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03/03/2022 09:28:20 AM

Fee: \$102.00

Returned at Counter

AFTER RECORDING, RETURN TO:  
 RidgeWater Community Association  
 1200 RidgeWater Blvd.  
 Klamath Falls, OR 97601  
 Attn: Tina Linn - Manager

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**SECOND SUPPLEMENTAL DECLARATION  
 TO  
 DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND  
 EASEMENTS  
 FOR  
 RIDGEWATER**

**THIS SECOND SUPPLEMENTAL DECLARATION** is made this 3rd day of September 2021, by **TRINITY ASSET HOLDINGS CO., LLC**, a California limited liability company, successor declarant to Klamath Falls Partners, LLC, a Colorado limited liability company, ("**Declarant**"), **RIDGEWATER COMMUNITY ASSOCIATION**, an Oregon nonprofit corporation (the "**Association**"), and by Raymond and Susan Holliday **Owner**").

**RECITALS**

A. Owner owns Lot 45 and Lot 46 Tract 1472, RidgeWater Subdivision, Phase 1, recorded 10/11/2021 as Document No. 2021-15127 Klamath County, Oregon (each, a "**Lot**" and collectively, the "**Lots**").

B. The Lots are located in the planned community known as "RidgeWater" and are subject to the Declaration of Covenants, Conditions, Restrictions and Easements for RidgeWater recorded in the official records of Klamath County, Oregon on September 11, 2006 as Document No. 2006-018271, as amended and supplemented (the "**Master Declaration**"). All capitalized terms used in this Supplemental Declaration and not otherwise defined herein shall have the meanings given to such terms in Article 1 of the Master Declaration.

C. The Lots are located immediately adjacent to each other and Owner wishes to consolidate the Lots into a single legal lot (the "**Lot Consolidation**"). Owner has obtained approval of the Planning Department of Klamath County, Oregon to consolidate the Lots into a single legal lot. Owner desires to complete the Lot Consolidation by filing a survey of the Lot Consolidation (the "**Lot Consolidation Survey**") in the survey records of the Klamath County Surveyor.

D. Each Lot constitutes a separate Unit under the Master Declaration. Section 3.8 of the Master Declaration allows an Owner to consolidate Units with the prior written approval of Declarant during the Development Period, and thereafter with the prior written approval of the Design Review Committee. Section 3.8 of the Master Declaration further provides that once the

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consolidation is approved, it must be effected by the Recording of a declaration in the official records of Klamath County, Oregon stating that the affected Units are consolidated, which declaration must be executed by the Owner of the affected Units and the Association.

E. Owner and the Association desire to effect and confirm the Lot Consolidation and the conversion of the Lots from two (2) separate Units into a single Unit pursuant to the terms of the Master Declaration by executing and recording this Supplemental Declaration, and Declarant desires to approve the same pursuant to Declarant's authority during the Development Period.

**NOW, THEREFORE**, in furtherance of the foregoing recitals, the parties hereby declare and agree as follows:

1. Lot Consolidation. Owner represents Owner has completed the Lot Consolidation by filing the Lot Consolidation Survey in the survey records of the Klamath County Surveyor on July 2021 as Survey # 1989 and in the office of the County Clerk on October 11, 2021 as Document No. 2021-15127. Upon filing the Lot Consolidation Survey, the Lots shall constitute a single Unit for all purposes of the Master Declaration, including without limitation, voting rights and allocation of assessments. The consolidated Unit may not thereafter be partitioned nor may the consolidation be revoked, except as provided in Section 3.7 of the Master Declaration.

2. Declarant Approval. Declarant hereby approves the Lot Consolidation and the conversion of the Lots from two (2) separate Units into a single Unit under the Master Declaration in accordance with the terms of this Supplemental Declaration. Declarant represents and warrants to Owner and the Association that the Development Period under the Master Declaration is still in effect and has not terminated, and that Declarant has the authority to grant the foregoing approval in accordance with Section 3.8 of the Master Declaration.

3. Association Certification. By their execution of this Supplemental Declaration, the president and secretary of the Association, hereby certify, on behalf of the Association, that this Supplemental Declaration, and the Lot Consolidation and conversion of the Lots from two (2) separate Units into a single Unit under the Master Declaration as described herein, has been approved in accordance with the terms of the Master Declaration and that this Supplemental Declaration may be executed and recorded in the official records of Klamath County, Oregon.

4. Effect of Supplemental Declaration. Except as otherwise supplemented by this Supplemental Declaration, the Master Declaration is unmodified and remains in full force and effect. This Supplemental Declaration may not be amended, revised or revoked except in accordance with the terms and provisions of the Master Declaration.

5. Counterparts. This Supplemental Declaration may be executed in multiple counterparts, each of which, when taken together, shall constitute one and the same instrument.

IN WITNESS WHEREOF, the undersigned have executed this Supplemental Declaration as of the date first set forth above.

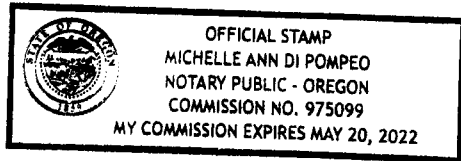
OWNER:

Susanne M. Holliday

Susanne M. Holliday  
Signature - (Susan Holliday)

STATE OF Oregon )  
County of Klamath )ss.

The foregoing instrument was acknowledged before me this 9<sup>th</sup> day of November 2021 by Susanne Holliday. (Owner)



[Signature]  
Notary Public for Oregon  
My commission expires: May 20, 2022

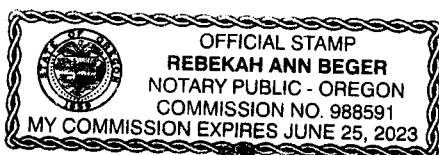
DECLARANT:

TRINITY ASSET HOLDINGS CO., LLC, a  
California limited liability company

By: [Signature]  
Name: Charles Blackburn  
Title: President

STATE OF Oregon )  
County of Klamath )

The foregoing instrument was acknowledged before me this 17 day of February 2022 by Charles Blackburn the President for TRINITY ASSET HOLDINGS CO., LLC, a California limited liability company.



[Signature]  
Notary Public for Oregon  
My commission expires: June 25, 2023

ASSOCIATION:

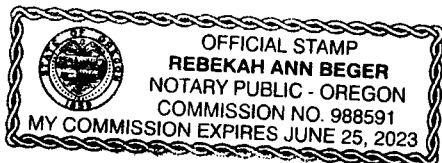
**RIDGEWATER COMMUNITY  
ASSOCIATION**, an Oregon  
nonprofit corporation

By: [Signature]  
Name: Charles Blackburn  
Title: President

By: [Signature]  
Name: Christina Linn  
Title: Secretary

STATE OF Oregon )  
County of Clatsop ) ss.

The foregoing instrument was acknowledged before me this 17 day of February  
2022 by Charles Blackburn the President and Christina Linn  
the Secretary of RidgeWater Community Association, an Oregon nonprofit corporation.



By: [Signature]  
Notary Public for Oregon  
My commission expires: June 25, 2023