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12/11/2009 09:04:31 AM

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AFTER RECORDING, RETURN TO:

William M. Ganong  
Attorney at Law  
514 Walnut Avenue  
Klamath Falls OR 97601

### THIRD AMENDMENT TO DECLARATION OF SHIELD CREST CONDOMINIUMS

The Shield Crest Condominiums Unit Owners' Association, an Oregon Nonprofit Corporation, fee simple owner of the Common Elements and Limited Common Elements on the land described in the Declaration of Shield Crest Condominiums recorded in Volume M91 at Page 7438 of the Deed Records of the Clerk of Klamath County, Oregon, the fee simple interest of which said real property was submitted to the provisions of the Oregon Condominium Act by Declaration of Shield Crest Condominiums ("Declaration") recorded on April 23, 1991 in Volume M91 at Pages 7438-7451 of the Deed Records of the Clerk of Klamath County, Oregon, and which Declaration was amended by Amendment to Declaration of Shield Crest Condominiums recorded May 14, 1998 in Volume M98 at Page 16551 of said Deed Records, and by Second Amendment to Declaration of Shield Crest Condominiums recorded April 27, 2000 in Volume M00 at Page 14761 of said Deed records, and supplemented by the Supplemental Declarations recorded November 30, 1994 in Volume M94 at Page 36420, June 11, 1996 in Volume M96 at Page 17161, January 9, 1997 in Volume M97 at Page 600, June 10, 1998 in Volume M98 at Page 19712, June 18, 1998 in Volume M98 at Page 20953, December 17, 1999 in Volume M99 at Page 49526, May 12, 2000 in Volume M00 at Page 17271; July 13, 2001 in Volume M01 at Page 34057; February 3, 2003 in Volume M03 at Page 09953; and March 25, 2005 in Volume M05 at Page 19692 of said Deed Records, does hereby amend said Declaration and Amendments in the following particulars only:

A. Section 12. Use of Units is deleted in its entirety and replaced with the following language:

Section 12. Use of Units. All units shall be used as owner-occupied single family residential dwellings.

B. Section 17. Description and Designation of Units, is deleted in its entirety and replaced with the following language:

17. Description and Designation of Units. Each building contains three units and is designated by a number from 1 to 11, inclusive. The units in each building are designated by a letter; Unit A, Unit B, or Unit C. The buildings are of wood and masonry construction. The walls, floors, and ceilings 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, window glazing, 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 courtyard, sidewalk, porch, and driveway attached to each unit are designated Limited Common Elements. The use of the Limited Common Elements is limited to the owner and invitees of the owner of each unit to which they are attached.

All other portions of the building improvements and land are Common Elements. The unit owner is solely responsible for the maintenance of the unit. Provided, however, that damage to windows caused by golf balls that is not repaired or reimbursed by the golfer will be repaired or replaced by the Owners' Association. The Owners' Association is solely responsible for the maintenance of the Common Elements and the Limited Common Elements.

The eleven buildings and the thirty-three units are described in the following recorded documents:

<u>Building Designation</u>	<u>Instrument</u>	<u>Recording Information</u>
4	Declaration	Volume M91 Page 7447
3	Supplemental Declaration	Volume M94 Page 36420
5	Supplemental Declaration	Volume M96 Page 17161
11	Supplemental Declaration	Volume M97 Page 600
10	Supplemental Declaration	Volume M98 Page 19713
9	Supplemental Declaration	Volume M98 Page 20954
6	Supplemental Declaration	Volume M99 Page 49526
7	Supplemental Declaration	Volume M00 Page 17271
8	Supplemental Declaration	Volume M01 Page 34057
1	Supplemental Declaration	Volume M03 Page 09953
2	Supplemental Declaration	Volume M05 Page 19692

The recording information refers to the Volume and Page of the Deed Records of the

Clerk of Klamath County, Oregon where the instrument is recorded

Dated this 10<sup>TH</sup> day of September, 2008.

SHIELD CREST CONDOMINIUMS UNIT  
OWNERS' ASSOCIATION

By: R.A. Steinbock  
Its President

By: Howard Wakefield Jr.  
Its Secretary

The undersigned Chairperson and Secretary of the Board of Directors of the Shield Crest Condominiums Unit Owners' Association certify that the foregoing Third Amendment to the Declarations of Shield Crest Condominiums was adopted in accordance with the Declarations and the provisions of ORS 100.135.

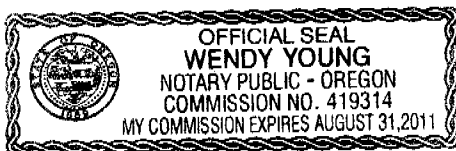
SHIELD CREST CONDOMINIUMS UNIT  
OWNERS' ASSOCIATION, an Oregon  
Nonprofit Corporation

By: R.A. Steinbock  
Its Chairperson

By: Howard Wakefield Jr.  
Its Secretary

STATE OF OREGON, County of Klamath) ss.

This instrument was acknowledged before me on the 10<sup>th</sup> day of September 2008 by R.A. Steinbock, Chairperson, and Howard Wakefield Jr. Secretary, of the Shield Crest Condominiums Unit Owners' Association, an Oregon Nonprofit Corporation.



Wendy Young  
Notary Public for Oregon  
My Commission Expires: 8.31.2011

The foregoing Third Amendment to Declaration of Shield Crest Condominiums is approved pursuant to ORS 100.110 this 23 day of NOVEMBER, 2009.

  
Assessor of Klamath County, Oregon

The foregoing Third Amendment to Declaration is approved pursuant to ORS 100.110 this 1<sup>st</sup> day of December, 2009, 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.

Gene Bentley  
Real Estate Commissioner

By: 

