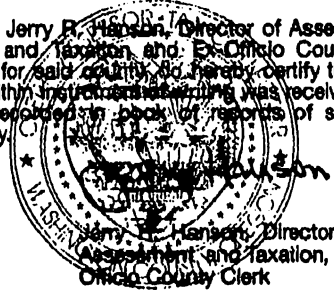


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**STATE OF OREGON }
County of Washington } SS**

I, Jerry R. Hansen, Director of Assessment and Taxation and Ex-Officio County Clerk for said county, do hereby certify that the within information was received and recorded in book of records of said county.



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After Recording Return To:

Karna R. Gustafson, Esq.
Landy Bennett Blumstein, LLP
1300 SW Fifth Avenue, Suite 3500
Portland, OR 97201

**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 22 day of January, 2000, 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 nonprofit corporation (the "Association"), owns, manages, and maintains certain recreational facilities at Murrayhill, a planned unit development located in Washington County, Oregon, for the benefit of its members and their guests. Section 3.2.1 of the Declaration provides that only owners of single family lots and condominium units at Murrayhill are members of the Association ("Recreational Members"). This definition excludes commercial lot owners and apartment tenants. Pursuant to Section 2.30 of the Declaration, a "Single Family Lot" is a lot on which the owner has constructed, is constructing, or intends to construct a single family residential unit. Section 2.3 of the Declaration defines a "Condominium Unit" as a residential unit within a condominium and Section 2.8 defines a "Residential Unit" as a building or portion of a building designated or intended for separate residential occupancy.

There are many lots in Murrayhill which were developed or were intended to be developed as commercial lots. None of these commercial lot owners are members of the Association. If any of these commercial lots are ever developed as Residential Units or the apartment buildings are converted into condominiums, there will be an increased burden on the existing facilities of the Association.

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The Association needs a source of funds to operate, maintain and/or expand its facility. Accordingly, if existing commercial lots are developed into Residential Units or if any apartment building is converted into Condominium Units, the Board in its sole and unfettered discretion will determine if it is in the best interest of the Association to allow those owners to become members of the Association. If these owners become members, the Association will impose an initiation fee against the owner of any such Residential Unit or Condominium Unit, the amount of which will be determined from time to time by the Board of Directors. The initiation fee will initially be set at \$1,000 per Residential Unit or Condominium Unit. Thereafter, the owner of such Residential Unit or Condominium Unit must pay for the annual assessments of the Association.

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"), except that amendments to Section 6.3 of the Declaration require the affirmative vote of 75 % or more of the Recreational Members. The Amendment hereby adopted does not affect Section 6.3.

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

Section 3.3.12: An amendment to the Declaration was made and recorded November 14, 1996 as Fee No. 96102174 adding a new subsection to Section 3.3. Through a scrivener's error, that new subsection was numbered as Section 3.3.11. It should have been numbered 3.3.12, and by this amendment to the Declaration is hereby so numbered.

Section 3.3.13 of the Declaration shall be added to the Section entitled "Powers and Duties of the Association" as follows:

The Board of Directors may determine in its sole and unfettered discretion to extend or deny membership to any Owner of a Residential Unit or Condominium Unit developed on any Murrayhill lot which at the time this amendment is recorded is a commercial lot or apartment complex. If membership is offered, the Association, acting through its Board of Directors, shall have the power, but not the obligation, to impose and collect an initiation fee to be set by the Board of Directors from: (1) an Owner of a Residential Unit developed on any Murrayhill lot which at the time this amendment is recorded is a commercial lot or (2) an Owner of a Condominium Unit which is created after the time this amendment is recorded, as a condition of joining the Association and to impose such other requirements or criteria as the Board in its sole and unfettered discretion shall desire. Provided, however, if membership is offered, it shall be offered to all lots in the subdivision or all units in the condominium which meet the requirements and criteria and pay any initiation fee imposed. The initial initiation fee shall be \$1,000 per Residential Unit or Condominium Unit. The amount of the initiation fee may be changed from time to time by Board Resolution. Thereafter, such Residential Unit or Condominium Unit and its Owner(s) shall be subject to all other provisions of the Declaration of Covenants, Conditions and Restrictions for the Murrayhill (Murrayhill Recreational Association) and all subsequent amendments thereto, including provisions for annual assessments. Such Owners shall then be considered Recreational Members pursuant to Section 3.2. The initiation fee shall be both the personal obligation of the Owner and the Owner's

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successors and assigns and shall constitute a lien upon the Residential Unit or Condominium Unit.

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 January, 2000.

Murrayhill Recreational Association,
an Oregon nonprofit corporation

Dated: 1/22/2000

By: Paul O'Mara, President

Dated: 1/22/2000

By: George Schultz, Secretary

STATE OF OREGON)
County of Washington) ss.

JANUARY 22ND, 2000

Personally appeared before me the above-named Paul O'Mara and George Schultz 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.

Oscar F. Escobar
Notary Public for Oregon

