'98 JUN 18 MO:37

AFTER RECORDING, RETURN TO: William M. Ganong
Attorney at Law
514 Walnut Avenue
Klamath Falls OR 97601

SUPPLEMENTAL DECLARATION FOR STAGE VI 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, as amended by Amendment to Declaration of Shield Crest Condominiums recorded on May 14, 1998 in Volume M 98 at Page 16551 of said records. (Declaration)

Shield Crest, Inc. (Declarant) is the fee simple owner 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, the Supplemental Declaration for Stage II Reclassifying Nonwithdrawable Variable Property and the Supplemental Declarations for Stages III, IV, and V Reclassifying Withdrawal Variable Property in Shield Crest Condominiums which submitted a total of fifteen (15) units and their associated general and limited common elements to the condominium form of ownership and reserved until May 16, 2005 the right to create up to 18 additional units on the withdrawable variable property. The condominiums, if fully developed, will have a maximum of 11 stages, creating a maximum of 33 units. 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.

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

- 1. Reclassification of Withdrawable Variable Property.

 Declarant has constructed a condominium building containing three single family residential units on the Withdrawable Variable Property, described in the Surveyor's Certification on the Stage VI Plat of Tract 1271 Shield Crest Condominiums, Building No. 9, Lot 11 and Portion of Lot 10, Block 4 of Tract 1257, a true copy of which Certification is attached hereto as Exhibit A. Said building is denoted as Building No. 9.
- 2. <u>Description and Designation of Units</u>. Building No. 9 is constructed in the location shown on the Stage VI Plat of Tract 1271-Shield Crest Condominiums, Building No. 9, 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 9." The walls, floors, and ceiling define the boundaries of each unit. Each unit includes:

- 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.

Each unit is single story and includes two bedrooms, two bathrooms, kitchen, living room, dining room, and a double car garage. Each unit contains approximately 2,110 square feet in the living area and 620 square feet in the garage.

The court area, sidewalk, porch, and driveway are limited common elements. 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 unit shall have an equal undivided interest in the common elements. Therefore, each of the 18 units added by Stages I, II, III, IV, V and VI of the Shield Crest Condominiums shall have an equal undivided one-eighteenth (1/18) interest in the common elements. Each time additional units are created, the allocation of undivided interests in the common elements shall be computed by a fraction in which the numerator is one (1) and the denominator is the total number of units. If all of the 33 units planned for the Shield Crest Condominiums are created, then each unit will have an undivided one thirty-third (1/33) 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 supplemented 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 the Amendment to Declaration of

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

Shield Crest Condominiums recorded May 14, 1998 in Volume M 98 at Page 16551, and as supplemented by the Supplemental Declarations recorded November 30, 1994, in Volume M 94 at page 36420, June 11, 1996 in Volume M 96 at page 17161, January 9, 1997 in Volume M 97 at page 600, and June 10, 1998 in Volume M 98 at page 19712, shall remain in full force and effect.

SHIELD CREST, INC., an Oregon corporation

Its President

The foregoing Supplemental Declaration is approved pursuant to ORS 100.110 this 11th day of June, 1998 and in accordance with ORS 100.110(7), this approval shall automatically expire if this Declaration is not recorded within two (2) years from this date.

SCOTT W. PAYLOR, Oregon Real Estate Commissioner

Marge-Robinson

The foregoing Supplemental Declaration is approved pursuant to ORS 100.110 this _/? day of ________, 1998.

Assessor of Klamath County, Oregon

The foregoing Supplemental Declaration is approved pursuant to ORS 100.110 this 64 day of 740, 1998.

Tax Collector of Klamath County, Oregon

CONSENT

The undersigned owner of all of the Units in Building No. 10 of Tract 1271 - Shield Crest Condominiums, Lot 11, Block 4 of Tract 1257 - Resubdivision of a portion of the First Addition to Shield Crest, Klamath County, Oregon, acknowledge that approximately the easterly portion of Unit C of Building No. 9, Stage VI of said Tract is located on land designated as common elements on the Plat of Tract 1271 - Shield Crest Condominiums, Building No. 10. The undersigned consent to the filing of the Supplemental Declaration and Stage VI Plat of said Condominiums showing said encroachment.

Dated as of the 18th day of May, 1998.

SHIELD CREST, INC. an Oregon corporation

By: 🚄

Helen Cheyne, Its President

EXHIBIT "A"

A portion of TRACT 1271 - SHIELD CREST CONDOMINIUM BUILDING No. 9, 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 7672'07" 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 91.83 FEET TO A 5/8" IRON PIN; THENCE SOUTH 7370'24" EAST 362 78 FEET TO A 5/8" IRON PIN, THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE SOUTH 70'58'24" EAST 312.61 FEET TO A 5/8" IRON PIN: THENCE NORTH 73'10'24" WEST 313.93 FEET TO A POINT; THENCE SOUTH 2470'50" WEST 158.20 FEET TO A POINT: THENCE ALONG THE ARC OF A 460.00 FOOT RADIUS CURVE TO THE RIGHT 16.83 FEET TO A POINT, THE LONG CHORD OF SAID CURVE BEARS NORTH 54'41'11" WEST 16.83 FEET; THENCE NORTH 53'38'17" WEST 62.62 FEET TO A POINT: THENCE ALONG THE ARC OF A 20.00 FOOT RADIUS CURVE TO THE LEFT 31.42 FEET TO A POINT. THE LONG CHORD OF SAID CURVE BEARS SOUTH 81-21-43" WEST 28.28 FEET: THENCE NORTH 31"52"04" WEST 133.05 FEET TO A POINT: THENCE NORTH 16'49'36" EAST 66.96 FEET TO A POINT; THENCE SOUTH 73'10'24" EAST 222.26 FEET TO THE POINT OF BEGINNING, CONTAINING 0.69 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:

STATE OF OREGON: COUNTY OF KLAMATH: 55.

Filed for record at request of				William M. Ganong	William M. Ganong the 18th	dav
of	June		A.D.,	19 98	at 10:37 o'clock A. M., and duly recorded in Vol. M98	
		of.			Deeds on Page 20953	
					By Kethlun Koas	
FEE	\$40.00	. :			By Kothum Kom	