

SUPPLEMENTAL DECLARATION
ANNEXING CERTAIN PROPERTY TO THE NORTH SHORE TERRACE CONDOMINIUM
AND SUBMITTING SAID ANNEXED PROPERTY UNDER
PROVISIONS OF ORS 100.005 TO 100.910 THE OREGON CONDOMINIUM ACT
FOR NORTH SHORE TERRACE CONDOMINIUM STAGE VI.

RECITALS:

1. Declarant, A & D Development General Partnership, consisting of DVM, Inc., an Oregon corporation (Managing Partner) and Hines Enterprises, Inc., an Oregon corporation, general partners, submitted certain property to the provisions of ORS 100.005 to ORS 100.910 The Oregon Condominium Act by Declaration recorded the 1st day of April, 1992, in Book 242, page 518-530, Lincoln County Film Records. (The Bylaws of the condominium were recorded the same day in Book 242, page 531-545.)

2. Said original Declaration disclosed that Declarant reserved the right therein to annex additional real property to the condominium project.

3. Declarant did in fact annex additional real property to the condominium project with a Supplemental Declaration for North Shore Terrace Condominium Stage II, recorded the 15th day of October, 1992, in Book 251, page 2249, for North Shore Terrace Condominium Stage III, recorded the 4th day of June, 1993, in Book 262, page 1392, Lincoln County Film Records, for North Shore Terrace Condominium Stage IV, recorded the 14th day of September, 1994, in Book 287, page 2465, Lincoln County Film Records and for North Shore Terrace Condominium Stage V, recorded the 6th day of June, 1996, in Book 319, page 715, Lincoln County Film Records.

4. Declarant now desires to annex a further portion of the property which was contained in the initial Declaration as potentially annexable property, said additional portion more particularly described as follows:

A tract of land lying in the Southwest quarter of the Northeast quarter of Section 32, Township 10 South, Range 11 West of the Willamette Meridian, Lincoln County, Oregon, more particularly described as follows:

Beginning at the Northwest corner of NORTH SHORE TERRACE CONDOMINIUMS, STAGE V, which is 354.91 feet North and 2245.19 feet West of the quarter corner between Sections 32 and 33; thence North 15°51'56" West, 118.24 feet to the Southwest corner of BAYWOOD MANOR CONDOMINIUMS; thence North 74°08'04" East, 89.65 feet; thence South 15°51'56" East, 52.81 feet; thence North 70°09'46" East, 40.72 feet; thence North 61°00'00" East, 15.00 feet; thence North 31°30'00" West, 50.00 feet; thence South 62°00'00" West, 15.00 feet; thence North 29°00'00" West, 27.00 feet; thence North 4°30'00" West, 88.00 feet; thence North 16°20'00" West, 69.00 feet; thence North

Ne 1/4 Sec 10.
Lincoln County Title
30 S.W. Nye St.
Newport, Ore 97365

56°15'00" East, 15.00 feet; thence North 30°00'00" West, to the Northeast corner of BAYWOOD MANOR CONDOMINIUMS; thence South 89°28'57" East, 5.55 feet to the Northwest corner of NORTH SHORE TERRACE CONDOMINIUMS, STAGE I; thence South 31°00'23" East, 31.23 feet; thence South 64°28'27" West, 15.72 feet; thence along a 2.85 foot radius curve to the left the long chord of which bears South 22°42'00" West, 3.79 feet; thence South 19°01'21" East, 43.85 feet; thence along a 89.57 foot radius curve to the right, the long chord of which bears South 12°01'56" East, 21.80 feet; thence South 5°02'41" East, 50.55 feet; thence along a 186.27 foot radius curve to the left, the long chord of which bears South 9°31'35" East, 29.11 feet; thence South 14°00'29" East, 31.43 feet; thence along a 3.00 foot radius curve to the left, the long chord of which bears south 36°26'08" East, 2.29 feet; thence North 62°00'00" East, 13.72 feet; thence South 31°30'00" East, 1.32 feet; thence North 61°16'03" East, 4.42 feet; thence South 29°41'49" East, 46.90 feet; thence North 69°21'25" East, 2.53 feet to an iron rod on the West line of Stage I, NORTH SHORE TERRACE CONDOMINIUMS; thence South 12°38'14" East, 115.74 feet to the Northeast corner of NORTH SHORE TERRACE CONDOMINIUMS STAGE V; thence North 89°46'00" West, 149.12 feet to the initial point.

TOGETHER WITH a leasehold interest in the properties shown as Exhibits B, D and E on Ground Lease Exchange Agreement recorded October 11, 1993 in Book 269, page 1451, and corrected by consent (correction) recorded March 4, 1996 in Book 314, page 123, Lincoln County Records.

5. In the initial annexation disclosure, the maximum number of units for the project, if fully developed, would be forty. This annexation involves four units, which added to the pre-existing 28 units in Stages I, II, III, IV and V makes a combined total of 32 units upon completion of this Stage VI annexation. This Stage VI annexation is the last annexation contemplated by Declarant.

6. It is therefore the desire of Declarant to annex the above described property by this Supplemental Declaration for the purposes of making same Stage VI of North Shore Terrace Condominium, in the process thereof creating four additional units, together with additional general and limited common elements.

DECLARATION:

Now, therefore, Declarant hereby publishes and declares that the hereinabove and hereinafter described annexed property is subject to the Declaration hereinabove referenced, and the Stage II, III, IV and V Supplemental Declarations except as hereinafter supplemented, to permit the creation of four new units and additional general and limited common elements, and that said

initial Declaration recorded April 1, 1992 in Book 242, page 518-530 in the records of Lincoln County, the Supplemental Declaration for Stage II, recorded October 15, 1992, in Book 251, page 2249 in the records of Lincoln County, the Supplemental Declaration for Stage III, recorded June 4, 1993, in Book 262, page 1392 in the records of Lincoln County, the Supplemental Declaration for Stage IV, recorded September 14, 1994, in Book 287, page 2465 in the records of Lincoln County and the Supplemental Declaration for Stage V, recorded June 6, 1996, in Book 319, page 715 in the records of Lincoln County shall remain in full force and effect.

Those supplements, making specific reference to the Declaration, the Supplemental Declaration for Stage II, Stage III, Stage IV and Stage V and the Bylaws hereinabove described, are declared and published to be as follows:

DECLARATION STATEMENT:

1. The provisions of Article 1 Definitions sub-paragraph (f) "Plans" heretofore supplemented by the Supplemental Declaration for Stage II, III, IV and V shall be supplemented to include the plat, floor plans, and other similar materials recorded with this Supplemental Declaration for Stage VI in addition to the initial definition of plans contained in the original Declaration and subsequently supplemented by the Supplemental Declaration for Stage II, for Stage III, for Stage IV and for Stage V.

2. The provisions of Article 2 Land Description of the initial Declaration and the provisions of the Supplemental Declaration for Stage II, for Stage III, for Stage IV and for Stage V as it pertains to land description are further supplemented by annexation to include the following additional real property:

A tract of land lying in the Southwest quarter of the Northeast quarter of Section 32, Township 10 South, Range 11 West of the Willamette Meridian, Lincoln County, Oregon, more particularly described as follows:

Beginning at the Northwest corner of NORTH SHORE TERRACE CONDOMINIUMS, STAGE V, which is 354.91 feet North and 2245.19 feet West of the quarter corner between Sections 32 and 33; thence North 15°51'56" West, 118.24 feet to the Southwest corner of BAYWOOD MANOR CONDOMINIUMS; thence North 74°08'04" East, 89.65 feet; thence South 15°51'56" East, 52.81 feet; thence North 70°09'46" East, 40.72 feet; thence North 61°00'00" East, 15.00 feet; thence North 31°30'00" West, 50.00 feet; thence South 62°00'00" West, 15.00 feet; thence North 29°00'00" West, 27.00 feet; thence North 4°30'00" West, 88.00 feet; thence North 16°20'00" West, 69.00 feet; thence North 56°15'00" East, 15.00 feet; thence North 30°00'00" West, to the Northeast corner of BAYWOOD MANOR CONDOMINIUMS; thence South 89°28'57" East, 5.55 feet to the Northwest corner of NORTH SHORE TERRACE CONDOMINIUMS, STAGE I;

thence South 31°00'23" East, 31.23 feet; thence South 64°28'27" West, 15.72 feet; thence along a 2.85 foot radius curve to the left the long chord of which bears South 22°42'00" West, 3.79 feet; thence South 19°01'21" East, 43.85 feet; thence along a 89.57 foot radius curve to the right, the long chord of which bears South 12°01'56" East, 21.80 feet; thence South 5°02'41" East, 50.55 feet; thence along a 186.27 foot radius curve to the left, the long chord of which bears South 9°31'35" East, 29.11 feet; thence South 14°00'29" East, 31.43 feet; thence along a 3.00 foot radius curve to the left, the long chord of which bears south 36°26'08" East, 2.29 feet; thence North 62°00'00" East, 13.72 feet; thence South 31°30'00" East, 1.32 feet; thence North 61°16'03" East, 4.42 feet; thence South 29°41'49" East, 46.90 feet; thence North 69°21'25" East, 2.53 feet to an iron rod on the West line of Stage I, NORTH SHORE TERRACE CONDOMINIUMS; thence South 12°38'14" East, 115.74 feet to the Northeast corner of NORTH SHORE TERRACE CONDOMINIUMS STAGE V; thence North 89°46'00" West, 149.12 feet to the initial point.

TOGETHER WITH a leasehold interest in the properties shown as Exhibits B, D and E on Ground Lease Exchange Agreement recorded October 11, 1993 in Book 269, page 1451, and corrected by consent (correction) recorded March 4, 1996 in Book 314, page 123, Lincoln County Records.

3. The provisions of Article 5 General Project Description of the initial Declaration and the Supplements thereto contained in the Supplemental Declaration for Stage II, for Stage III, for Stage IV and Stage V are further supplemented as follows:

General Project Description: The project now consists of a tract of real property 99,014 feet in size of irregular dimension.

The project now consists of six buildings. The initial building in the initial stage is comprised of six units located in the middle of the southerly portion of the real property. The description of this building remains the same as contained in the initial Declaration.

The second building is located in the middle of the northerly portion of the project and is comprised of seven units. The description of this building remains the same as contained in the Supplemental Declaration for Stage II.

The third building is located between the first building and the second building. It is comprised of seven units. The description of this building remains the same as contained in the Supplemental Declaration for Stage III.

The description of this building remains the same as contained in the Supplemental Declaration for Stage III.

The fourth building (located upon the real property, the subject of this Supplemental Declaration for Stage IV) is located south of the initial building in the initial stage, and as a result thereof is located in the southeast corner of the real property. It is comprised of four units.

The fifth building (located upon the real property the subject of this Supplemental Declaration for Stage V) is located immediately west of the fourth building the subject of the Supplemental Declaration for Stage IV, and as a result thereof is located in the southwest corner of the real property. It is comprised of four units.

The sixth building (located upon the real property the subject of this Supplemental Declaration for Stage VI) is located immediately north of the fifth building the subject of the Supplemental Declaration for Stage V, and as a result thereof is located in the most northwesterly portion of the real property. It is comprised of four units.

Each unit as more particularly described hereinafter shall have adjacent to it on the southeast a limited common element sidewalk and entry. Further, each unit shall have adjacent to it and on the west a fenced limited common element backyard and contained in said backyard a limited common element deck. Said limited common element yards are enclosed on their west, north and south perimeters by a six foot good-neighbor fence. Finally, each unit on the west side of the second floor thereof shall have an attached limited common element balcony.

Each unit contains two floors. The first floor consists of approximately 556 square feet of heated living space. This floor contains a laundry, full bath and two bedrooms. It is connected to the second floor by interior stairway. Adjacent to each unit on the southeast is a limited common element sidewalk and entry and adjacent to each unit on the west is a limited common element yard containing a limited common element deck, the latter made of wood. Said limited common element yards are enclosed on their west, north and south perimeters by a six foot good-neighbor fence. The second floor, contains approximately 800 square feet of living space and includes a living/dining room area, kitchen, pantry, half bath and master bedroom with full bath. Adjacent to this second floor on the west side thereof is a limited common element balcony. At a level only slightly less than the first floor adjacent to each unit on the east thereof and

as a part of the unit is an enclosed double-car garage of approximately 378 square feet.

The structure of this four-plex is the same as the buildings in the previous stages, namely wood frame construction with concrete foundation. The roof is three tab composition shake, and the siding is Weyerhaeuser Horizontal Hardi-Plank and Hardi-Panel.

Finally, with the submission of Stage VI, Declarant is submitting the lessor and lessee positions in that certain Ground Lease Exchange Agreement dated May 19, 1993, recorded October 11, 1993, Book 269, page 1451, Lincoln County Records.

4. The provisions of Article 6 Unit Description from the initial Declaration and as supplemented by the Supplemental Declarations for Stage II, for Stage III, for Stage IV and for Stage V are further supplemented as follows:

(cc) Unit CC: Unit CC is a two-floor unit, located on the south end of the four-plex the subject of this Supplemental Declaration for Stage VI. The first floor level of this unit is comprised of 556 square feet of enclosed living space. Immediately above the first floor is the second floor. Access between the floors is by interior stairway. The first floor is comprised of a laundry, full bath and two bedrooms. The second floor, comprised of approximately 800 square feet, contains the living/dining room area, kitchen, pantry, half bath and master bedroom with full bath. Adjacent to the first floor area on the east thereof, at a slightly lower elevation and as a part of the unit, is a two-car garage of approximately 378 square feet. It is fully enclosed. This unit also contains a gas fireplace on the second floor.

(dd) Unit DD: Unit DD is identical to Unit CC as described above; is located adjacent to and immediately north of said Unit CC.

(ee) Unit EE: Unit EE is identical to Unit CC as described above; is located adjacent to and immediately north of Unit DD.

(ff) Unit FF: Unit FF is identical to Unit CC as described above; is located adjacent to and immediately north of Unit EE. This is the most northerly of the units in the four-plex.

5. The provisions of Article 8 Common Element Description in the initial Declaration and as supplemented by the Supplemental Declarations for Stage II, for Stage III, for Stage IV and for Stage V are further supplemented as follows:

Common Element Description:

Limited Common Elements for Unit CC are:

The use of the following limited common elements is reserved and allocated 100% to Unit CC.

(1) The individual entry-way with a total dimension of approximately 24 feet by six feet located at the south-east corner of this unit on the first floor level. This entry runs in an east/west direction along the outside of the south wall of the respective garage for this unit. The walkway is comprised of concrete with a wooden deck entry at the westerly terminus of this limited common element area.

(2) The enclosed limited common element yard and the wooden deck contained therein on the west side of the first floor of said unit.

(3) The balcony affixed to and located west of the second floor.

Limited Common Elements for Unit DD are:

The use of the following limited common elements is reserved and allocated 100% to Unit DD.

(1) The individual entry-way with a total dimension of approximately 24 feet by six feet located at the south-east corner of this unit on the first floor level. This entry runs in an east/west direction along the outside of the south wall of the respective garage for this unit. The walkway is comprised of concrete with a wooden deck entry at the westerly terminus of this limited common element area.

(2) The enclosed limited common element yard and the wooden deck contained therein on the west side of the first floor of said unit.

(3) The balcony affixed to and located west of the second floor.

Limited Common Elements for Unit EE are:

The use of the following limited common elements is reserved, and therefore allocated 100% to Unit EE.

(1) The individual entry-way with a total dimension of approximately 24 feet by six feet located at the south-east corner of this unit on the first floor level. This entry runs in an east/west direction along the outside of the south wall of the respective garage for this unit.

The walkway is comprised of concrete with a wooden deck entry at the westerly terminus of this limited common element area.

(2) The enclosed limited common element yard and the wooden deck contained therein on the west side of the first floor of said unit.

(3) The balcony affixed to and located west of the second floor.

Limited Common Elements for Unit FF are:

The use of the following limited common elements is reserved, and therefore allocated 100% to Unit FF:

(1) The individual entry-way with a total dimension of approximately 24 feet by six feet located at the south-east corner of this unit on the first floor level. This entry runs in an east/west direction along the outside of the south wall of the respective garage for this unit. The walkway is comprised of concrete with a wooden deck entry at the westerly terminus of this limited common element area.

(2) The enclosed limited common element yard and the wooden deck contained therein on the west side of the first floor of said unit.


(3) The balcony affixed to and located west of the second floor.

6. The provisions of Article 8 Common Element Description and the Supplemental Declarations Stage II, for Stage III, for Stage IV and Stage V pertaining thereto are further supplemented to provide that the allocation of ownership interest in common elements is such that with this annexation, the common element ownership shall be allocated equally on a fractional basis with 1/32th of the common elements owned by each unit.

7. The Declarant declares that the special construction right contained in the initial Declaration under Article 8 Common Element Description has no applicability to the four units which are the subject of this Supplemental Declaration for Stage VI.

8th IN WITNESS WHEREOF Declarant has hereunto set its hand on the day of October, 1997.

A&D Development General Partnership



Dennis Moore, President
DVM, Inc., Managing Partner

STATE OF OREGON)
) ss.
County of Lincoln)

Personally appeared Dennis Moore who being duly sworn did say that he is the President of DVM, Inc., an Oregon corporation, managing partner of A & D Development General Partnership and that the foregoing Supplemental Declaration for Stage VI was signed and sealed on behalf of said corporation by authority of its Board of Directors and he acknowledged the same to be its voluntary act and deed.

BEFORE ME:



Lauri Strever

Notary Public for Oregon
My Commission Expires: 6-14-98

