

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

SUPPLEMENTAL DECLARATION FOR STAGE IX
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, and Second Amendment to Declaration of Shield Crest Condominiums recorded on April 27, 2000 in Volume M00 at Page 14761 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, V, VI, VII, and VIII Reclassifying Withdrawal Variable Property in Shield Crest Condominiums which submitted a total of twenty-four (24) 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 9 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.

1. Reclassification of Withdrawable Variable Property.

Declarant has constructed a condominium building complex containing three single family residential units on the Withdrawable Variable Property, described in the Surveyor's Certification on the Stage IX Plat of Tract 1271 - Shield Crest Condominiums, Building No. 8, Lot 11 and a portion of Lot 10, Block 4 of Tract 1257. A true copy of said legal description is attached hereto as Exhibit A. Said building complex is denoted as Building No. 8.

2. Description and Designation of Units. Building No. 8 is constructed in the location shown on the Stage IX Plat of Tract 1271-Shield Crest Condominiums, Building No. 8, Lot 11 and a portion of Lot 10, 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 complex consists of three unattached structures. Each structure is single-story, has no basement, and contains one single-family dwelling unit. The Units are designated as "Unit A, Unit B, or Unit C, Building 8." 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, except those portions of the walls, floors, or ceilings that materially contribute to the structural or shear capacity of the condominium. All other portions of the walls, floors, or ceilings shall be a part of the common elements.
- 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.

The square footage of each unit in Building No. 8 is:
Unit A - 2,814.7 square feet; Unit B - 1,948.1 square feet; and
Unit C - 2,497.4 square feet.

The court area, sidewalk, porch, and driveway are limited common elements. The use of the court area, driveway, sidewalk, and porch is restricted to the Unit to which each such limited common element adjoins and pertains as shown on the Plat. All other portions of the building improvements and land are common elements.

The unit owner is solely responsible for the maintenance of the unit. 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 27 units added by Stages I, II, III, IV, V, VI, VII, VIII, and IX of the Shield Crest Condominiums shall have an equal undivided one-twenty seventh ($1/27$) 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.

NOW, THEREFORE,

Declarant hereby publishes and declares that, except as herein supplemented to permit the reclassification of the withdrawable variable property described on Exhibit A into three (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 Shield Crest Condominiums recorded May 14, 1998 in Volume M 98 at Page 16551, as amended by the Second Amendment to Declaration of Shield Crest Condominiums recorded April 27, 2000 in Volume M00 at Page 14761, 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, June 10, 1998 in Volume M 98 at page 19712, June 18, 1998 in Volume M98 at page 20953, December 17, 1999 in Volume M99 at Page 49526, and May 12, 2000 in Volume M00 at page 17271, shall remain in full force and effect.

SHIELD CREST, INC., an Oregon corporation

By: Helen Chynoweth

Its President

The foregoing Supplemental Declaration is approved pursuant to ORS 100.120 this 10 day of July, 2001, 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. TAYLOR,
Oregon Real Estate Commissioner

By: Brian DeMarco

Brian DeMarco

The foregoing Supplemental Declaration is approved pursuant to ORS 100.120 this 12th day of July, 2001.

[Signature]
Assessor of Klamath County, Oregon

The foregoing Supplemental Declaration is approved pursuant to ORS 100.110 and ORS 110.120 this 12 day of July, 2001.

Linda M. Bacchi (Chief deputy)
Tax Collector of Klamath County,
Oregon

PROPERTY DESCRIPTION for STAGE IX, BUILDING No. 8

A parcel of land situated in Lot 11 and a portion of Lot 10, Block 4 of Tract 1257 – Resubdivision of a Portion of the First Addition to Shield Crest situated in the NW ¼ of Section 8, Township 39 South, Range 10 East of the Willamette Meridian, more particularly described as follows:

Commencing at the initial point marked by a 2" x 36" 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 North 17°30'00" West 261.00 feet to the true point of beginning; thence North 17°30'00" West 97.00 feet; thence North 34°33'34" East 91.83 feet; thence South 73°10'24" East 140.52 feet; thence South 16°49'36" West 66.96 feet; thence South 31°52'04" East 133.05 feet; thence North 72°49'38" West 42.76 feet; thence North 68°18'06" West 73.26 feet; thence North 84°17'43" West 99.85 feet, to the true point of beginning, containing 0.64 acres, more or less;

Also including the following described parcel:

Commencing at the initial point marked by a 2" x 36" galvanized iron pipe with 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 North 56°13'22" East 231.19 feet to the true point of beginning; thence North 53°38'17" West 72.17 feet; thence along the arc of a 20.00 foot radius curve to the right 62.84 feet, the long chord of said curve bears North 36°21'43" East 40.00 feet and having a delta angle of 180°00'00"; thence South 53°38'17" East 62.62 feet; thence along the arc of a 460.00 foot radius curve to the left 179.53 feet, the long chord of said curve bears South 64°49'09" East 178.40 feet and having a delta angle of 22°21'43"; thence South 76°00'00" East 122.02 feet; thence along the arc of a 45.00 foot radius curve to the right 69.70 feet, the long chord of said curve bears South 31°37'30" East 62.94 feet and having a delta angle of 88°45'00"; thence South 12°45'00" West 151.93 feet; thence along the arc of a non-tangent 110.00 foot radius curve to the right 26.63 feet, the long chord of said curve bears North 53°21'07" West 26.57 feet and having a delta angle of 13°52'22"; thence North 46°24'56" West 289.00 feet; thence along the arc of a 670.00 foot radius curve to the left 84.46 feet, the long chord of said curve bears North 50°01'37" West 84.40 feet and having a delta angle of 7°13'21", to the true point of beginning, containing 0.91 acres;

With bearings being 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.

Job No. 1248-02
Jan. 19, 2001

State of Oregon, County of Klamath
Recorded 07/13/01 at 10:05 a.m.
In Vol. M01 Page 34057
Linda Smith,
County Clerk Fee\$ 41.00