AI-generated typed copy of the recorded original (Linn County instrument 2006-26762). Not an official copy — the recorded original controls. See the note at the end.

LINN COUNTY, OREGON
CCR-SD
Cnt=1 Stn=1 COUNTER
$45.00 $11.00

2006-26762
11/01/2006 01:49:18 PM
$56.00

00030300200600267620090098

I, Steve Druckenmiller, County Clerk for Linn County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.
Steve Druckenmiller - County Clerk

After Recording, Return To:
Howard M. Feuerstein
Stoel Rives LLP
900 SW Fifth Avenue, Suite 2600
Portland, Oregon 97204

SUPPLEMENTAL DECLARATION/STAGE VI
(Reclassifying Variable Property)

OAK GROVE CONDOMINIUMS
(Formerly, ABE's Oak Grove Condominiums)

THIS SUPPLEMENTAL DECLARATION is entered into as of the 15th day of August, 2006, by **OAK GROVE WEST, LLC**, an Oregon limited liability company (**"Declarant"**).

RECITALS, INTENT, AND PURPOSE

A. By the recording of the Declaration of Condominium Ownership for ABE's Oak Grove Condominiums, an Oregon condominium, on December 13, 2000, in the Official Records of Linn County, Oregon, at Volume 1143, Page 50, et seq., and re-recorded January 18, 2001, at Volume 1148, Page 993, to correct certain dimensions in Exhibit "B" therein (the **"Stage I Declaration"**) Kenneth Roger Evenhaus and Karen L. Evenhaus (**"Original Declarants"**) established ABE'S Oak Grove Condominiums (the **"Condominium"**) as a flexible condominium under the Oregon Condominium Act containing variable property. By Supplemental Declaration/Stage II recorded November 20, 2001, in the Official Records of Linn County, Oregon at Volume 1236, Page 359 (the **"Stage II Declaration"**), Original Declarants reclassified a portion of the variable property as Stage II of the Condominium. By Amendment to Declaration and Plats of ABE's Oak Grove Condominiums recorded February 14, 2005 in the Official Records of Linn County, Oregon at MF Volume 1677, Page 381 and Amendment to Supplemental Declaration and Plat of Stage II of ABE's Oak Grove Condominiums, recorded February 14, 2005 in MF Volume 1677, Page 387 (collectively, the **"Amendment"**), the Stage I Declaration and the Stage II Declaration and the Stage I and Stage II Plats were amended, including the changing of the name of the Condominium to "**Oak Grove Condominiums.**" By Supplemental Declaration/Stage III recorded May 20, 2005 in MF 1713, Page 472 and then re-recorded to include the signature of the Linn County Assessor and Tax Collector on June 3, 2005 in MF 1718, Page 989 in the Official Records of Linn County, Oregon (the **"Stage III Declaration"**) a portion of the variable property was

reclassified as Stage III of the Condominium. By Supplemental Declaration/Stage IV recorded December 15, 2005 in MF 1799, Page 527 and then re-recorded to correct legal description on December 21, 2005 in MF 1801, Page 629 in the Official Records of Linn County, Oregon (the "**Stage IV Declaration**") a portion of the variable property was reclassified as Stage IV of the Condominium. By Supplemental Declaration/Stage V recorded March 6, 2006 as Document No. 2006-05161 in the Official Records of Linn County, Oregon (the "**Stage V Declaration**") a portion of the variable property was reclassified as Stage V of the Condominium. The Stage I Declaration and the Stage II Declaration, as amended by the Amendment, the Stage III Declaration, The Stage IV Declaration and the Stage V Declaration are collectively referred to in this Supplemental Declaration as the "**Declaration.**"

[Page 2]

B. Declarant has acquired all of Original Declarant's interest in the Condominium that had not been conveyed to unit purchasers and is now the successor declarant of the Condominium.

C. The Stage I Declaration submitted four (4) units and their associated general and limited common elements to the condominium form of ownership and reserved the right of Declarant to create up to forty-nine (49) additional units from the nonwithdrawable variable property described in the Declaration. The Stage II Declaration reclassified a portion of the nonwithdrawable variable property into four additional units, together with their associated general and limited common elements, the Stage III Declaration reclassified a portion of the nonwithdrawable variable property into five additional units, together with their associated general and limited common elements, the Stage IV Declaration reclassified a portion of the nonwithdrawable variable property into 12 additional units, together with their associated general and limited common elements and the Stage V Declaration reclassified a portion of the nonwithdrawable variable property into 20 additional units, together with their associated general and limited common elements.

D. Declarant is the owner in fee simple of the real property described on attached Exhibit A, and desires to reclassify the same into units and common elements as Stage VI of the Condominium pursuant to the provisions of the Oregon Condominium Act as provided for in Chapter 100 of the Oregon Revised Statutes.

SUPPLEMENTAL DECLARATION

Declarant hereby publishes and declares that the herein-described nonwithdrawable variable property is hereby reclassified into one unit and its associated general and limited common elements, and a general common element community building on the terms and provisions set forth in this Supplemental Declaration.

1. Land Description. The land and all buildings, improvements, structures, easements, and any rights and appurtenances reclassified into a unit and common elements hereunder are

owned and submitted by Declarant in fee simple. The land is located in Linn County, Oregon. and is more particularly described on attached Exhibit A.

2. Plan of Development. Declarant proposes to construct up to fifty-three (53) units in up to eleven (11) stages. Four units within one four-plex were created as part of the Stage I Declaration, four units within one four-plex were created through the reclassification of variable property in the Stage II Declaration, four units within one four-plex and one additional unit were created through the reclassification of variable property in the Stage III Declaration, four units within one building and eight units within another building were created through the reclassification of variable property in the Stage IV Declaration, and eight units were created through the reclassification of variable property in the Stage V Supplemental Declaration and 20 units are created through the reclassification of variable property in this Supplemental Declaration. The construction of improvements on the variable property and the increase in the number of stages should not increase the proportionate amount of the common expenses payable by existing Unit Owners.

3. Name and Description.

3.1 Name. The property reclassified hereby as Stage VI of Oak Grove Condominiums shall become a part of and shall be known together with the units and other improvements in Stages I, II, III, IV, V and VI of Oak Grove Condominiums.

[Page 3]

3.2 Boundaries of Units. Each unit shall be bounded by the interior unfinished surfaces of its perimeter and bearing wall, floors, and ceilings. All lath furring, wallboard, plaster board, plaster, paneling, tiles, wallpaper, paint, finished flooring, and any other materials constituting any part of the finished surfaces thereof shall be a part of the unit, 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. The unit shall include windows, window frames, exterior and interior doors, door frames, air space, nonbearing interior partitions, and all other appliances, fixtures, and improvements contained therein. In addition, each unit shall include the outlet of any utility service lines, including, but not limited to, water, sewage, gas, electricity, and ventilating ducts within the unit, but shall not include any part of such lines or ducts themselves. Other than in common, the owners of the respective units shall not be deemed to own the undecorated or unfinished surfaces of the exterior walls and roofs surrounding the respective units, nor shall the owners be deemed to own pipes, wires, conduits, or other public utility lines running through the respective units which are utilized for and serve more than one unit, except as tenants-in-common with other Unit Owners.

3.3 Building Description and Unit Designation. The land being reclassified by this Supplemental Declaration has three (3) two-story buildings without basements. Building F contains four units, Building G contains 12 units and Building H contains four units. The buildings are of wood frame construction with vinyl siding and composition roof. Each of the

units in the buildings will be single story with lower level units and upper level units. Each of the units in Buildings F and H are comprised of a two-bedroom, two-bath dwelling and each contains a natural gas fireplace and garage. The units in Building G are one-bedroom, one-bath without natural gas fireplace and garage. The designation, description of boundaries and area in square feet of each of the units is shown below, and on the Supplemental Plat recorded in connection herewith:

Designation	Description of Boundaries	Square Feet (Inc. Garage, if any)
Unit F-1	See Sec. 3.2 above	1222
Unit F-2	See Sec. 3.2 above	1222
Unit F-3	See Sec. 3.2 above	1222
Unit F-4	See Sec. 3.2 above	1222
Unit G-1	See Sec. 3.2 above	750
Unit G-2	See Sec. 3.2 above	750
Unit G-3	See Sec. 3.2 above	750
Unit G-4	See Sec. 3.2 above	750
Unit G-5	See Sec. 3.2 above	750
Unit G-6	See Sec. 3.2 above	750
Unit G-7	See Sec. 3.2 above	750
Unit G-8	See Sec. 3.2 above	750
Unit G-9	See Sec. 3.2 above	750
Unit G-10	See Sec. 3.2 above	750
Unit G-11	See Sec. 3.2 above	750
Unit G-12	See Sec. 3.2 above	750
Unit H-1	See Sec. 3.2 above	1222
Unit H-2	See Sec. 3.2 above	1222
Unit H-3	See Sec. 3.2 above	1222
Unit H-4	See Sec. 3.2 above	1222

[Page 4]

The dimensions of each unit are shown on the plat filed contemporaneously herewith and made a part of this Supplemental Declaration as though fully set forth herein.

4. General Common Elements. The general common elements consist of the following, to the extent they exist on the property, and except as portions thereof are expressly designated in this Supplemental Declaration or the Declaration as variable property or as part of a unit or limited common element:

(a) The land, roadways, pathways, driveways (except where described as limited common elements), fences, grounds, parking spaces, exterior storage rooms, and laundry room and facilities;

(b) The foundations, columns, girders, beam; supports, bearing and shear walls, perimeter wall, main walls, roofs, and exterior porches, corridors, lobbies, stairs, fire escapes, entrances and exits of the building(s);

(c) Installations of central services, such as power, light, gas, hot and cold water, heating, refrigeration, air conditioning, waste disposal and incinerators, up to the outlets within any units;

(d) The tanks, pumps, motors, fans, compressors, ducts and, in general, all apparatus and installations existing for common use;

(e) A single story community building;

(f) All other elements of any building necessary or convenient to its existence, maintenance and safety, or normally in common use.

Declarant continues to reserve the right to create additional general elements within the variable property.

5. Limited Common Elements. The following constitute limited common elements, the use of which shall be restricted to the unit:

The exterior patios and decks adjoining the unit shall pertain to the unit. Stairway entries and landings shall pertain equally to the two upper units they adjoin.

The parking spaces adjacent to each building are designated as limited common elements in the Plat, each of which shall pertain to the unit indicated below:

Unit	Parking Space
G-1	P-25
G-2	P-26
G-3	P-36
G-4	P-35
G-5	P-27
G-6	P-34
G-7	P-33
G-8	P-32
G-9	P-31
G-10	P-30
G-11	P-28
G-12	P-29

[Page 5]

The use of said limited common elements is limited to the unit to which they pertain. In addition, the Declarant reserves the right to create limited common elements within the

variable property.

6. Undivided Interest in Common Elements. Each unit shall have the following interest in the common elements computed on the basis of such unit's square footage compared to the square footage of all units combined:

Unit	Square Footage	Undivided Interest
B-1	1460	1460/59591
B-2	1455	1455/59591
B-3	1460	1460/59591
B-4	1455	1455/59591
C-1	1460	1460/59591
C-2	1455	1455/59591
C-3	1460	1460/59591
C-4	1455	1455/59591
D-1	1416	1416/59591
D-2	1420	1420/59591
D-3	1441	1441/59591
D-4	1441	1441/59591
J-1	2351	2351/59591
E-1	1420	1420/59591
E-2	1441	1441/59591
E-3	1416	1416/59591
E-4	1441	1441/59591
L-1	744	744/59591
L-2	744	744/59591
L-3	744	744/59591
L-4	744	744/59591
L-5	744	744/59591
L-6	744	744/59591
L-7	744	744/59591
L-8	744	744/59591
A-1	1177	1177/59591
A-2	1177	1177/59591
A-3	1177	1177/59591
A-4	1177	1177/59591
I-1	1177	1177/59591
I-2	1177	1177/59591
I-3	1177	1177/59591

Unit	Square Footage	Undivided Interest
I-4	1177	1177/59591
F-1	1222	1222/59591
F-2	1222	1222/59591
F-3	1222	1222/59591
F-4	1222	1222/59591
G-1	750	750/59591
G-2	750	750/59591
G-3	750	750/59591
G-4	750	750/59591
G-5	750	750/59591
G-6	750	750/59591
G-7	750	750/59591
G-8	750	750/59591
G-9	750	750/59591
G-10	750	750/59591
G-11	750	750/59591
G-12	750	750/59591
H-1	1222	1222/59591
H-2	1222	1222/59591
H-3	1222	1222/59591
H-4	1222	1222/59591
TOTAL	59591	1

[Page 6]

As provided in Section 10.3 of the Stage I Declaration, as amended by the Amendment, each unit shall have an undivided interest in the common elements based upon the square footage of each unit compared to the total square footage of all units then existing in the condominium. Each unit's undivided interest shall be deemed to be conveyed or encumbered with a conveyance or encumbrance of said unit, even though the description in the instrument of conveyance or encumbrance may refer only to the unit. Stage VI is the final stage of development.

7. Use and Maintenance of the Common Elements.

7.1 Use of Common Elements. No person shall use the common elements or any part thereof in any manner contrary to or not in accordance with the Declaration, the Bylaws or such rules and regulations pertaining thereto which from time to time may be promulgated by the Board of Directors.

7.2 Maintenance, Repair and Replacement. Maintenance and repair of the common elements and all exterior building surfaces, including roofs and walls, exterior and interior portions of carports, gutters, downspout; fences, trees, shrubs, grass, landscaped areas, walks and other exterior improvements shall be the responsibility of the Unit Owners' Association (hereinafter referred to as the "**Association**"). Such exterior maintenance shall not include glass surfaces. In addition, the Association shall provide maintenance and repair to all building drains and building sewers which lie in or on the common areas in the resident's locations.

In the event the need for such maintenance or repairs results from the willful, intentional, or negligent act or omission of the Unit Owner, or a Unit Owner's family, tenants, guests or invitees, the cost of such maintenance or repair may, in the discretion of the Board of Directors of the Association, be added to and become a part of the assessment to which such unit location is subject and a lien shall attach thereon.

The Association will assess each unit its' proportionate share of the common element expenses based upon such unit's undivided interest in the common elements. Each Unit Owner shall be responsible for maintaining and keeping the interior of his or her unit in good order and repair.

[Page 7]

7.3 Common Profits and Common Expenses. The common profits shall be allocated among the Unit Owners according to the allocation of undivided interest of each unit in the common elements; provided, however, that no such profits shall be distributed among the Unit Owners and shall be used solely for purposes of maintaining, repairing, and replacing the common elements or other expenses of the Association. The common expenses shall be assessed to the Unit Owners according to the allocation of undivided interest of each unit in the common elements; provided. however, that Unit Owners may be assessed additional amounts individually for common expenses incurred through such unit owner's fault or direction or as otherwise provided in the Bylaws.

8. Voting Rights. The owners or co-owners of each unit shall be entitled to one (1) vote per unit.

9. Use of Units. The units shall be occupied and used by the respective owners only for residential purposes for the owner, family, tenant, and social guests and for no other purposes. The owners of the respective units shall have the right to lease or rent the unit, or any part thereof, provided that any such lease or rental agreement shall be subject to the covenants and restrictions contained in the Declaration and this Supplemental Declaration, and is further subject to the Bylaws, Rules, and Regulations of the Association.

10. Granting of Interest Affecting Common Elements. The Association, pursuant to ORS 100.405(5) and (8), shall have the authority to grant easements, rights of way, licenses or other similar interests affecting the general common elements. To the extent provided therein, the granting of any such interest shall first be approved by at least seventy-five

percent (75%) of all votes of the Unit Owner as required by ORS 100.405(6). The instrument granting any such interest shall be executed by the Chairman and Secretary of the Association and acknowledged in the manner provided for acknowledgement of such instruments by such officers and shall state that such grant was approved as provided herein.

11. Service of Process. The designated agent to receive service of process in cases provided in ORS 100.550(l) is named in the Condominium's Information Report filed with the Real Estate Agency in accordance with ORS 100.250(1).

12. Declaration and Bylaws. The reclassification of the units in this Stage VI is being made pursuant to the rights reserved in the Declaration and Bylaws which have been recorded in the Official Records of Linn County, Oregon. Except as amended herein to permit the reclassification of the property in Stage VI, the Declaration and Bylaws which have been previously recorded shall be binding, enforceable, and shall fully appertain to all the property in Stage VI as well as the property in the previously submitted Stages I, II, III, IV, V and VI.

IN WITNESS WHEREOF, the undersigned Declarants have caused this Supplemental Declaration for Stage V to be executed this 15 day of August, 2006.

OAK GROVE WEST, LLC,
an Oregon limited liability company

By:
[Signature]
Brent Lanz, Member

[Page 8]

STATE OF OREGON)
)ss.
COUNTY OF Lane)

This instrument was acknowledged before me this 15 day of August, 2006, by Brent Lanz, Member of Oak Grove West, LLC, an Oregon limited liability company, on its behalf.

[Notary seal: OFFICIAL SEAL, MICHAEL GANDY, Notary Public – Oregon, Commission No. 407971, My commission expires July 2, 2010]

[Signature]
Notary Public
My commission expires: 7-2-2010
Commission No.: 407971

The foregoing Supplemental Declaration is approved this 1st day of November, 2006.

[Signature]
Assessor and Tax Collector for Linn County

The foregoing Supplemental Declaration is approved pursuant to ORS 100.110 this 5th day of October, 2006, and in accordance with ORS 100.110(7), this approval shall automatically expire if this Supplemental Declaration is not recorded within two (2) years fro this date.

SCOTT W. TAYLOR
Real Estate Commissioner

By:
[Signature]
Laurie Skillman

[Embossed seal of the Real Estate Commissioner, State of Oregon; text largely illegible]

[Page 9]

EXHIBIT A

Legal Description

The real property beginning at the Initial Point being a 5/8" iron rod with yellow plastic cap stamped "Jim Udell PLS 1366" and being the Northeast corner of Parcel 1 of Linn County Partition Plat No. 1994-83 and also being the Northeast corner of Lot 20 of Brown's Oak Terrace Subdivision in the Northwest 1/4 of Section 23, Township 12 South, Range 2 West, Willamette Meridian, Linn County, Oregon;

thence North 89°53'00" West along the North line of said 'Brown's Oak Terrace Subdivision" 509.00 feet to a point witnessed by a 5/8" iron rod with yellow plastic cap stamped "Jim Udell RLS 1366" bearing North 0°11'50" East 2.00 feet from said point; thence North 00°11'50" East 315.15 feet to a 1/2" iron rod with yellow plastic cap stamped "Jim Udell RLS 1366" on the South Right-of-way of Weldwood Drive; thence North 85°21'22" East along said Right-of-way 60.05 feet to a 5/8" iron rod with yellow plastic cap stamped "Jim Udell RLS 1366"; thence South 89°52'02" East along said right-of-way 344.64 feet to a 5/8" iron rod with yellow plastic cap stamped "Jim Udell RLS 1366" at the Southeast corner of said Right-of-way; thence North 0°07'58" East along the East line of said Right-of-way 16.84 feet to a 5/8" iron rod with an aluminum cap stamped "Jim Udell RLS 1366"; thence leaving said Right-of-way South 83°50'33" East 109.37 feet to a 5/8" iron rod with an aluminum cap stamped "Jim Udell RLS 1366"; thence South 00°56'35" West 325.41 feet to the point of beginning.

Furthermore that Stage 6 is being platted as a Supplemental Plat to Reclassify a Portion of "Variable Nonwithdrawable Property C" from Oak Grove Condominiums into units, common element, limited common element described as follows:

beginning at a 5/8" iron rod with a yellow plastic cap stamped "Jim Udell RLS 1366", said point being the Northeast corner of Parcel 1 of Linn County Partition Plat 1994-83 and also the Northeast corner of Lot 20 of Brown's Oak Terrace Subdivision; thence North 89°53'00" West 164.96 feet to a point referenced by a 5/8" iron rod with yellow plastic cap stamped "Jim

Udell RLS 1366" which bears North 00°07'10" West 1.00'; thence North 00°07'10" East 81.82 feet to a point referenced by a 5/8" iron rod with yellow plastic cap stamped "Jim Udell RLS 1366" which bears North 23°33'06" West 2.00'; Thence North 23°33'06" West 16.98 feet to a 5/8" iron rod with yellow plastic cap stamped "Jim Udell RLS 1366"; thence along the arc of a 50.00 foot radius curve left (the long chord bears North 22°12'31" East 72.83 feet) a distance of 81.59 feet to a 5/8" iron rod with an aluminum cap stamped "Jim Udell RLS 1366"; thence North 24°32'16" West 101.94 feet to a 5/8" iron rod with an aluminum cap stamped "Jim Udell RLS 1366"; thence North 17°37'38" East 30.90 feet to a 5/8" iron rod with an aluminum cap stamped "Jim Udell RLS 1366"; thence North 72°22'22" West 17.27 feet to a 5/8" iron rod with an aluminum cap stamped "Jim Udell RLS 1366"; thence North 27.90 feet to a 5/8" iron rod with an aluminum cap stamped "Jim Udell RLS 1366" on the South Right-of-way of Weldwood Drive; thence South 89°52'02" East along said South Right-of-way 90.05 feet to a 5/8" iron rod with yellow plastic cap stamped "Jim Udell RLS 1366" at the Southeast corner of said Right-of-way; thence North 0°07'58" East along the East line of said Right-of-way 16.84 feet to a 5/8" iron rod with an aluminum cap stamped "Jim Udell RLS 1366"; thence leaving said Right-of-way South 83°50'33" East 109.37 feet to a 5/8" iron rod with an aluminum cap stamped "Jim Udell RLS 1366"; thence South 00°56'35" West 325.41 feet to the point of beginning.

This is a typed copy of the Supplemental Declaration/Stage VI (Reclassifying Variable Property) for Oak Grove Condominiums, recorded November 1, 2006 in the Official Records of Linn County, Oregon, as instrument 2006-26762. It was generated with AI from the recorded scan, then checked page by page against it, so it is easier to read and search. It is not an official copy: if anything here differs from the recorded original, the recorded original controls. The plat filed with it is not included. The recording stamp, barcode and county seal on page 1 are reproduced from the scan. Labels like [Page 3] show where each page of the recorded copy begins; notes in [brackets] describe signatures, seals and stamps.