

AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR MURRAYHILL
(MURRAYHILL RECREATIONAL ASSOCIATION)

THIS AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR MURRAYHILL (MURRAYHILL RECREATIONAL ASSOCIATION) (the "Amendment") is made this ____ day of February, 1996, by the Murrayhill Recreational Association Board of Directors.

RECITALS

On December 30, 1988, Columbia-Willamette Development Company ("Declarant"), recorded the Declaration of Covenants, Conditions, and Restrictions for Murrayhill (Murrayhill Recreational Association) (the "Declaration") in the deed records for Washington County as Fee No. 88-58303.

Murrayhill Recreational Association, an Oregon Non-Profit corporation (the "Association") owns, manages, and maintains certain recreational facilities at Murrayhill for the benefit of its members and their guests. Section 3.3 of the Declaration sets out the duties and powers of the Association. Sections 3.3.1 and 3.3.2 of the Declaration empower the Association to determine the budget and impose and collect assessments. Section 6.3 of the Declaration provides that after turnover, The Declaration may be amended by a majority vote of the Board of Directors ("Board"). Amendments to Sections 3.2 and 4.2 require a unanimous vote of the Board.

Sections 4.5 of the Declaration currently provides that the Association may charge interest on assessments which are thirty (30) days delinquent at the rate of three points over the prime rate charged by the U.S. National Bank of Oregon and further empowers the Association to charge a late fee of not more than ten percent (10%) of the delinquent assessment.

The Board finds that the present system for calculating interest and late fees is administratively burdensome, requiring the property manager to determine a separate interest rate and late fee for every owner who becomes delinquent.

NOW, THEREFORE, in consideration of the foregoing, and pursuant to Section 6.3 of the Declaration, the Declaration is amended as follows:

Section 4.5 of the Declaration shall be amended in its entirety as follows:

Enforcement. In the event that any assessment pursuant to this Section 4 is not paid within thirty (30) days after the date of billing, the unpaid amount shall thereafter bear interest from the date first due until paid in full at a rate per annum as from time to time is determined by the Board of Directors. In addition to all other rights and remedies available by law or provided herein, the Association shall also be entitled

(i) impose a late charge with respect to any such unpaid amount in an amount and the frequency of which from time to time shall be determined by the Board of Directors; and (ii) upon ten (10) days written notice to the Recreational Member owing such assessment, to impose a lien against such Member's Lot or Condominium Unit in the amount of the assessment, plus collection costs (including reasonable attorneys' fees whether or not suit or action is commenced), plus interest and late charges as proved in this Section 4.5. Any such lien shall also secure any additional amount thereafter coming due from the delinquent Recreational Member. Subject to the provisions of Section 4.7, any such lien shall bind and run with the Lot or Condominium Unit in question until paid in full. The Association may initiate an action to obtain a money judgment or foreclose any such lien in any manner provided by law. In any action to obtain a money judgment or to foreclose any such lien, any judgment rendered against the Recreational Member in question in favor of the Association shall include such amount as the court may adjudge as reasonable attorneys' fees and costs and expenses reasonably incurred in the effort to collect amounts payable by the Recreational Member to the Association and incurred in the preparation for and the prosecution of such action at trial and on any appeal, in addition to all other amounts provided by law.

IT IS HEREBY certified that the foregoing amendment was adopted by the Association's Board of Directors at a duly called meeting held the 8th day of February, 1996.

Murrayhill Recreational Association,
an Oregon Non-Profit corporation

Dated: February 21st, 1996
Dated: February 21st, 1996

By: Ken Chance, President
By: Sue Irwin, Secretary

STATE OF OREGON)
)ss.
County of Washington)

Personally appeared before me the above-named Ken Chance and Sue Irwin, who, being duly sworn, did say that they are the President and Secretary of Murrayhill Recreational Association, and that said instrument was signed in behalf of said corporation by authority of its Board of Directors; and they acknowledged said instrument to be its voluntary act and deed.

JOAN GOLDHAMMER
NOTARY PUBLIC OF OREGON
COMMISSION NO.035116
MY COMMISSION EXPIRES JUNE 12, 1998