

AFTER RECORDING, RETURN TO:

d/c Lesley Edwards
Resort Resources, Inc.
P.O. Box 1466
Bend, OR 97709

State of Oregon, County of Klamath
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**DECLARATION ANNEXING LOT 834
TO RIDGE VIEW HOMESITES
AT RUNNING Y RANCH RESORT**

THIS DECLARATION is made this 17th day of September, 2003, by
RUNNING Y RESORT, INC., an Oregon corporation ("Declarant").

RECITALS

A. Declarant is the Declarant under that certain Declaration of Protective Covenants, Conditions, Restrictions and Easements for Running Y Ranch Resort, dated August 2, 1996 and recorded August 2, 1996 in the records of Klamath County, Oregon, in Volume M96, Page 23548 (the "Master Declaration").

B. The Master Declaration provides that additional properties may be annexed to Running Y Ranch Resort pursuant to the provisions of Section 2.2 of the Master Declaration. Declarant wishes to annex Lot 834 of Tract 1409, Running Y Resort, Phase 11, Klamath County, Oregon (the "Additional Property") to the Master Declaration upon the terms and conditions set forth in this Declaration.

NOW, THEREFORE, Declarant does hereby declare and provide as follows:

1. **DEFINITIONS**. As used in this Declaration, the terms set forth below shall have the following meanings:

1.1 **Additional Property**. Additional Property means Lot 834 of Tract 1409, Running Y Resort, Phase 11, Klamath County, Oregon.

1.2 **Master Declaration**. Master Declaration means the Declaration of Protective Covenants, Conditions, Restrictions and Easements for Running Y Ranch Resort, dated August 2, 1996, and recorded August 2, 1996, in the records of Klamath County, Oregon, in Volume M96, Page 23548.

1.3 **Incorporation by Reference**. Except as otherwise specifically provided in this Declaration, each of the terms defines in Article 1 of the Master Declaration shall have the meanings set forth in such Article.

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2. **ANNEXATION.** The Additional Property is hereby annexed to Running Y Ranch Resort and made subject to the Master Declaration on the terms and conditions set forth in this Declaration.

3. **PROJECT.** The Additional Property shall be designated as part of Phase 6 of the Project known as Ridge View Homesites.

4. **LAND CLASSIFICATIONS.** The Additional Property is included in one or another of the following classifications:

4.1 **Residential Lots.** The Additional Property shall be a Residential Lot, as defined in Section 1.32 of the Master Declaration.

4.2 **Other Classifications.** There are no Limited Common Areas, Common Easement Areas, Project Common Areas, or Public Areas in the Additional Property.

5. **MASTER DECLARATION.** The Additional Property shall be subject to all of the terms and provisions of the Master Declaration.

6. **RIGHT OF ENTRY.** In addition to any easements shown on the recorded plat and as set forth herein and in the Master Declaration, the Additional Property shall be subject to an easement for the benefit of utility service providers and their agents or employees to access all parts of the Owner's Lot and the Common Areas on which utility services may be located, for the purpose of operating, maintaining or constructing such facilities, inspecting the condition of pipes and facilities, and completing repairs. The Owner will be given advance notice if possible. In the case of an emergency, as determined solely by the utility service provider, no prior notice will be required. No such entry shall be deemed to constitute a trespass or otherwise create any right of action in the Owner of such Lot.

7. **EASEMENT RESERVED.** Declarant reserves a perpetual easement and right-of-way for access across the 30' access easement for the benefit of "Common Area B" as shown in the plat of Tract 1409, Running Y Resort, Phase 11, Klamath County, Oregon (the "Benefited Property"). No structure, planting or other material shall be placed or permitted to remain within the easement which may damage or interfere with access to the Benefited Property.

8. **AMENDMENT.** This Declaration may be amended by Declarant at any time prior to the closing of the sale of the first Lot in the Additional Property. Thereafter, this Declaration may only be amended as provided in Article 14 of the Master Declaration.

9. **BINDING EFFECT.** The Additional Property, including all Lots and Common Areas therein, shall be held, conveyed, hypothecated, encumbered, used, occupied, and improved only in accordance with the provisions of the Master Declaration, as modified by this instrument, which easements, restrictions, and charges shall run with the Additional Property and shall be binding upon all parties having or acquiring any right, title or interest in the Additional Property, or any part thereof, and shall inure to the benefit of each Owner thereof.

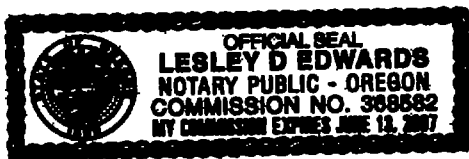
IN WITNESS WHEREOF, Declarant has executed this Declaration as of the day and year first set forth above.

RUNNING Y RESORT, INC., an Oregon Corporation

By *Spencer Miller*
Its *Asst. Secretary*

STATE OF OREGON)
) Ss.
County of Deschutes)

The foregoing instrument was acknowledged before me this 17th day of September, 2003 by *Lauren Miller*, the *Asst. Secretary* of RUNNING Y RESORT, INC., an Oregon corporation.



Lesley D Edwards
Notary Public for Oregon
My commission expires: *6/12/2007*