

TABLE OF CONTENTS
PROPOSED
SUPPLEMENTAL DECLARATION SUBMITTING
STAGE IV OF THE EMERALD VALLEY CONDOMINIUM
TO CONDOMINIUM OWNERSHIP

This document was mailed to
ORCA
with correspondence dated
7-21-99

1.	DEFINITIONS	1
2.	SUBMISSION OF PROPERTY TO CONDOMINIUM STATUTE	2
3.	UNITS	2
3.1	General Description of Buildings	2
3.2	General Description, Location and Designation of Units	3
3.3	Boundaries of Units	3
3.4	Parking Units and Storage Units	3
4.	GENERAL COMMON ELEMENTS	3
5.	LIMITED COMMON ELEMENTS	4
5.1	Definitions	4
5.2	Maintenance of the Limited Common Elements	4
6.	ALLOCATION OF UNDIVIDED INTERESTS IN COMMON ELEMENTS	4
7.	PARKING	5
8.	SERVICE OF PROCESS	5
9.	DECLARANT'S SPECIAL RIGHTS	5
9.1	Sales Office and Model	5
9.2	"For Sale" and "For Rent" Signs	5
9.3	No Capital Assessments Without Consent	5
9.4	Common Element Maintenance by the Association	6
9.5	Declarant's Easements	6
9.6	Declarant's Other Special Rights	6
9.7	Assignment of Declarant's Rights	6
9.8	Expiration of Declarant's Special Rights	6
10.	CROSS EASEMENTS	6
11.	BENEFICIAL EASEMENTS	6
12.	ADOPTION BY REFERENCE	6

**PROPOSED
SUPPLEMENTAL DECLARATION SUBMITTING
STAGE IV OF THE EMERALD VALLEY CONDOMINIUM
TO CONDOMINIUM OWNERSHIP**

Stage IV
32 units
added

THIS SUPPLEMENTAL DECLARATION is made and executed this _____ day of July, 1999, pursuant to the provisions of the Oregon Condominium Act, by Emerald Valley LLC, an Oregon limited liability company ("Declarant").

By a document entitled Condominium Declaration for Emerald Valley Condominium, dated April 7, 1998, and recorded April 20, 1998, in the Deed Records of Multnomah County as Fee No. 98065708 (the "Stage I Declaration"), the Declarant created a condominium known as Emerald Valley Condominium, which is located in Multnomah County, Oregon. By a document entitled Supplemental Declaration Submitting Stage II of the Emerald Valley Condominium to condominium ownership dated April 30, 1998, and recorded on June 12, 1998, in the Deed Records of Multnomah County as Fee No. 98102073 (the "Stage II Declaration"), the Declarant annexed Stage II to the condominium. By a document entitled Supplemental Declaration Submitting Stage III of the Emerald Valley Condominium to condominium ownership dated _____, 1999, and recorded on _____, 1999, in the Deed Records of Multnomah County as Fee No. _____ (the "Stage III Declaration"), the Declarant annexed Stage III to the condominium. The purpose of this Supplemental Declaration is to submit Stage IV of Emerald Valley Condominium to the condominium form of ownership and use in the manner provided by the Oregon Condominium Act, and to annex such stage to Emerald Valley Condominium.

NOW THEREFORE, Declarant does hereby declare and provide as follows:

1. DEFINITIONS. When used in this Declaration, the following terms shall have the following meanings:

1.1 "Association" means the Emerald Valley Condominium Association.

1.2 "Bylaws" means the Bylaws of the Emerald Valley Condominium Association adopted pursuant to the Stage I Declaration, as the same may be amended from time to time.

1.3 "Condominium" means all of that property submitted to the condominium form of ownership by the Declaration, plus any additional property annexed to the project pursuant to Section 3.5 of the Declaration.

1.4 "Declarant" means Emerald Valley LLC, an Oregon limited liability company, and its successors and assigns.

1.5 "Declaration" means the Stage I Declaration as supplemented and amended by any amendments to such Declaration and all Supplemental Declarations.

1.6 "Plat" means the plat of Stage I, Stage II, Stage III, or Stage IV of Emerald Valley Condominium, recorded contemporaneously with the recording of the Declaration and Supplemental Declaration, respectively, or all of such plats, as the context may require.

1.7 "Stage I Plat" means the plat depicting the Units, Parking Units, Storage Units and common elements of Stage I.

1.8 "Stage II Plat" means the plat depicting the Units, Parking Units, Storage Units and common elements of Stage II.

1.9 "Stage III Plat" means the plat depicting the Units and common elements of Stage III.

1.10 "Stage IV Plat" means the plat depicting the Units and common elements of Stage IV.

1.11 "Supplemental Declaration" means any supplemental declaration to the Stage I Declaration. "Stage II Declaration" means the supplemental declaration annexing Stage II, "Stage III Declaration" means the supplemental declaration annexing Stage III, and "Stage IV Declaration" means the supplemental declaration annexing Stage IV to Emerald Valley Condominium.

1.11 "Unit" means one of the dwelling spaces, and the improvements within its boundaries, contained within the Condominium and having the boundaries described in Section 3.3 below.

1.12 Incorporation by Reference. Except as otherwise provided in the Declaration or this Supplemental Declaration, each of the terms defined in ORS 100.005 shall have the meanings set forth therein.

2. SUBMISSION OF PROPERTY TO CONDOMINIUM STATUTE. The property submitted to the Oregon Condominium Act by this Stage IV Declaration is held by Declarant in fee simple estate. The land submitted is located in Multnomah County, Oregon, and is more particularly described in Exhibit "A". The property submitted includes the land so described, all buildings, improvements and structures, all easements, and rights and appurtenances located on, belong to, or used in connection with such land.

3. UNITS.

3.1 General Description of Buildings. Stage IV contains six (6) buildings containing thirty-two (32) dwelling Units and six (6) buildings containing thirty-six (36) limited

common element parking spaces. All of the buildings containing dwelling Units consist of two stories with wood-frame construction, vinyl siding and composition roofs, except the building adjacent to the pool has a single-story portion where the community center is located. The dwelling buildings have cement foundations and the buildings containing limited common element parking spaces are built on cement or asphalt slabs.

3.2 General Description, Location and Designation of Units. Stage IV contains a total of thirty-two (32) Units. The dimensions, designation and location of each Unit are shown on the Stage IV Plat. The approximate area of each Unit is shown on Exhibit "B".

3.3 Boundaries of Units. Each Unit shall be bounded by the interior surfaces of its perimeter walls, floors, ceilings, and trim. The Units shall include all lath, furring, wallboard, plasterboard, plaster, paneling, tiles, wallpaper, paint, finished flooring, and any other materials constituting any part of its finished surfaces and the exterior surfaces so described. All other portions of the walls, floors or ceilings shall be a part of the common elements. In addition, each Unit shall include the following:

(a) All spaces, nonbearing interior partitions, windows, window frames, exterior doors, door frames, and all other fixtures and improvements within the boundaries of the Unit; and

(b) All outlets of utility service lines, including, but not limited to, power, light, gas, hot and cold water, heating, refrigeration, air-conditioning and waste disposal within the boundaries of the Unit, but shall not include any part of such lines or ducts themselves.

In interpreting deeds, mortgages, deeds of trust and other instruments for any purpose whatsoever or in connection with any matter, the existing physical boundaries of the Unit or of a Unit reconstructed in substantial accordance with the original plans hereof shall be conclusively presumed to be the boundaries, regardless of settling, rising or lateral movement of the building and regardless of variances between boundaries as shown on the plat being recorded simultaneously with this Stage IV Declaration (the "Stage IV Plat") and those of the actual building or buildings.

3.4 Parking Units and Storage Units. There are no Parking or Storage Units in Stage IV.

4. GENERAL COMMON ELEMENTS. The general common elements consist of all portions of the Condominium that are not part of a Unit or a limited common element, including, without limitation, the following:

(a) The land;

(b) The foundations, columns, girders, beams, supports, bearing walls, main walls, roofs, halls, corridors, lobbies, stairs, fire escapes, entrances and exits of the building(s),

including the garage and carport building in Stage IV which contains limited common element parking spaces, but not the garage doors, which are limited common elements.

(c) The yards, gardens, play areas, swimming pool, community center, recreational facilities, parking areas, outside storage spaces (other than Storage Units), and bicycle sheds;

(d) 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;

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

(f) The storm water retention and water quality pond; and

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

5. LIMITED COMMON ELEMENTS. The following shall constitute limited common elements, the use of which shall be restricted to the Units to which they pertain:

5.1 Definitions.

(a) Each of the patios and/or decks and storage areas in Stage IV is a limited common element appertaining to the Unit which it adjoins as shown on the Plat.

(b) Each of the carport and garage spaces are limited common element parking spaces appertaining to the Unit to which they are assigned as set forth on Exhibit "C".

(c) The garage doors are limited common elements appertaining to the Unit to which the garage space appertains as a limited common element. Maintenance, repair and replacement of the garage door, except the painting, shall be an expense to the owner to whom the limited common element pertains.

5.2 Maintenance of the Limited Common Elements. Except as otherwise specifically provided in the Declaration, ~~the cost of maintenance, repair and replacement of the limited common elements shall be a common expense~~, which shall be assessed and apportioned pursuant to Section 10.6 of the Stage I Declaration, and the performance of such work shall be the responsibility of the Association, except that any damage caused by the negligence or intentional act of an owner or his invitee, guest or servant shall be repaired by the Association at such owner's sole cost and expense. Provided, however, each owner shall pay the expense to maintain any door or garage door within or adjoining the limited common elements assigned to such owner's Unit, except that exterior painting shall be performed at the expense of the Association.

owners
own all
doors

Refer
to
Stage
Decl

6. ALLOCATION OF UNDIVIDED INTERESTS IN COMMON ELEMENTS.

Each Unit, Parking Unit and Storage Unit will be entitled to an undivided ownership interest in the common elements of the Condominium as shown on Exhibit "B". The percentage ownership of each dwelling Unit was determined by dividing the approximate area of all dwelling Units into the approximate area of each such dwelling Unit, then subtracting .0001 % for each Parking and Storage Unit (located in Stages I and II), then arbitrarily subtracting or adding .0001 % from or to selected dwelling Units to make the percentage ownership allocation come out to 100.0000 %.

7. PARKING. Each Unit has a parking space appertaining to it as a limited common element, as more particularly set forth in Section 5 of the Stage I Declaration, Section 5 of the Stage II Declaration, Section 5 of the Stage III Declaration, and Section 5 of the Stage IV Declaration. Four (4) Units in Stage IV have two (2) parking spaces each and the remaining Units have a single parking space assigned as a limited common element. Additionally, Stages I and II contain a total of fifteen (15) Parking Units, which are owned by owners of dwelling Units in such stages. There are several general common element parking spaces throughout the Condominium for passenger vehicles, motorcycles and bicycles, all of which are available to owners and their guests on a first-come, first-served basis, subject to rules and regulations promulgated by the Board of Directors. Provided, however, the handicapped spaces shall be used only by those persons who are permitted by law to use such parking spaces.

8. SERVICE OF PROCESS. The agent designated to receive service of process in cases set forth in ORS 100.550(1) shall be named in the Condominium Information Report, which shall be filed with the Oregon Real Estate Agency in accordance with ORS 100.250(1).

9. DECLARANT'S SPECIAL RIGHTS. The Declarant shall have the following special rights:

9.1 Sales Office and Model. The Declarant shall have the right to maintain sales and/or rental offices and/or sales or rental models in one or more of the Units that the Declarant owns. The Declarant, its agents and prospective purchasers shall have the right to park automobiles in the parking area on the common elements and to use and occupy the sales and/or rental office and models during reasonable hours any day of the week.

9.2 "For Sale" and "For Rent" Signs. The Declarant may maintain a reasonable number of "For Sale" and/or "For Rent" signs at reasonable locations on the Condominium property.

9.3 No Capital Assessments Without Consent. Neither the Association nor the Board of Directors shall make any assessments for new construction, capital improvements, acquisition or otherwise without the prior written consent of the Declarant, as long as the period for annexing Units has not expired or as long as the Declarant owns the greater of two (2) Units or five percent (5%) of the total number of Units in the Condominium. Nothing contained in this Section 9.3 shall be construed to limit the Declarant's obligation to pay assessments for common

expenses on Units owned by the Declarant pursuant to requirements of the Oregon Condominium Act.

9.4 Common Element Maintenance by the Association. The Association shall maintain all common elements in a clean and attractive condition. If the Association fails to do so, the Declarant may perform such maintenance at the expense of the Association.

9.5 Declarant's Easements. The Declarant and its agents and employees shall have an easement on and over the common elements for the completion of any portion of the Condominium, including the furnishing and decoration of any Unit, sales office or model, and the right to store materials on the common elements at reasonable places and for reasonable lengths of time.

9.6 Declarant's Other Special Rights. The rights reserved to the Declarant in this Section 9 shall in no way limit any other special rights that the Declarant, as a declarant, may have, whether pursuant to the Oregon Condominium Act or otherwise. Upon the expiration of any or all such special rights, the Declarant shall have the same rights as any other owner in the Condominium with respect to such ownership.

9.7 Assignment of Declarant's Rights. The Declarant shall have the right to assign any and all of its rights, including, without limitation, Declarant's special rights, as set forth in this Section 9, or to share such rights with one (1) or more other persons exclusively, simultaneously, or consecutively.

9.8 Expiration of Declarant's Special Rights. Unless otherwise provided, the Declarant's special rights, as reserved in this Section 9, shall expire upon the conveyance by the Declarant of the last Unit owned by the Declarant or seven (7) years after the first conveyance of a Unit in the Condominium, whichever is earlier.

10. CROSS EASEMENTS. The cross easements set forth in the Stage I, II and III Declarations are extinguished by the Stage IV Declaration because all benefitted and burdened real property is now owned by all of the Unit owners as a part of the common elements.

11. BENEFICIAL EASEMENTS. Stages III and IV of the Condominium are benefitted by the following easements: Storm Drainage Easement And Maintenance Agreement recorded on May 11, 1999, in the records of Multnomah County, Oregon as Fee No. 99095031; Private Sanitary Sewer Easement recorded on May 11, 1999, in the records of Multnomah County, Oregon as Fee No. 99095030.

12. ADOPTION BY REFERENCE. Except as otherwise expressly provided in this document, each of the provisions of the Stage I Declaration shall be applicable to Stage III of Emerald Valley Condominium.

The undersigned Declarant of the subject property has caused this Supplemental Declaration to be executed this _____ day of _____, 1999.

EMERALD VALLEY LLC, an Oregon
Limited Liability Company

By: _____
SunStone Realty Partners IV LLC,
Curtis D. DeWeese, Authorized Member

By: _____
David G. Herman, Member

STATE OF OREGON)
)ss.
County of _____)

This instrument was acknowledged before me on _____, 1999, by CURTIS D. DE WEESE, Authorized Member of SunStone Realty Partners IV LLC, a Member of Emerald Valley LLC.

Notary Public for Oregon

STATE OF OREGON)
)ss.
County of _____)

This instrument was acknowledged before me on _____, 1999, by DAVID G. HERMAN, as a Member of Emerald Valley LLC, an Oregon limited liability company.

Notary Public for Oregon

The foregoing Supplemental Declaration is approved pursuant to ORS 100.110 this _____ day of _____, 1999, and, in accordance with ORS 100.110(7), this approval shall automatically expire if this Supplemental Declaration is not recorded within two (2) years from this date.

Scott W. Taylor,
Real Estate Commissioner

By: _____
Marge Robinson

The foregoing Supplemental Declaration is approved pursuant to ORS 100.110 this _____
day of _____, 1999.

COUNTY ASSESSOR

By: _____
Barry R. Benson

EXHIBIT "B"
TO SUPPLEMENTAL DECLARATION OF
EMERALD VALLEY CONDOMINIUM
STAGE IV

<u>Unit No.</u>	<u>Approximate SF Area</u>	<u>Percentage Ownership in Common Elements as of Stage IV</u>
101	1074	.7568
102	1074	.7568
201	1074	.7568
202	1074	.7568
105	1074	.7568
106	1074	.7568
205	1074	.7568
206	1074	.7568
107	1259	.8872
108	1259	.8872
207	1259	.8872
208	1259	.8872
109	1074	.7568
110	1074	.7568
209	1074	.7568
210	1074	.7568
111	1074	.7568
112	1074	.7568
113	1074	.7568
114	1074	.7568
211	1074	.7568
212	1074	.7568
213	1074	.7568
214	1074	.7568
119	1259	.8872
120	1259	.8872
219	1259	.8872
220	1259	.8872
103	1074	.7568
104	1074	.7568
203	1074	.7568
204	1074	.7568

EXHIBIT "B"
TO SUPPLEMENTAL DECLARATION OF
EMERALD VALLEY CONDOMINIUM
STAGE IV

<u>Unit No.</u>	<u>Approximate SF Area</u>	<u>Percentage Ownership in Common Elements as of Stage IV</u>
115	1074	.7568
116	1074	.7568
117	1074	.7568
118	1074	.7568
215	1074	.7568
216	1074	.7568
217	1074	.7568
218	1074	.7568
121	1074	.7568
122	1074	.7568
123	1074	.7568
124	1074	.7568
221	1074	.7568
222	1074	.7568
223	1074	.7568
224	1074	.7568
321	1074	.7568
322	1074	.7568
323	1074	.7568
324	1074	.7568
125	1074	.7568
126	1074	.7568
225	1074	.7568
226	1074	.7568
133	1074	.7568
134	1074	.7568
135	1074	.7568
136	1074	.7568
233	1074	.7568
234	1074	.7568
235	1074	.7568

EXHIBIT "B"
TO SUPPLEMENTAL DECLARATION OF
EMERALD VALLEY CONDOMINIUM
STAGE IV

<u>Unit No.</u>	<u>Approximate SF Area</u>	<u>Percentage Ownership in Common Elements as of Stage IV</u>
236	1074	.7568
137	1074	.7568
138	1074	.7568
139	1074	.7568
140	1074	.7568
237	1074	.7568
238	1074	.7568
239	1074	.7568
240	1074	.7568
141	1259	.8872
142	1259	.8872
241	1259	.8872
242	1259	.8872
143	1074	.7568
144	1074	.7568
243	1074	.7568
244	1074	.7568
149	1074	.7568
150	1074	.7568
249	1074	.7568
250	1074	.7568
151	1074	.7568
152	1074	.7568
251	1074	.7568
252	1074	.7568
156	1074	.7568
157	1074	.7568
256	1074	.7568
257	1074	.7568
162	1259	.8872
163	1259	.8871

EXHIBIT "B"
TO SUPPLEMENTAL DECLARATION OF
EMERALD VALLEY CONDOMINIUM
STAGE IV

<u>Unit No.</u>	<u>Approximate SF Area</u>	<u>Percentage Ownership in Common Elements as of Stage IV</u>
262	1259	.8871
263	1259	.8871
127	1259	.8871
128	1259	.8871
227	1259	.8871
228	1259	.8871
129	1259	.8871
130	1259	.8871
229	1259	.8871
230	1259	.8871
• 131	1074	.7567
• 132	1074	.7567
• 231	1074	.7567
• 232	1074	.7567
• 146	1074	.7567
• 147	1074	.7567
• 148	1074	.7567
• 246	1074	.7567
• 247	1074	.7567
• 248	1074	.7567
• 153	1074	.7567
• 154	1074	.7567
• 155	1074	.7567
• 253	1074	.7567
• 254	1074	.7567
• 255	1074	.7567
• 158	1074	.7567
• 159	1074	.7567
• 160	1074	.7567
• 161	1074	.7567
• 258	1074	.7567

III

EXHIBIT "B"
TO SUPPLEMENTAL DECLARATION OF
EMERALD VALLEY CONDOMINIUM
STAGE IV

<u>Unit No.</u>	<u>Approximate SF Area</u>	<u>Percentage Ownership in Common Elements as of Stage IV</u>
259	1074	.7567
260	1074	.7567
261	1074	.7567

Phase IV
35,824

Parking & Storage

<u>Unit No.</u>		
G-1	200	.0001
G-2	200	.0001
G-3	200	.0001
G-4	200	.0001
G-5	200	.0001
G-6	200	.0001
G-7	200	.0001
G-8	200	.0001
G-9	200	.0001
G-10	200	.0001
G-11	200	.0001
G-12	200	.0001
G-13	200	.0001
G-14	200	.0001
G-15	200	.0001
S-1	200	.0001
S-2	200	.0001
S-3	200	.0001
S-4	200	.0001
S-5	200	.0001
S-6	200	.0001
S-7	200	.0001
S-8	200	.0001
S-9	200	.0001
S-10	200	.0001

EXHIBIT "B"
TO SUPPLEMENTAL DECLARATION OF
EMERALD VALLEY CONDOMINIUM
STAGE IV

<u>Unit No.</u>	<u>Approximate SF Area</u>	<u>Percentage Ownership in Common Elements as of Stage IV</u>
S-11	200	.0001
S-12	200	.0001
S-13	200	.0001
S-14	200	.0001
S-15	200	.0001
S-16	200	.0001
S-17	200	.0001
S-18	200	.0001
S-19	200	.0001
S-20	200	.0001
Total:		100.0000

EXHIBIT "C"
TO SUPPLEMENTAL DECLARATION OF
EMERALD VALLEY CONDOMINIUM
STAGE IV

<u>Parking Assignment</u>	<u>Unit No.</u>
GS35 & GS36	127
GS31 & GS32	128
GS34	227
GS33	228
GS29 & GS30	129
GS25 & GS26	130
GS28	229
GS27	230
PS20	131
PS18	132
PS19	231
PS17	232
PS39	146
PS38	147
PS36	148
PS40	246
PS37	247
PS35	248
PS30	153
PS28	154
PS21	155
PS29	253
PS27	254
PS22	255
PS23	158
PS25	159
PS32	160
PS34	161
PS24	258
PS26	259
PS31	260
PS33	261

EXHIBIT "D"
TO SUPPLEMENTAL DECLARATION OF
EMERALD VALLEY CONDOMINIUM
STAGE IV

EXHIBIT "E"
TO SUPPLEMENTAL DECLARATION OF
EMERALD VALLEY CONDOMINIUM
STAGE IV