

2001 MAR 13 PM 3: 24

Vol MO1 Page 10180

AFTER RECORDING, RETURN TO:

Ms. Karen Smith
Resort Resources, Inc.
P. O. Box 1466
Bend, OR 97709

mtc 1396 - 2569

**AMENDED DECLARATION FOR
HOMES ANNEXED TO CO-OWNERSHIP PROGRAM
AT EAGLES LANDING
(WITHDRAWAL)**

THIS WITHDRAWAL DECLARATION made this 8th day of March, 2001, by **RUNNING Y RESORT, INC.**, an Oregon corporation, ("**Declarant**") is as follows:

RECITALS

A. Declarant is the Declarant under the Declaration of Co-Ownership at Eagles Landing dated February 9, 2001 and recorded February 13, 2001 in the Records of Klamath County, Oregon (the "**Declaration**") as Volume MO1, Page 5689. Except as otherwise provided in this instrument, each of the definitions contained in the Declaration are hereby incorporated by reference.

B. By Declaration Annexing A Home to Co-Ownership Program at Eagles Landing dated February 9, 2001 and recorded February 13, 2001 in the Records of Klamath County, Oregon as Volume MO1, Page 5712 (the "**Annexation Declaration**"), Declarant caused certain Homes (the "**Annexed Property**") described in **Exhibit A** attached hereto and made a part hereof to be annexed to the Declaration.

C. Pursuant to Article 13 of the Declaration, any Home may be withdrawn from the Program upon the recording of a declaration executed by at least seventy-five percent (75%) of the voting rights in such Home. As of the date of this Withdrawal Declaration, Declarant owns one hundred percent (100%) of the voting rights in the Homes in the Annexed Property.

D. By this Withdrawal Declaration, Declarant intends to withdraw the Annexed Property from the Declaration and the Program.

NOW, THEREFORE, in furtherance of such intent, Declarant hereby declares that the Annexed Property shall be removed and withdrawn from the Declaration and the Program, and shall be free from the obligations, requirements, declarations, limitations, covenants, conditions and restrictions set forth in the Declaration and the Co-Ownership Program Policies and Procedures. The Annexed Property contains one (1) Home, each with twelve (12) undivided co-ownership interests established by the Annexation Declaration.

IN WITNESS WHEREOF, Declarant has hereunto caused this Withdrawal Declaration to be executed as of the day and year first above written.

"DECLARANT"

RUNNING Y RESORT, INC., an Oregon corporation

By Lauri Miller
Its Asst. Secretary

STATE OF OREGON)
)ss.
County of Deschutes)

The foregoing instrument was acknowledged before me this 8th day of March, 2001, by Lauri Miller, the Asst. Secretary of RUNNING Y RESORT, INC., an Oregon corporation.



Karen L. Smith
Notary Public for Oregon
My commission expires: 10-17-2004

EXHIBIT A

**“Annexed Property”
to the
Declaration Annexing Homes To
Co-Ownership Program at Eagles Landing
Dated February 9, 2001**

The following is a list of Homes that Declarant submitted to the Co-Ownership Program:

Lot 314, Replat Running Y Resort, Phase 4 1st Addition, Klamath County, Oregon

Street Address: 5048 Swallow Court

Occupancy Interest Numbers

Lot 314.04-001

314.04-001-A-12
314.04-001-B-12
314.04-001-C-12
314.04-001-D-12
314.04-001-E-12
314.04-001-F-12
314.04-001-G-12
314.04-001-H-12
314.04-001-I-12
314.04-001-J-12
314.04-001-K-12
314.04-001-L-12

State of Oregon, County of Klamath
Recorded 03/13/01, at 3:24 p. m.
In Vol. M01 Page 10186
Linda Smith,
County Clerk Fee\$ 31⁰⁰