SUBJECTING CERTAIN PROPERTY
TO THE RESTATED MT. BACHELOR VILLAGE CHARTER

THIS DECLARATION made this 12th day of MARCH,
1990, by MOUNT BACHELOR VILLAGE CORPORATION, an Oregon
Corporation, hereinafter called "Developer".

R E C I T A L S:

A. Mount Bachelor Village Corporation, an Oregon Corporation, the Developer, is the Developer under the terms of the Restated Mt. Bachelor Village Charter recorded February 9, 1987, in Book 140, Page 2954, Deschutes County Official Records.

B. Developer desires to subject certain real property to the Restated Mt. Bachelor Village Charter pursuant to Section 2.1 of said Restated Charter.

NOW, THEREFORE, the Developer hereby declares as follows:

1. The following described parcels of real property are hereby subjected to the Restated Mt. Bachelor Village Charter in accordance with Section 2.1 of said Restated Charter:

a. The private way as contained in the Declarations recorded February 25, 1982, in Book 354, Page 205, Deschutes County Deed Records, and June 3, 1982, in Book 357, Page 821, Deschutes County Deed Records, as amended by Declaration recorded November 19, 1985, in Book 110, Page 1240, Deschutes county Official Records. Developer reserves the reservations contained in said Declarations and the right to relocate the private way to a new location provided that any reconstructed road shall be in as good or better condition as existed at the prior location.

b. The property described in Exhibits "A" and "B",

- 1 -

Gray Fancher Holmes Hurley Bryant & Lovlien

Attorneys At Law

Bend Title Company
P.O. Box 1151 Bend, Oregon 97709-1151 (503) 582-4331 Telecopier (503) 389-3586

attached hereto as common areas as defined in the Restated Charter.

MOUNT BACHELOR VILLAGE CORPORATION

By *Michael P. Hullern*

STATE OF OREGON, County of Deschutes, ss:

The foregoing instrument was acknowledged before me this 12th day of MARCH, 1990, by Michael P. Hullern on behalf of MOUNT BACHELOR VILLAGE CORPORATION.

Natalie Davis
Notary Public for Oregon
My Commission Expires 1-8-94

Mt. Bachelor Village Association, an Oregon non-profit corporation, hereby acknowledges notification of the above described Declaration.

DATED this 12th day of March, 1990.

MT. BACHELOR VILLAGE ASSOCIATION

By *Sue Cailliet*

STATE OF OREGON, County of Deschutes, ss:

The foregoing instrument was acknowledged before me this 12th day of MARCH, 1990, by Sue Cailliet on behalf of MT. BACHELOR VILLAGE ASSOCIATION.

Natalie Davis
Notary Public for Oregon
My Commission Expires 1-8-94

- 2 -

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South Entrance Area
Mt. Bachelor Village

PROPERTY DESCRIPTION

A parcel of land containing 1.09 acre more or less, located in a portion of Section 7, Township 18 South, Range 12 East, Willamette Meridian, Deschutes County, Oregon being more particularly described as follows:

Beginning at a point on the easterly right-of-way line of Century Drive from which a 3" Brass Cap marking the North One-Quarter corner of said Section 7 bears North 39°20'10" East a distance of 3007.01 feet and from which a 3" Brass Cap marking the "INITIAL POINT" of Ski House III Subdivision, Mt. Bachelor Village bears North 52°52'53" East a distance of 1235.31 feet; thence leaving said right-of-way South 26°57'11" East a distance of 105.23 feet; thence following the arc of a 35.00 foot radius curve to the left a distance of 55.94 feet (chord bears South 02°51'21" East 50.17 feet); thence South 48°38'28" East a distance of 28.12 feet; thence South 56°52'03" West a distance of 272.19 feet; thence North 33°07'57" West a distance of 162.62 feet to a point on the Easterly right-of-way of Century Drive. Thence along said easterly right-of-way of Century Drive the following 3 bearings and distances and 1 curve:

North 56°52'03" East a distance of 185.59 feet;
North 33°07'57" East a distance of 10.00 feet;
North 56°52'03" East a distance of 18.63 feet;
following the arc of 1950.06 foot radius curve to the left a distance of 97.12 feet (chord bears North 55°26'27" East 97.11 feet) to the Point of Beginning.

EXCEPT THEREFROM: A portion of Mt. Bachelor Drive, containing 0.19 acres more or less, located in a portion of Section 7, Township 18 South, Range 12 East, Willamette Meridian, Deschutes County, Oregon being more particularly described as follows:

Beginning at a point on the northerly right-of-way line of Mt. Bachelor Drive from which a 3" Brass Cap marking the North one-quarter corner of said Section 7 bears North 36°44'15" East a distance of 3140.60 feet and from which a 3" Brass Cap marking the "INITIAL POINT" of Ski House III Subdivision, Mt. Bachelor Village bears North 45°38'04" East a distance of 1339.34 feet; thence South 56°52'03" West a distance of 56.19 feet to the southerly right-of-way line of Mt. Bachelor Drive; thence along said southerly right-of-way line the following 1 curve and 1 bearing and distance:

South Entrance Area
Mt. Bachelor Village / Page 2 of 2

following the arc of a 308.32 foot radius curve right a distance of 132.66 feet (chord bears North 45°27'34" West 131.64 feet);
North 33°08'02" West a distance of 34.02 feet to the easterly right-of-way line of Century Drive;

thence said easterly right-of-way line North 56°52'03" East a distance of 50.00 feet to the northerly right-of-way line of Mt. Bachelor Drive; thence following said northerly right-of-way line the following 1 bearing and distance and 1 curve:

South 33°08'02" East a distance of 34.02 feet;
following the arc of a 258.32 foot radius curve left a distance of 134.62 feet (chord bears South 48°03'48" East 133.10 feet) to the Point of Beginning, the terminus of this description.

The net area of this description is 0.90 acre (1.09 acre less 0.19 acre)

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

EXHIBIT B

Pool Area at Mt. Bachelor Village

PROPERTY DESCRIPTION

A parcel of land containing 0.629 acres, more or less, located in a portion of the Northwest One-Quarter (NW1/4) 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 a 3" brass cap in a 2 1/2" iron pipe marking the "Initial Point" of the plat of Ski House III Subdivision, Mt. Bachelor Village, from which a 3" brass cap in a 2 1/2" iron pipe marking the North One-Quarter corner of said Section 7 bears North 30° 14' 06" East a distance of 1,829.09 feet; thence following the southeasterly line of Ski House Condominium Section, Mt. Bachelor Village, North 47° 08' 22" East a distance of 201.63 feet; thence leaving said line South 39° 29' 33" East a distance of 73.10 feet; thence following a line 5.00 feet distant from, northwesterly of and parallel with the northwesterly right-of-way line of Mt. Bachelor Drive the following course and distance and one curve:

South 24° 38' 12" West a distance of 197.96 feet; following the arc of a 324.86 foot radius curve right 42.07 feet (chord bears South 28° 20' 48" West 42.04 feet) to a point on the northeasterly line of Ski House III Subdivision, Mount Bachelor Village;

thence following the northeasterly lines of said Ski House III plat the following five courses and distances:

North 68° 40' 54" West a distance of 95.13 feet;
 North 21° 19' 06" East a distance of 58.50 feet;
 North 68° 40' 54" West a distance of 20.00 feet;
 North 21° 19' 06" East a distance of 35.00 feet;
 North 68° 40' 54" West a distance of 25.00 feet 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.

204 - 0997

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:

90 MAR 14 PM 4:12

MARY SUE PENHOLLOW
COUNTY CLERK

BY. B. B. Bueh DEPUTY

NO. 90-05715 REC. 20-

DESCHUTES COUNTY OFFICIAL RECORDS