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10/16/2018 11:04:37 AM

Fee: \$87.00

Returned at Counter

Recording Requested By:

Shield Crest Homeowner's Association
PO Box 7331
Klamath Falls, OR 97602

After Recording Return to:

Shield Crest Homeowner's Association
PO Box 7331
Klamath Falls, OR 97602

SECURITY GATE MAINTENANCE AGREEMENT

THIS AGREEMENT made and entered into this 16 day of October, 2018 by and between the Shield Crest Homeowner's Association, an Oregon domestic non-profit corporation ("Owner") and the Shield Crest Condominium Owner's Association, an Oregon domestic non-profit corporation (hereinafter referred to as "Partial Maintainers");

WITNESSETH:

WHEREAS, Owner owns and operates a security gate at the entrance of the community commonly known as Shield Crest, in the County of Klamath, State of Oregon (the "Gate"); and

WHEREAS, the Partial Maintainers own and manage property within the community which receives the benefit of the security from the Gate; and

WHEREAS, the parties hereto have agreed that Partial Maintainers shall provide one-third of the cost of maintenance and operation of the Gate, retroactively effective, beginning January 1, 2018;

NOW THEREFORE, in consideration of the premises contained herein, the covenants and agreements also herein contained, and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties agree as follows:

1. Owners shall present to Partial Maintainers, at least annually, an accounting of the operation and maintenance costs for the Gate for each calendar year.
2. Partial Maintainers shall reimburse Owners one-third of that total amount within thirty (30) days of being presented with said accounting.
3. All communications, notices, and demands of any kind which either party may be required or desire to give to or serve upon the other party shall be made in writing, and shall be delivered by personal service to an officer of the other party, or sent by certified mail, return receipt requested, to the following addressees:

Owners: Shield Crest Homeowner's Association
P.O. Box 7331
Klamath Falls, OR 97602

Partial Maintainers: Shield Crest Condominium Owners Association
6510 South 6th Street, #115
Klamath Falls, OR 97603

4. Default and Payments. In the event that Partial Maintainers default in making any payment required hereunder, and Owners engage an attorney, collection agent, or other agency for collection of such payment(s), Partial Maintainers shall be liable for Owner's reasonable attorney's fees.
5. Entire Agreement/Amendments. This Agreement and the items incorporated herein contain all of the agreements of the parties hereto with respect to the matters contained herein, and no prior agreement or understanding pertaining to any other such matter shall be effective. No provisions of this Agreement may be amended or modified in any matter whatsoever, except by an agreement in writing signed by each of the parties hereto.
6. Captions. Captions to articles, sections, and paragraphs of this Agreement are not part of this Agreement and shall not be deemed to affect the meaning or construction of any of its provisions.

7. Severability. If any term or provision of this Agreement, or in the application thereof, to any person or circumstance shall, to any extent, be invalid or unenforceable, the remaining terms and provisions of this Agreement, or the application of such terms or provisions to the person or circumstances, other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and each term or provision of this Agreement shall be valid and shall be enforced to the fullest extent permitted by law.
8. Governing Law. This Agreement shall be construed in the accordance with the laws, including the conflict of law rules, of the State of Oregon.

IN WITNESS WHEREOF, the parties have caused this Agreement to executed by their duly authorized representatives.

SHIELD CREST HOMEOWNER'S ASSOCIATION

Alan Eberlein
By: Alan Eberlein, President

STATE OF OREGON, County of Klamath)ss:

Acknowledge before me this 14 day of October, 2018 by Alan Eberlein, President of Shield Crest Homeowner's Association.

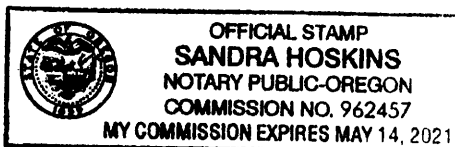


Sandra Hoskins
Notary Public of Oregon
My Commission Expires: 5-14-2021

Susan Kandra
By: Susan Kandra, Secretary

STATE OF OREGON, County of Klamath)ss:

Acknowledge before me this 15 day of October, 2018 by Susan Kandra, Secretary of Shield Crest Homeowner's Association.



Sandra Hoskins
Notary Public of Oregon
My Commission Expires: 5-14-2021

SHIELD CREST CONDOMINIUM OWNER'S ASSOCIATION

Greg Thede
By: Greg Thede, President

STATE OF OREGON, County of Klamath)ss:

Acknowledge before me this 15 day of October, 2018 by Greg Thede, President of Shield Crest Condominium Owner's Association.

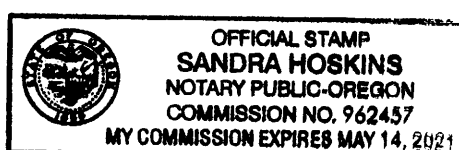


Sandra Hoskins
Notary Public of Oregon
My Commission Expires: 5-14-2021

Rick Batsell
By: Rick Batsell, Secretary

STATE OF OREGON, County of Klamath)ss:

Acknowledge before me this 15 day of October, 2018 by Rick Batsell, Secretary of Shield Crest Condominium Owner's Association.



Sandra Hoskins
Notary Public of Oregon
My Commission Expires: 5-14-2021