

After Recording Return To:
Dina Alexander
Ball Janik LLP
101 SW Main St, Ste 1100
Portland, Oregon 97204

05/18/2003 02:50:52 PM 2003-079378
D-RBD Cnt=1 Stn=6 J GREGORY
\$50.00 \$6.00 \$11.00 - Total = \$67.00



00336454200300793780100102
I, Jerry Hanson, Director of Assessment and Taxation
and Ex-Officio County Clerk for Washington County,
Oregon, do hereby certify that the within instrument of
writing was received and recorded in the book of
records of said county.
Jerry R. Hanson, Director of Assessment and Taxation,
Ex-Officio County Clerk



**SUPPLEMENTAL DECLARATION OF
CONDOMINIUM OWNERSHIP FOR SEXTON PLACE CONDOMINIUMS,
SUPPLEMENTAL PLAT NO. 1, ANNEXATION OF STAGE 2**

This SUPPLEMENTAL DECLARATION OF SEXTON PLACE CONDOMINIUMS, SUPPLEMENTAL PLAT NO. 1, ANNEXATION OF STAGE 2 (this "Supplemental Declaration"), to be effective upon its recording in the deed records of Washington County, Oregon pursuant to the provisions of the Oregon Condominium Act, is made and executed this 12th day of May, 2003, by Sexton Place, L.L.C., a Washington limited liability company ("Declarant").

Recitals:

A. Declarant previously executed that certain Declaration of Condominium Ownership for Sexton Place Condominiums, signed by Declarant on April 1, 2003 (the "Original Declaration"), and those certain Bylaws of Sexton Place Condominiums Owners' Association dated April 1, 2003, both of which were recorded in the deed records of Washington County, Oregon on April 11, 2003, as Fee No. 2003-056458. Section 11 of the Original Declaration conferred on Declarant the authority to annex additional property to the Condominium, including the property legally described on the attached Exhibit A (the "Stage 2 Property").

B. Declarant now desires to annex the Stage 2 Property to the Condominium on the terms and conditions contained in this Supplemental Declaration.

Declarations:

1. Definitions. Except to the extent set forth in this Supplemental Declaration, capitalized terms used herein shall have the meanings given to such terms in the Original Declaration.

2. Property Subject to Annexation. The Stage 2 Property hereby annexed pursuant to the provisions of the Act is the land in fee simple legally described on the attached Exhibit A, together with all easements, rights, and appurtenances belonging thereto and all improvements now existing or hereafter constructed on such land.

3. Units.

3.1 General Descriptions of Buildings. The Stage 2 Property contains five (5) Buildings. Buildings 1 and 2 contain four (4) Units; Buildings 6, 7, and 8 contain six (6) Units each (each of these, a "Unit"). Buildings 1 and 2 have two stories and Buildings 6, 7 and 8 have three stories. The Buildings are of wood construction have composition roofs.

3.2 General Description, Location, and Designation of Units. Upon recordation of this Supplemental Declaration and the Supplemental Plat (and subject to additions by annexation under Section 11 of the Original Declaration), the Condominium shall consist of a total of 50 Units. The Units are located on a generally level site, as shown on a supplemental plat of the Stage 2 Property that is being recorded in the deed records of Washington County, Oregon concurrently with this Supplemental Declaration and any revisions of such plats subsequently recorded (the "Supplemental Plat"). The Units are designated numerically by Building and Unit as numbers 1-1, 1-2, 1-3 and 1-4; 2-1, 2-2, 2-3 and 2-4; 6-1, 6-2, 6-3, 6-4, 6-5 and 6-6; 7-1, 7-2, 7-3, 7-4, 7-5 and 7-6; 8-1, 8-2, 8-3, 8-4, 8-5 and 8-6. Units 1-1 through 1-4 are located in Building 1; Units 2-1 through 2-4 are located in Building 2; Units 6-1 through 6-6 are located in Building 6; Units 7-1 through 7-6 are located in Building 7; and Units 8-1 through 8-6 are located in Building 8.

3.3 Boundaries of Units. Each Unit shall be bounded by the interior surfaces of its perimeter and bearing walls, floors, ceilings, windows and window frames, doors and door frames, and trim, and shall include both the interior surfaces so described (including the unexposed face of the sheetrock and the underside of the finished floor or top surface of any concrete slab, as applicable) and the air space so encompassed and shall exclude those portions of the walls, floors or ceilings that materially contribute to the structural or shear capacity of the Condominium. In addition, each Unit shall include the outlet of any utility service lines, including water, sewer, electricity, or cable television, and of ventilating or air conditioning ducts, but shall not include any part of such lines or ducts themselves. The enclosed garage designated on the Plans for each Unit (whether or not the garage is adjacent to or on the same floor as such Unit), as bounded in the manner described above in this Section 3.3, the stairwell and stairway to Units located on the second floor and third floor, as applicable, and as shown on the Plans, and the fireplace within each Unit (but not the chimney extending above the roofline of a Unit) shall also form a part of the Unit. The area in square feet of each Unit created by this Supplemental Declaration is listed on Exhibit B and on the Supplemental Plat.

4. Designation of Common Elements.

4.1 General Common Elements. The General Common Elements annexed to the Condominium pursuant to this Supplemental Declaration (the "General Common Elements") consist of all those portions of the Stage 2 Property exclusive of the Units and the Limited Common Elements, as such General Common Elements are described in Section 5 of the Original Declaration and as shown on the Supplemental Plat.

4.2 Limited Common Elements. The Limited Common Elements annexed to the Condominium pursuant to this Supplemental Declaration (the "Limited Common Elements") consist of the following portions of the Stage 2 Property: the concrete patios and decks, the use of which is reserved for the Unit that each adjoins, as shown on the Supplemental Plat; and the driveways and sidewalks providing access to the Units, the use of which is reserved for the Unit that each adjoins, as shown on the Supplemental Plat. The dimensions, designation, area, and location of the Limited Common Elements are shown on the Supplemental Plat.

5. Interest in Common Elements. The Units created pursuant to this Supplemental Declaration, together with the Units created pursuant to the Original Declaration, shall be entitled to an equal undivided fractional ownership interest in the Common Elements in the amount of 1/50th each.

6. Effect of Original Declaration. The Stage 2 Property, the Units, the General Common Elements and the Limited Common Elements created pursuant to this Supplemental Declaration shall be governed by the provisions of the Original Declaration and shall be treated for all purposes as forming part of, respectively, the Property, the Units, and the General and Limited Common Elements created pursuant to the Original Declaration. This Supplemental Declaration may be amended only in accordance with the provisions set forth in Section 25 of the Original Declaration with respect to amendment of the Original Declaration. Amendment of any of the provisions of this Supplemental Declaration shall also require the prior written approval of at least 51% of those holders of first Mortgages on Units (based upon one vote for each first Mortgage held) who have given notice to the Association requesting notification of any proposed action that requires the consent of a specified percentage of eligible Mortgagees. Any approval of a Mortgagee required under this Section 6 may be presumed by the Association if such Mortgagee fails to submit a response to a written proposal for an amendment to this Supplemental Declaration within 30 days after it receives notice of such proposal by certified or registered mail, return receipt requested. The Original Declaration, as supplemented by this Supplemental Declaration, remains in full force and effect.

7. Severability. Each provision of this Supplemental Declaration and the Original Declaration shall be deemed independent and severable, and the validity or partial invalidity of any provision shall not affect the validity or enforceability of the remaining part of that or any other provision of this Supplemental Declaration or the Original Declaration.

(Remainder of Page Intentionally Left Blank)

IN WITNESS WHEREOF, Declarant has caused this Supplemental Declaration to be executed this 12th day of May, 2003.

DECLARANT:

SEXTON PLACE, L.L.C., a Washington limited liability company

By: PNW CAPITAL, L.L.C., a Washington limited liability company
Its: Managing Member

By: TOFINO, INC., a Washington corporation
Its: Managing Member

By: [Signature]
Its: ASST. V.P.

STATE OF Washington)
County of Clark) ss.

The foregoing instrument was acknowledged before me on this 12th day of May 2003, by Dave Gubachmidt, who is the ASST. V.P. of Tofino, Inc., Managing Member of PNW Capital, L.L.C., Managing Member of Sexton Place, L.L.C., a Washington limited liability company, on behalf of the limited liability company.

MARGARET L. GOSSELIN
NOTARY PUBLIC
STATE OF WASHINGTON
COMMISSION EXPIRES
JANUARY 17, 2006

[Signature]
Notary Public for
My Commission Expires: 1-17-06

County Assessor

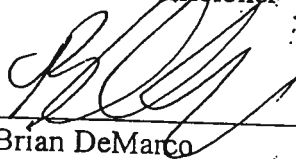
County Tax Collector



The foregoing Supplemental Declaration is approved pursuant to ORS 100.110 this 16 day of May, 2003, 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:


Brian DeMarco