

BROOKS RESOURCES CORPORATION
DECLARATION
ESTABLISHING A PRIVATE WAY
FOR ACCESS TO
SKI HOUSE II CONDOMINIUM SECTION
AND
SUBMITTING THE PRIVATE WAY
TO THE
MT. BACHELOR VILLAGE CHARTER

VOL 248 PAGE 255

This declaration is made and executed this 18 day of February, 1977 by Brooks Resources Corporation, an Oregon corporation, the "Developer", to subject the property described herein to the Mt. Bachelor Village Charter, and to certain covenants and restrictions.

By instrument dated April 8, 1974 and recorded May 8, 1974, in Volume 205, page 976, of the Records of Deeds of Deschutes County, Oregon, the Developer has established the Mt. Bachelor Village Charter.

Developer has created a condominium section known as Ski House II Condominium Section and submitted it to the Mt. Bachelor Village Charter. Developer now wishes to subject the property described herein to the Mt. Bachelor Village Charter as a private way for access to the Ski House II Condominium Section.

Section I

Definitions

When used herein the following terms shall have the following meanings:

1.1 Each of the terms defined in Section I of the Mt. Bachelor Village Charter shall have the meanings set forth in such Section I.

Section II

Subjection to the Charter

2.1 Pursuant to Section 2.1 of the Mt. Bachelor Village Charter, Developer hereby declares the property described herein to be subject to the Charter on the following terms:

(a) All property described herein shall be a private way as defined in the Charter, and each unit owner and each resident of Mt. Bachelor Village is granted a non-exclusive easement to use said private way as more fully set forth in the Charter.

Section III

Property Description

VOL 248 PAGE 256

The following described property is hereby submitted to the terms of the Charter as set forth above:

A strip of land containing 0.60 acres, more or less, over and across a portion of the Southeast one-quarter of the Northwest one-quarter (SE1/4, NW1/4) and the Northeast one-quarter of the Northwest one-quarter (NE1/4, NW1/4) of Section Seven (7), Township Eighteen (18) South, Range Twelve (12) East of the Willamette Meridian, Deschutes County, Oregon; the aforesaid strip of land being 50.00 feet in width, lying 25.00 feet on either side of the following described centerline:

Commencing at the North one-quarter of said Section 7; thence South 1,366.31 feet and West 638.78 feet to the true point of beginning of this description; thence North 58° 22' 30" East, 31.46 feet; thence along the arc of a 118.26 foot radius curve left, 49.27 feet, the long chord of which bears North 46° 26' 19" East, 48.92 feet; thence North 34° 30' 09" East, 71.64 feet; thence along the arc of a 56.65 foot radius curve right, 39.11 feet, the long chord of which bears North 54° 16' 51" East, 38.34 feet; thence along the arc of a 69.80 foot radius curve left, 68.04 feet, the long chord of which bears North 46° 07' 47" East, 65.38 feet; thence along the arc of a 39.39 foot radius curve right, 41.64 feet, the long chord of which bears North 48° 28' 55" East 39.72 feet; thence North 78° 45' 46" East, 106.49 feet; thence along the arc of a 72.40 foot radius curve left, 87.52 feet, the long chord of which bears North 44° 08' 06" East, 82.29 feet; thence North 63° 30' 20" East, 32.25 feet; thence along the arc of a 159.93 foot radius curve left, 0.96 feet, the long chord of which bears North 09° 23' 36" East, 0.96 feet to a point on the southerly boundary of the plat of Ski House II Condominium Section, Mt. Bachelor Village and terminus of this description, said point of terminus being South 1,050.47 feet and West 260.73 feet from the North one-quarter corner of said Section 7.

IN WITNESS WHEREOF, BROOKS RESOURCES CORPORATION has

Caused this Declaration to be executed the day and year first above written.

BROOKS RESOURCES CORPORATION

BY W. L. SMITH, President

STATE OF OREGON, County of Deschutes, ss: February 18, 1977

Personally appeared the above-named W. L. SMITH, who, being first duly sworn, stated that he is the President of BROOKS RESOURCES CORPORATION and that the foregoing instrument was voluntarily signed on behalf of said corporation by authority of its Board of Directors. Before me:

Robert A. Lorlin

NOTARY PUBLIC FOR OREGON

My Commission expires: 2-9-79

21322

STATE OF OREGON
County of Deschutes

I hereby certify that the within instrument of writing was received for Record the 6 day of June A.D. 1977 at 1:05 o'clock P M., and recorded in Book 248 on Page 255 Records of Lorlin

ROSEMARY PETERSON
County Clerk

By Rosemary Peterson Deputy