

31055

SUPPLEMENTAL DECLARATION FOR STAGE IV  
RECLASSIFYING WITHDRAWABLE VARIABLE PROPERTY IN  
SHIELD CREST CONDOMINIUMS

This Supplemental Declaration submits for reclassification the herein described withdrawable variable property which was submitted to the provisions, restrictions, and limitations of the Oregon Condominium Act by the recording of the Condominium Declaration of Shield Crest Condominiums on April 23, 1991 in the records of Klamath County, Oregon in Volume M91 on Pages 7438 to 7451, inclusive.

Shield Crest, Inc. (Declarant) is the fee simple owner as tenant in common of the withdrawable variable property described on Exhibit A and incorporated herein by this reference. Declarant desires to reclassify said withdrawable variable property into units and their associated general and limited common elements of Shield Crest Condominiums in accordance with the Oregon Condominium Act.

Declarant has previously filed the Condominium Declaration and Bylaws of Shield Crest Condominiums and the Supplemental Declarations for Stages II and III Reclassifying NonWithdrawal Variable Property in Shield Crest Condominiums which submitted a total of nine (9) units and their associated general and limited common elements to the condominium form of ownership and reserved the right to create up to 24 additional units on the withdrawable variable property. The Declarant, with this Supplemental Declaration, desires to and does hereby reclassify the herein described withdrawable variable property into three (3) additional units, together with their associated general and limited common elements.

1. Reclassification of Withdrawable Variable Property.  
Declarant has constructed on the Withdrawable Variable Property, described on Exhibit A, a condominium building containing three single family residential units. Said building is denoted as Building No. 11.

2. Description and Designation of Units. Building No. 11 is constructed in the location shown on the Stage IV Plat of Tract 1271-Shield Crest Condominiums, Building No. 11, Lot 11, Block 4 of Tract 1257-Resubdivision of a Portion of the First Addition to Shield Crest on file in the office of the Clerk of Klamath County, Oregon.

The building shall contain three dwelling units. The Units will be designated as "Unit A, Unit B, or Unit C, Building 11." The walls, floors, and ceiling define the boundaries of each unit. Each unit includes:

cb  
25-

- A. All lath, furring, wallboard, plasterboard, plaster, paneling, tiles, wallpaper, paint, finished flooring, and any other materials constituting any part of the finished surfaces thereof.
- B. All spaces, nonbearing interior partitions, windows, window frames, exterior doors, door frames, and all other fixtures and improvements within the boundaries of the unit; and
- C. All outlets of utility service lines, including but not limited to power, light, gas, hot and cold water, heating, refrigeration, air conditioning, and waste disposal within the boundaries of the unit.

Unit A is a single story unit with approximately 2,294 square feet. It includes three bedrooms, two bathrooms, and a double car garage.

Unit B is a single story unit with approximately 1,952 square feet. It includes two bedrooms, two bathrooms, and a double car garage.

Unit C is a single story unit with approximately 2,294 square feet. It includes three bedrooms, two bathrooms, and a double car garage.

All other portions of the building improvements and land are common elements.

The unit owner is solely responsible for the maintenance of the unit, and the Owners' Association is solely responsible for the maintenance of the common elements and Limited Common Elements.

3. Interest in Common Elements. Each of the units in Stages I, II, III and IV of the Shield Crest Condominiums shall have an equal undivided one-twelfth (1/12) interest in the common elements.

4. Limited Common Elements. The court, driveway, sidewalk, and porch attached to each unit are designated Limited Common Elements. The use of the court, driveway, sidewalk, and porch is limited to the owner and invitees of the owner of the unit to which the court and driveway are attached.

NOW, THEREFORE,

Declarant hereby publishes and declares that, except as herein amended to permit the reclassification of the herein described withdrawable variable property into (3) units and their associated general and limited common elements, the Condominiums Declaration and Bylaws of Shield Crest Condominiums recorded on April 23, 1991 in the records of Klamath County, Oregon at Volume M 91 on Page 7438, as amended by Supplemental Declarations recorded November 30, 1994, in Volume M 94 at page 36420 and January 11, 1996 in Volume M 96 at page 17161 shall remain in full force and effect.

SHIELD CREST, INC., an Oregon corporation

By

Allen Chayne  
Its President

The foregoing Supplemental Declaration is approved pursuant to ORS 100.110 this 6th day of January, 1997.

Scott W. Taylor,  
Oregon Real Estate Commissioner

By: Stan F. Maybault

The foregoing Supplemental Declaration is approved pursuant to ORS 100.110 this 2nd day of January, 1997.

[Signature]  
Assessor of Klamath County, Oregon

The foregoing Supplemental Declaration is approved pursuant to ORS 100.110 this 2nd day of January, 1997.

[Signature]  
Tax Collector of Klamath County,  
Oregon

## EXHIBIT A

## SURVEYOR'S CERTIFICATE

STATE OF OREGON }  
COUNTY OF KLAMATH } ss.

I, DOUGLAS E. ADKINS, SURVEYOR, BEING DULY SWORN, DEPOSE AND SAY THAT I HAVE SURVEYED AND PLATTED TRACT 1271 - SHIELD CREST CONDOMINIUM BUILDING No. 11, LOT 11 AND PART OF LOT 10, BLOCK 4 OF TRACT 1257 - RESUBDIVISION OF A PORTION OF THE FIRST ADDITION TO SHIELD CREST SITUATED IN SECTION 8, TOWNSHIP 39 SOUTH, RANGE 10 EAST OF THE WILLAMETTE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INITIAL POINT MARKED BY A 2"x36" GALVANIZED IRON PIPE WITH A 2" BRASS CAP FROM WHICH THE INITIAL POINT OF TRACT 1257 - RESUBDIVISION OF A PORTION OF THE FIRST ADDITION TO SHIELD CREST BEARS NORTH 76°12'07" EAST 2078.07 FEET; THENCE ALONG THE WESTERLY LINE OF LOT 11, BLOCK 4, NORTH 17°30'00" WEST 358.00 FEET TO A 5/8" IRON PIN; THENCE NORTH 34°33'34" EAST 79.23 FEET TO A 5/8" IRON PIN; THENCE SOUTH 73°10'24" EAST 679.00 FEET TO A 5/8" IRON PIN ON THE NORTHERLY LINE OF LOT 11, BLOCK 4 AND THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE CONTINUING SOUTH 73°10'24" EAST 67.27 FEET TO A 5/8" IRON PIN; THENCE SOUTH 31°12'48" EAST 277.91 FEET TO A 5/8" IRON PIN; THENCE SOUTH 86°57'35" EAST 200.06 FEET TO A POINT; THENCE ALONG THE ARC OF A 795.60 FOOT RADIUS CURVE TO THE LEFT 417.18 FEET TO A POINT, THE LONG CHORD OF SAID CURVE BEARS SOUTH 78°01'04" WEST 412.42 FEET; THENCE ALONG THE ARC OF A 110.00 FOOT RADIUS CURVE TO THE RIGHT 108.89 FEET TO A POINT, THE LONG CHORD OF SAID CURVE BEARS NORTH 88°38'46" WEST 104.50 FEET; THENCE NORTH 12°45'00" EAST 151.93 FEET TO A POINT; THENCE ALONG THE ARC OF A 45.00 FOOT RADIUS CURVE TO THE LEFT 69.70 FEET TO A POINT, THE LONG CHORD OF SAID CURVE BEARS NORTH 31°37'30" WEST 62.94 FEET; THENCE NORTH 76°00'00" WEST 79.21 FEET TO A POINT; THENCE NORTH 53°33'44" EAST 218.83 FEET TO THE POINT OF BEGINNING, CONTAINING 1.79 ACRES, MORE OR LESS.

THIS DESCRIPTION IS BASED ON THE STAGE II PLAT OF TRACT 1271 - SHIELD CREST CONDOMINIUMS, BUILDING No. 3, LOT 11, BLOCK 4 OF TRACT 1257 - RESUBDIVISION OF A PORTION OF THE FIRST ADDITION TO SHIELD CREST;

AND THAT I MADE SUCH SURVEY AND PLAT BY ORDER OF AND UNDER THE DIRECTION OF THE OWNERS THEREOF; THAT THE SIZE OF THE LOT AND THE SIZE OF ALL UNITS ARE AS SHOWN ON THE CONDOMINIUM PLAT; AND THAT ALL LOT CORNERS AND BOUNDARY CORNERS ARE MARKED WITH IRON MONUMENTS AND WOODEN WITNESS STAKES AS INDICATED ON THE PLAT.

*Douglas E. Adkins*  
DOUGLAS E. ADKINS, L.S.

STATE OF OREGON : COUNTY OF KLAMATH: ss.

Filed for record at request of William M. Ganong the 9th day  
of January A.D. 19 97 at 1:01 o'clock P. M., and duly recorded in Vol. M97  
of Deeds on Page 600

FEE \$25.00

Bernetha G. Letsch, County Clerk  
by *Kathleen Rose*