

AFTER RECORDING, RETURN TO: HENDRIX & CHAPPELL, 716 NW Harriman, Bend, OR 97701, 503/382-4980

**DECLARATION OF UNIT OWNERSHIP FOR
WESTPINE TOWNHOME CONDOMINIUMS**

This Declaration of Unit Ownership is made by GEORGE CARROLL and SHARON CARROLL, hereinafter referred to as "Declarant", as owner of the real property Deschutes County, State of Oregon, described in Exhibit "1", attached hereto and incorporated by this reference herein. The land is owned by Declarant in fee simple.

This Condominium shall be staged in two stages, 1 and 2. Stage 1 shall be subject to a Supplemental Declaration including Stage 2 at such time the Supplemental Declaration is recorded.

1. DEFINITIONS: The following definitions relate to the terms used in this Declaration.

1.1 "Condominium" means Westpine Townhome Condominiums.

1.2 "Plat" means the plat for WESTPINE TOWNHOME CONDOMINIUMS recorded in the office of the County Clerk, Deschutes County, Oregon, simultaneously with the recording of this Declaration.

1.3 "Unit" means the individual unit owned by a unit owner including the garage.

2. NAME: the name of the condominiums subject to this Declaration shall be: WESTPINE TOWNHOME CONDOMINIUMS.

3. UNIT DESIGNATION: The units shall be designated as Unit 1, Unit 2, and Unit 3, all of Building "A", as shown on the Plat being recorded simultaneously. The approximate area of each unit shall be 1198 square feet, two stories, without a basement, located on Lot 8, Block 2, WESTPINE, Deschutes County, Oregon. The units are generally constructed of concrete porches and foundation walls, metal columns and posts, wood frame and interior finish materials.

4. GENERAL COMMON ELEMENTS: Shall include landscaping, driveways, land (except any portion thereof included in a unit), yards, screened trash, parking areas, foundations, columns, girders, beams, supports, main walls, roofs, of all buildings as set forth in the plat.

5. ALLOCATION OF INTEREST: Each unit shall have an undivided one-third (1/3) interest in the common elements until such time as a Supplemental Declaration is recorded. Allocation of ownership is based upon the total number of units in the Condominium.

6. LIMITED COMMON ELEMENTS: Limited common elements shall be reserved for the exclusive use of that Unit which each adjoins as

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shown on the plat: the front entry way, and rear deck attached to that Unit.

7. UNIT OWNERSHIP: Each unit owner shall own, exclusive of all other unit owners, the land directly below the unit which shall be part of the unit as well as all spaces, nonbearing interior partitions, other fixtures within the boundaries of the unit, the exterior and interior doors and frames, utility service, that part of the building comprising the interior walls, ceilings, and interior finished surfaces. Additionally, all lath, furring, wallboard, plasterboard, plaster, paneling, tiles wallpaper, paint, finished flooring and any other materials constituting any part of the finished surfaces thereof shall be a part of the unit and all other portions of the walls, floors or ceilings shall be a part of the common elements.

8. EXPENSES AND PROFITS: Each unit shall have the liability for common expenses and the right of any common profits according to the allocation of the undivided interest of each unit in the common elements.

9. VOTING RIGHTS: Each unit shall be entitled to one vote.

10. USE: The units and the Condominium as a whole shall be used for residential purposes and no other.

11. DESIGNATED AGENT: The designated agent for service of process shall be George Carroll, 64788 Saros Ln, Bend, OR 97701. The designated agent shall be named in the Condominium Information Report form filed with the Oregon Secretary of State. The designated agent may be changed by filing a supplemental report with the Secretary of State.

12. AMENDMENTS: Amendments to this Declaration shall be valid only upon unanimous agreement of the unit owners. Any such amendment shall be filed in the Official Records of Deschutes County, Oregon, and with the Oregon Real Estate Agency for approval if required by law.

13. EASEMENTS: The Unit Owners Association shall have the right to grant easements, rights of way, licenses and other similar interests affecting the general common elements only, pursuant to ORS 100.405(5).

14. OTHER DOCUMENTS AFFECTING OWNERSHIP: The Condominium is subject to the recorded covenants, conditions and restrictions of WESTPINE subdivision, Deschutes County, Oregon, and the Bylaws of the Westpine Townhome Association. The Bylaws limit ownership as follows: No Owner shall transfer either by conveyance, contract of sale or lease any interest in the Owner's Unit which would result in ownership of such Unit being held by more than ten persons.

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15. STAGED CONDOMINIUM: The Condominium shall be developed in two stages as follows:

15.1 A maximum of eight units total shall be included in the Condominium.

15.2 A maximum of two stages shall be included in the Condominium. Stage 1 consists of Building "A". Stage 2 shall consist of two units in Building "B" designated as Units 4 and 5, and three units in Building "C" designated as Units 6, 7, and 8.

15.3 The right to annex additional property shall terminate June 1, 2000.

15.4 Common Elements: The minimum allocation of undivided interest in the common elements of each original unit upon completion of development if Declarant elects to proceed with all stages of development is one-eighth (1/8).

15.5 The method used to establish the allocation of undivided interest in the common elements is an equal fractional allocation based on the total number of units in the Condominium.

15.6 All improvements and limited common elements shall be generally the same as set forth in the Declaration for Stage 1. Declarant reserves the right to create limited common elements similar to those created in Stage 1.

Dated this 19 day of July, 1993.

DECLARANT:

George Carroll
GEORGE CARROLL

Sharon Carroll
SHARON CARROLL

STATE OF OREGON)
) ss.
County of Deschutes)

The foregoing instrument was acknowledged before me by George Carroll and Sharon Carroll, husband & wife this 19 day of July, 1993.



Sonya K. Crum
Notary Public for Oregon
My Commission Expires:
3/31/96

APPROVAL BY COUNTY TAX ASSESSOR

The foregoing Declaration is approved pursuant to ORS 100.110
this 29 day of July, 1993.

Oscar B. Bratton
OSCAR BRATTON

APPROVAL BY COUNTY TAX COLLECTOR

The foregoing Declaration is approved pursuant to ORS 100.110
this 29 day of July, 1993.

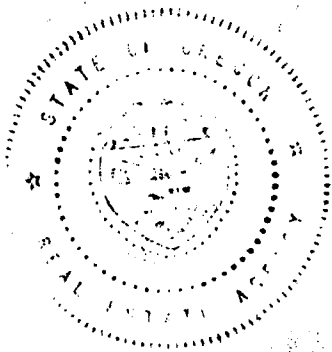
Helen Rastovich
HELEN RASTOVICH

APPROVAL BY COMMISSIONER

The foregoing Declaration is approved pursuant to ORS 100.110
this 22nd day of June, 1993.

MORELLA LARSEN
Real Estate Commissioner

by: Stan F. Mayfield



LEGAL DESCRIPTION

STAGE 1

A portion of Lot Eight (8), Block Two (2), WESTPINE, A Subdivision of record situated in the Northwest Quarter of Section 6, Township 18 South, Range 12 East, Willamette Meridian in the City of Bend, Deschutes County, Oregon, described as follows: the 5/8" iron rod found at the Southeast corner of said Lot 8, Block 2, WESTPINE is the "Initial Point" of "Westpine Townhome Condominiums - Stage 1", the boundary of which is more particularly described as follows:

Beginning at the "Initial Point", as previously described, at the Southeast corner of said Lot 8;

Thence North $84^{\circ}21'38''$ West, on the South line of said Lot 8, 91.25 Feet to a 5/8" iron rod at the Southwest Corner of said lot;

Thence on the arc of a 50.00 foot radius curve to the left, on the Right-Of-Way line of "WESTPINE PLACE", (Chord Bears North $20^{\circ}36'53''$ West, 44.24 Feet), 45.82 Feet to a 5/8" iron rod at the Northwest corner of said lot;

Thence North $43^{\circ}07'51''$ East, on the North line of said Lot 8, 69.74 Feet to a 5/8" iron rod;

Thence South $46^{\circ}51'17''$ East, leaving said North line, 16.75 Feet to a 5/8" iron rod;

Thence South $86^{\circ}42'45''$ East, 48.85 Feet to a 5/8" iron rod on the East line of said Lot 8;

Thence South $12^{\circ}44'59''$ East, on said East line, 43.85 Feet to a 5/8" iron rod at the angle point on the East line of said lot;

Thence South $15^{\circ}07'24''$ West, on said East line, 45.83 Feet to the Point of Beginning.

Containing 0.194 Acres, more or less.

LEGAL DESCRIPTION

308 - 1184

STAGE 2

Lot Nine (9), and a portion of Lot Eight (8), Block 2, WESTPINE, A Subdivision of record situated in the Northwest Quarter of Section 6, Township 18 South, Range 12 East, Willamette Meridian in the City of Bend, Deschutes County, Oregon; Stage 2 is Lot 9 and Lot 8 EXCEPTING THAT PORTION OF LOT 8 DESCRIBED AS FOLLOWS:

Beginning at the "Initial Point" at the Southeast corner of said Lot 8 being that 5/8" iron rod found at the Southeast corner of Lot 8, Block 2, WESTPINE which is the "Initial Point" of "Westpine Townhome Condominiums - Stage 1";

Thence North 84°21'38" West, on the South line of said Lot 8, 91.25 Feet to a 5/8" iron rod at the Southwest Corner of said lot;

Thence on the arc of a 50.00 foot radius curve to the left, on the Right-Of-Way line of "WESTPINE PLACE", (Chord Bears North 20°36'53" West, 44.24 Feet), 45.82 Feet to a 5/8" iron rod at the Northwest corner of said lot;

Thence North 43°07'51" East, on the North line of said Lot 8, 69.74 Feet to a 5/8" iron rod;

Thence South 46°51'17" East, leaving said North line, 16.75 Feet to a 5/8" iron rod;

Thence South 86°42'45" East, 48.85 Feet to a 5/8" iron rod on the East line of said Lot 8;

Thence South 12°44'59" East, on said East line, 43.85 Feet to a 5/8" iron rod at the angle point on the East line of said lot;

Thence South 15°07'24" West, on said East line, 45.83 Feet to the Point of Beginning.

EXHIBIT 2, Page 1 of 1

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:

93 AUG 11 PM 1:55

MARY SUE PENHOLLOW
COUNTY CLERK

BY.

 DEPUTY

NO. 93-27486 FEE 30-

DESCHUTES COUNTY OFFICIAL RECORDS