

8/17/76

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SUPPLEMENT TO PLAN OF SUNRIVER

The following Supplement to The Plan of Sunriver is made as of this 17 day of August, 1976, by SUNRIVER PROPERTIES, INC., an Oregon corporation ("Developer").

OBJECTIVES AND RECITALS

Developer has heretofore filed a document entitled "Plan of Sunriver" dated June 20, 1968 ("the Plan of Sunriver") which was recorded in the Deed Records of Deschutes County in Volume 159 at page 198, and following. The objectives of the Plan of Sunriver are stated in the preamble thereto and are incorporated herein by reference. In summary, the Plan of Sunriver is intended to create a plan of covenants, conditions and restrictions running with the land for the benefit of various lots, condominium units and other properties from time to time developed thereunder for the mutual benefit of all of those parcels of property and every part thereof and interest therein.

Pursuant to the terms of the Plan of Sunriver, Developer reserved the right to subject certain property to the Plan of Sunriver from time to time by filing a Declaration pursuant to Section 2 thereof. Pursuant to Section 7.1 of the Plan of Sunriver, assessments are levied for maintenance of various common areas and for other purposes described in the Plan of Sunriver on all persons owning various units other than Developer.

Developer desires to subject the units owned by Developer to assessment, pursuant to Section 7 of the Plan of Sunriver on an equitable basis so that Developer shall be subject to assessment with respect to units in inventory and ready for sale under all applicable laws. Developer desires to record this Supplement to the Plan of Sunriver relinquishing and waiving its right to be free of assessments with respect to such units owned by it.

NOW, THEREFORE, IN CONSIDERATION of the benefits to be derived by Developer from enhancement of the operations of Sunriver pursuant to the Plan of Sunriver as a result of the waivers and undertakings on its part herein set forth, and as a supplement to the Plan of Sunriver to be construed as covenants running with the land, binding upon and inuring to the benefit of the heirs, successors and assigns of all persons acquiring any right, title or interest in and to any unit in Sunriver or any portion thereof or interest therein, Developer hereby agrees as follows:

1. Units Owned by Developer Shall Be Subject to Assessment. From and after the date hereof, units available for sale (as hereinafter defined) shall be subject to assessment pursuant to Section 7 of the Plan of Sunriver, notwithstanding the fact that they are owned by Developer.

2. Units Available For Sale Defined. The term "unit available for sale" shall mean any "unit", as defined in Section 1.20 of the Plan of Sunriver, (i) shown on a plat or map thereof, subject to the Plan of Sunriver and approved for offer of sale to the public pursuant to all applicable laws, ordinances, rules and regulations of the

State of Oregon and the United States Department of Housing and Urban Development, Office of Interstate Land Sale Registration, (ii) from and after the date when the first unit in the subdivision or platted area, so approved, has been sold to a person, firm or entity other than Developer. By way of example, when the first sale of a unit occurs in a platted area, consisting of twenty (20) lots and common area which has been approved for sale, and the purchaser of that unit becomes subject to assessment pursuant to Section 7 of the Plan of Sunriver, then, from and after that date, Developer shall be liable for the assessments on the remaining unsold lots within the platted area during the period when Developer is the owner thereof. The purpose of this provision is to subject Developer to liability for assessments with respect to all units in increments of Sunriver from and after the date when the first unit sale in such increment has occurred to a person other than Developer.

3. Plan of Sunriver To Remain in Full Force and Effect. The provisions hereof supplement the Plan of Sunriver and are provided by Developer as a waiver of certain of the provisions of the Plan of Sunriver which are for Developer's benefit, to wit, the provisions of Section 7.1 exempting units owned by Developer from assessment. The provisions hereof are given to Supplement the Plan of Sunriver and are intended to operate as covenants running with the land for the benefit of all persons owning any interest in property subject to the

Plan of Sunriver including, but without limitation, existing unit owners, their successors, assigns and mortgagees.

IN WITNESS WHEREOF, the Developer has executed this Supplement to the Plan of Sunriver, the day and year first above written.



SUNRIVER PROPERTIES, INC.

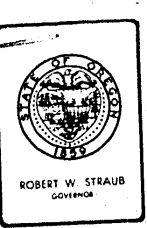
By [Signature]
Its President

STATE OF OREGON)
COUNTY OF DESCHUTES) ss.

On this 17 day of August, 1976, personally appeared before me R. C. ANDERSON, who, being duly sworn, did say that he is the President of SUNRIVER PROPERTIES, INC., a corporation, and that said instrument was signed in behalf of said corporation by authority of its Board of Directors; and he acknowledged said instrument to be its voluntary act and deed.



[Signature]
Notary Public for Oregon.
My Commission Expires: 8-6-78.



Department of Commerce
REAL ESTATE DIVISION

Subdivision Section

COMMERCE BUILDING, SALEM, OREGON 97310 PHONE (503) 378-8422

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October 18, 1976

Ms. Rosemary Patterson
Deschutes County Clerk
Deschutes County Courthouse
Bend, Oregon 97701

RE: SUNRIVER FILINGS

Dear Ms. Patterson:

This Division has reviewed the "Supplement to Plan of Sunriver". Since the instrument is not an amendment or supplement to a specific condominium declaration or bylaws, we have determined that our approval, under ORS 91.535, is not required.

We appreciate your inquiring prior to recording the document.

Very truly yours,

Barbara Kanz
Barbara Kanz, Examiner
Subdivision Section

BK/rgo

cc: Howard Feuerstein, Attorney at Law

AN EQUAL OPPORTUNITY EMPLOYER

8270
STATE OF OREGON
County of Deschutes

I hereby certify that the within instrument of writing was received for Record the 19 day of Oct A.D. 1976 at 9:25 o'clock A M., and recorded in Book 239 on Page 270 Records of Deschutes

ROSEMARY PATTERSON
County Clerk

By Annice L. Ballou Deputy