Multnomah County Official Records
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CORRECTION AMENDMENT TO PRELIMINARY DECLARATION, SUPPLEMENTAL DECLARATION, AND DECLARATION AMENDMENT FOR RIVERCLIFF ESTATES CONDOMINIUM

This Correction Amendment to Preliminary Declaration, Supplemental Declaration, and Declaration Amendment for Rivercliff Estates Condominium ("**Correction Amendment**") is made by Rivercliff Estates Homeowners Association, Inc., an Oregon nonprofit corporation (the "**Association**").

RECITALS

A. Rivercliff Estates Condominium ("**Condominium**") is a condominium located in Multnomah County, Oregon. The Condominium was created under the Oregon Condominium Act, ORS Chapter 100 (formerly the Unit Ownership Law, ORS 91.500 et seq.) by the following documents recorded in the Records of Multnomah County, Oregon:

1. *Preliminary Declaration Establishing a Plan for Condominium Ownership*, recorded November 2, 1972, in Book 891, Page 632 ("**Preliminary Declaration**").

2. *Bylaws of Rivercliff Estates Condominium* recorded as Exhibit E to the Preliminary Declaration ("**Bylaws**").

3. Plat for Rivercliff Estates Condominium, Units 1 thru 62, recorded November 2, 1972, in Book 1203, Page 50, Plat Records ("**Stage I Plat**").

4. *First Final Declaration Establishing a Plan for Condominium Ownership*, recorded June 27, 1974 in Book 993, Page 1529.

5. *Supplemental Declaration Establishing a Plan for Condominium Ownership, Rivercliff Estates Condominium, Multnomah County, Oregon, Stage II*, recorded June 6, 1975 in Book 1044, Page 1823 ("**Stage 2 Declaration**").

6. Plat for Rivercliff Estates Condominium, Units 63 thru 115, recorded June 9, 1975 in Book 1205, Page 73, Plat Records ("**Stage 2 Plat**").

B. Association is Rivercliff Estates Homeowners Association, Inc., an Oregon nonprofit corporation, formed pursuant to the Preliminary Declaration, Bylaws, and Articles of Incorporation filed February 22, 1977 in the office of the Oregon Secretary of State, Corporation Division.

C. The Condominium consists of 115 units built in two stages. Stage I contains Units 1 through 62. Stage II contains Units 63 through 115. Under the Preliminary Declaration the Declarant reserved the right to annex a third stage ("**Stage III**") to the Condominium. However, Stage III was never annexed.

D. Rivercliff Estates was initially established as a leasehold condominium. Pursuant to ORS 100.102, the fee title interest in the real property underlying the leasehold was submitted to the Condominium by *Amendment to Condominium Declaration of Rivercliff Estates Estates Condominium (Submitting Fee Title Interest to Oregon Condominium Act)* recorded June 28, 2004 as Document Number 2004-116640, Records of Multnomah County, Oregon ("**2004 Declaration Amendment**").

E. It has come to the attention of the Board of Directors that the Preliminary Declaration and the Stage II Plat are inconsistent, resulting in an incorrect allocation of undivided interests to each unit.

F. ORS 100.117 allows the Board to record a correction amendment to correct inconsistencies between any documents and the plat. ORS 100.117(4) provides that the Board may adopt such a correction amendment without any action by the unit owners.

G. Under ORS 100.117, upon compliance with the procedures prescribed in ORS 100.117, the Board of Directors of the Association may adopt, execute and record a correction amendment to correct inconsistencies between or among a declaration, supplement declaration, plat and any amendments to the documents. ORS 100.117(4) provides that the Board may adopt a correction amendment without any action by the unit owners.

H. The Board has determined that the Preliminary Declaration and the Stage II Declaration must be amended under ORS 100.117 to conform to the unit designations in the Stage II Plat.

NOW THEREFORE, pursuant to ORS 100.117, the Board of Directors, on behalf of the Association, hereby amends the Preliminary Declaration, Stage II Declaration and 2004 Declaration Amendment in the manner set forth below.

I. **AMENDMENTS TO PRELIMINARY DECLARATION:** Preliminary Declaration Establishing a Plan for Condominium Ownership recorded November 2, 1972 in Book 891, Page 632, Records of Multnomah County, Oregon is amended as follows:

1.1 **The Table under Paragraph F of the Preliminary Declaration is deleted and replaced with the following:**

The value of the respective "family units", their respective interests for voting purposes, and their proportionate shares in the common profits and expenses for Stage I is set forth in attached Exhibit A of this Correction Amendment.

1.2 **The Table under the heading "STAGE II" in Paragraph H of the Preliminary Declaration is deleted in its entirety and replaced with the following language:**

The value of the respective "family units", their respective interests for voting purposes, and their proportionate shares in the common profits and expenses for Stage II is set forth in attached Exhibit A of this Correction Amendment.

1.3 **The Table under the heading "STAGE III" in Paragraph H of the Preliminary Declaration is deleted in its entirety and replaced with the following language:**

Because Stage III was not annexed to the Condominium prior to December 1, 1974, as required by the Preliminary Declaration, the respective interests of all family units for voting purposes, and their proportionate shares in the common profits and expenses upon annexation of Stage III are not included in this Correction Amendment.

1.4 **The language beginning on Page 12 after the Table under the Heading "STAGE III" in Paragraph H of the Preliminary Declaration is amended to read as follows:**

In the event Stage I and Stage II are developed, the proportionate share of Common Profits and Expenses and the Percentage Voting Interest and Interest in the Common Elements of each family unit, shall be as follows:

> All family units carrying Unit Values of $17,950.00 shall be assigned 0.668081% interest in the common elements and voting interest.
>
> All family units carrying Unit Values of $18,450.00 shall be assigned 0.686690% interest in the common elements and voting interest.
>
> All family units carrying Unit Values of $21,950.00 shall be assigned 0.816957% interest in the common elements and voting interest.
>
> All family units carrying Unit Values of $22,450.00 shall be assigned 0.835566% interest in the common elements and voting interest.

All family units carrying Unit Values of $24,950.00 shall be assigned 0.928614% interest in the common elements and voting interest.

All family units carrying Unit Values of $25,450.00 shall be assigned 0.947223% interest in the common elements and voting interest.

All family units carrying Unit Values of $20,300.00 shall be assigned 0.755546% interest in the common elements and voting interest.

All family units carrying Unit Values of $20,800.00 shall be assigned 0.774155% interest in the common elements and voting interest.

All family units carrying Unit Values of $24,300.00 shall be assigned 0.904422% interest in the common elements and voting interest.

All family units carrying Unit Values of $24,800.00 shall be assigned 0.923031% interest in the common elements and voting interest.

All family units carrying Unit Values of $27,300.00 shall be assigned 1.016079% interest in the common elements and voting interest.

All family units carrying Unit Values of $27,800.00 shall be assigned 1.034688% interest in the common elements and voting interest.

1.5 **The language beginning on Page 14 under the heading "SUMMARY" in Paragraph H of the Preliminary Declaration is amended to read as follows:**

The following chart summarized the changes in percentage interest in the common elements and voting interest of each original unit owner by unit type and value at Stages I and II of development:

Unit Type	Stages I and II
$17,950	0.668081%
$18,450	0.686690%
$21,950	0.816957%
$22,450	0.835566%
$24,950	0.928614%
$25,450	0.947223%
$20,300	0.755546%
$20,800	0.774155%

$24,300	0.904422%
$24,800	0.923031%
$27,300	1.016079%
$27,800	1.034688%

II. **AMENDMENTS TO STAGE II DECLARATION**: Supplemental Declaration Establishing a Plan for Condominium Ownership, Rivercliff Estates Condominium, Multnomah County, Oregon, Stage II, recorded June 6, 1975 in Book 1044, Page 1823, Records of Multnomah County, Oregon is amended as follows:

The following language is inserted after the first full paragraph on Page 3 of the Stage II Declaration:

The proportionate share of Common Profits and Expenses and the Percentage Voting Interest and Interest in the Common Elements of each family unit is allocated as set forth in attached Exhibit A to this Correction Amendment.

III. **AMENDMENTS TO 2004 DECLARATION AMENDMENT**: Amendment to Condominium Declaration of Rivercliff Estates Condominium (Submitting Fee Title Interest to Oregon Condominium Act) recorded June 28, 2004 as Document No. 2004-116640, Records of Multnomah County, Oregon is amended as follows:

The following new Section 5 is inserted after Section 4 of the 2004 Declaration Amendments:

5. Allocation of Common Profits and Expenses and Percentage Voting Interest. The proportionate share of Common Profits and Expenses and the Percentage Voting Interest and Interest in the Common Elements of each family unit is allocated as set forth in attached Exhibit A to this Correction Amendment.

RIVERCLIFF ESTATES HOMEOWNERS ASSOCIATION, INC., an Oregon nonprofit corporation

By: _____
Diane Fallon, Chairperson

By: _____
Janna Frazier, Secretary

CERTIFICATION

The undersigned Chairperson and Secretary of the Rivercliff Estates Homeowners Association, Inc., an Oregon nonprofit corporation, hereby certify that this Correction Amendment to Preliminary Declaration, Supplemental Declaration, and Declaration Amendment for Rivercliff Estates Condominium was adopted on behalf of the Association in accordance with ORS 100.117(4).

Diane Fallon, Chairperson
Rivercliff Estates Homeowners Association, Inc., an Oregon nonprofit corporation

STATE OF OREGON)
) ss
County of Multnomah)

The foregoing instrument was acknowledged before me on the 3rd day of April, 2014 by Diane Fallon, Chairperson of the Rivercliff Estates Homeowners Association, Inc., on its behalf.

OFFICIAL STAMP
MENA A HENIEN
NOTARY PUBLIC - OREGON
COMMISSION NO. 920838
MY COMMISSION EXPIRES OCTOBER 13, 2017

Notary Public for Oregon
My Commission Expires: oct 13, 2017

Janna Frazier, Secretary
Rivercliff Estates Homeowners Association, Inc., an Oregon nonprofit corporation

STATE OF OREGON)
) ss
County of Multnomah)

The foregoing instrument was acknowledged before me on the 3rd day of April, 2014 by Janna Frazier, Secretary of the Rivercliff Estates Homeowners Association, Inc., on its behalf.

OFFICIAL STAMP
MENA A HENIEN
NOTARY PUBLIC - OREGON
COMMISSION NO. 920838
MY COMMISSION EXPIRES OCTOBER 13, 2017

Notary Public for Oregon
My Commission Expires: oct 13, 2017

EXHIBIT A
Proportionate Shares in Common Profits and Expenses

Family Unit Number	Family Unit Type	Unit Variations	Value	Proportionate Shares in Common Profits and Expenses	% Voting Interest
1	B	Duplex Unit	$22,450	0.00835566	0.835566%
2	B	Duplex Unit	$22,450	0.00835566	0.835566%
3	B	End Unit	$22,450	0.00835566	0.835566%
4	B	Inside Unit	$21,950	0.00816957	0.816957%
5	A	Inside Unit	$24,950	0.00928614	0.928614%
6	A	Inside Unit	$24,950	0.00928614	0.928614%
7	A	Inside Unit	$24,950	0.00928614	0.928614%
8	A	End Unit	$25,450	0.00947223	0.947223%
9	B	Duplex Unit	$22,450	0.00835566	0.835566%
10	B	Duplex Unit	$22,450	0.00835566	0.835566%
11	B	End Unit	$22,450	0.00835566	0.835566%
12	B	Inside Unit	$21,950	0.00816957	0.816957%
13	B	Inside Unit	$21,950	0.00816957	0.816957%
14	B	End Unit	$22,450	0.00835566	0.835566%
15	B	End Unit	$22,450	0.00835566	0.835566%
16	B	Inside Unit	$21,950	0.00816957	0.816957%
17	C	Inside Unit	$17,950	0.00668081	0.668081%
18	C	End Unit	$18,450	0.00686690	0.686690%
19	B	End Unit	$22,450	0.00835566	0.835566%
20	B	Inside Unit	$21,950	0.00816957	0.816957%
21	B	Inside Unit	$21,950	0.00816957	0.816957%
22	B	End Unit	$22,450	0.00835566	0.835566%
23	B	End Unit	$22,450	0.00835566	0.835566%
24	B	Inside Unit	$21,950	0.00816957	0.816957%
25	B	End Unit	$22,450	0.00835566	0.835566%
26	B	End Unit	$22,450	0.00835566	0.835566%
27	B	Inside Unit	$21,950	0.00816957	0.816957%
28	B	Inside Unit	$21,950	0.00816957	0.816957%
29	B	Inside Unit	$21,950	0.00816957	0.816957%
30	B	Inside Unit	$21,950	0.00816957	0.816957%
31	B	Inside Unit	$21,950	0.00816957	0.816957%
32	C	End Unit	$18,450	0.00686690	0.686690%
33	B	End Unit	$22,450	0.00835566	0.835566%
34	B	Inside Unit	$21,950	0.00816957	0.816957%
35	B	Inside Unit	$21,950	0.00816957	0.816957%
36	B	End Unit	$22,450	0.00835566	0.835566%

37	B	Duplex Unit	$22,450	0.00835566	0.835566%
38	B	Duplex Unit	$22,450	0.00835566	0.835566%
39	B	End Unit	$22,450	0.00835566	0.835566%
40	B	Inside Unit	$21,950	0.00816957	0.816957%
41	B	Inside Unit	$21,950	0.00816957	0.816957%
42	B	Inside Unit	$21,950	0.00816957	0.816957%
43	C	Inside Unit	$17,950	0.00668081	0.668081%
44	C	End Unit	$18,450	0.00686690	0.686690%
45	A	End Unit	$25,450	0.00947223	0.947223%
46	A	Inside Unit	$24,950	0.00928614	0.928614%
47	A	Inside Unit	$24,950	0.00928614	0.928614%
48	A	End Unit	$25,450	0.00947223	0.947223%
49	A	End Unit	$25,450	0.00947223	0.947223%
50	A	Inside Unit	$24,950	0.00928614	0.928614%
51	A	Inside Unit	$24,950	0.00928614	0.928614%
52	A	Inside Unit	$24,950	0.00928614	0.928614%
53	A	Inside Unit	$24,950	0.00928614	0.928614%
54	A	Inside Unit	$24,950	0.00928614	0.928614%
55	C	Inside Unit	$17,950	0.00668081	0.668081%
56	C	End Unit	$18,450	0.00686690	0.686690%
57	B	End Unit	$22,450	0.00835566	0.835566%
58	B	Inside Unit	$21,950	0.00816957	0.816957%
59	C	Inside Unit	$17,950	0.00668081	0.668081%
60	C	Inside Unit	$17,950	0.00668081	0.668081%
61	B	Inside Unit	$21,950	0.00816957	0.816957%
62	B	End Unit	$22,450	0.00835566	0.835566%
63	A	End Unit	$ 27,800	0.01034688	1.034688%
64	A	Inside Unit	$ 27,300	0.01016079	1.016079%
65	A	Inside Unit	$ 27,300	0.01016079	1.016079%
66	A	Inside Unit	$ 27,300	0.01016079	1.016079%
67	A	Inside Unit	$ 27,300	0.01016079	1.016079%
68	A	Inside Unit	$ 27,300	0.01016079	1.016079%
69	C	Inside Unit	$ 20,300	0.00755546	0.755546%
70	C	End Unit	$ 20,800	0.00774155	0.774155%
71	A	End Unit	$ 27,800	0.01034688	1.034688%
72	A	Inside Unit	$ 27,300	0.01016079	1.016079%
73	A	Inside Unit	$ 27,300	0.01016079	1.016079%
74	A	Inside Unit	$ 27,300	0.01016079	1.016079%
75	A	Inside Unit	$ 27,300	0.01016079	1.016079%
76	A	Inside Unit	$ 27,300	0.01016079	1.016079%
77	C	Inside Unit	$ 20,300	0.00755546	0.755546%
78	C	End Unit	$ 20,800	0.00774155	0.774155%
79	B	End Unit	$ 24,800	0.00923031	0.923031%

80	B	Inside Unit	$ 24,300	0.00904422	0.904422%
81	B	Inside Unit	$ 24,300	0.00904422	0.904422%
82	B	End Unit	$ 24,800	0.00923031	0.923031%
83	A	End Unit	$ 27,800	0.01034688	1.034688%
84	A	Inside Unit	$ 27,300	0.01016079	1.016079%
85	A	Inside Unit	$ 27,300	0.01016079	1.016079%
86	A	End Unit	$ 27,800	0.01034688	1.034688%
87	B	End Unit	$ 24,800	0.00923031	0.923031%
88	B	Inside Unit	$ 24,300	0.00904422	0.904422%
89	C	Inside Unit	$ 20,300	0.00755546	0.755546%
90	C	Inside Unit	$ 20,300	0.00755546	0.755546%
91	B	Inside Unit	$ 24,300	0.00904422	0.904422%
92	B	End Unit	$ 24,800	0.00923031	0.923031%
93	B	End Unit	$ 24,800	0.00923031	0.923031%
94	B	End Unit	$ 24,800	0.00923031	0.923031%
95	B	End Unit	$ 24,800	0.00923031	0.923031%
96	B	Inside Unit	$ 24,300	0.00904422	0.904422%
97	B	Inside Unit	$ 24,300	0.00904422	0.904422%
98	B	Inside Unit	$ 24,300	0.00904422	0.904422%
99	B	Inside Unit	$ 24,300	0.00904422	0.904422%
100	B	Inside Unit	$ 24,300	0.00904422	0.904422%
101	C	End Unit	$ 20,800	0.00774155	0.774155%
102	C	End Unit	$ 20,800	0.00774155	0.774155%
103	C	Inside Unit	$ 20,300	0.00755546	0.755546%
104	B	End Unit	$ 24,300	0.00904422	0.904422%
105	B	Inside Unit	$ 24,300	0.00904422	0.904422%
106	C	Inside Unit	$ 20,300	0.00755546	0.755546%
107	C	End Unit	$ 20,800	0.00774155	0.774155%
108	C	End Unit	$ 20,800	0.00774155	0.774155%
109	C	End Unit	$ 20,800	0.00774155	0.774155%
110	B	End Unit	$ 24,800	0.00923031	0.923031%
111	B	Inside Unit	$ 24,300	0.00904422	0.904422%
112	A	Inside Unit	$ 27,300	0.01016079	1.016079%
113	A	Inside Unit	$ 27,300	0.01016079	1.016079%
114	A	Inside Unit	$ 27,300	0.01016079	1.016079%
115	A	End Unit	$ 27,800	0.01034688	1.034688%

GOVERNMENTAL APPROVALS

OREGON REAL ESTATE COMMISSIONER

The foregoing Correction Amendment to Preliminary Declaration Establishing a Plan for Condominium Ownership, Supplemental Declaration and Declaration Amendment for Rivercliff Estates Condominium is approved pursuant to ORS 100.110 this 14th day of April, 2014. In accordance with ORS 100.110(8), this approval automatically expires if this amendment is not recorded within one (1) year from this date.

OREGON REAL ESTATE COMMISSIONER

By: _____
Michael Hanifin

MULTNOMAH COUNTY ASSESSOR

The foregoing Correction Amendment to Preliminary Declaration Establishing a Plan for Condominium Ownership, Supplemental Declaration and Declaration Amendment for Rivercliff Estates Condominium is approved pursuant to ORS 100.110 this 23rd day of May, 2014.

MULTNOMAH COUNTY ASSESSOR

By: _____