

4535

DESCHUTES RIVER RECREATION HOMESITE PROPERTY OWNERS
Unit 6, Part 1 & 2

E Y L A W S

ARTICLE I

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NAME AND PURPOSE

Section 1

This Association shall be called: DESCHUTES RIVER RECREATION HOMESITE PROPERTY OWNERS ASSOCIATION, UNIT 6 PART 1 & 2.

Section 2

The purposes and objects of this Association shall be to provide improvements of a recreational and/or community oriented nature for the benefit of members of the Association.

ARTICLE II

MEMBERSHIP

Section 1

All owners of a parcel of property within the above described homesite areas shall automatically become members of this Association. Any person purchasing any parcel within said area under an agreement of sale and/or land sales contract shall be deemed the owner of said parcel for the purposes hereunder. Joint owners of any lot shall be entitled to one membership.

ARTICLE III

FEES AND DUES

Section 1

There shall be no dues to the membership of the Association, and in lieu thereof the board of directors shall annually assess each lot in the subdivision its proportionate share of the costs for improvements and maintenance. The costs of maintenance shall include the necessary amounts incurred by the directors for insurance, bond premiums, equipment rental, materials and labor required for such operation and maintenance. The owner of the subdivision shall pay a like assessment for each lot remaining unsold in said subdivision, it being the intention that all assessments shall be uniform, as much as is practicable.

Section 2

The assessments shall become due and payable by the first of each calendar year, and shall be considered delinquent sixty(60) days thereafter. The rulings of the State of Oregon #ORS 91.546 to file lien on said parcel or parcels will be followed by the Board of Directors of the Association under ORS 91.527.

Section 3

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In the event any member shall fail to pay his/her assessments when due and payable, the amount thereof, together with interest at the maximum amount permitted by law from such date, and the costs of collection, shall become a part of and constitute a lien against the parcel or parcels owned by said delinquent member. The lien shall attach upon filing, a claim of lien in the office of the County Clerk of Deschutes County, Oregon, particularly describing said parcel or parcels and mailing to the delinquent member at his/her last known address, a copy of said claim of lien. Said lien may be foreclosed and the property sold to satisfy said lien in the same manner as is provided for the foreclosure of mechanic's liens under the laws of the State of Oregon, #ORS 91.546.

ARTICLE IV

MEMBERSHIP MEETINGS

Section 1 - Annual Meetings

The annual membership meeting shall be held in August of each year.

Section 2 - Special Meetings

Special membership meetings shall be called by the Secretary upon resolution of the board, or upon petition of five (5%) percent of the voting members. The petition shall state the purpose of the special meeting and may fix a period of two weeks during which the meeting may be held; provided however, that the petition be delivered to the Secretary not less than two weeks before the designated period.

Section 3 - Quorum

At any regular, special or annual meeting a quorum of the board shall consist of at least sixty (60%) percent of the board members. Voted projects will require at least fifty-one (51%) percent of the members present in favor of the proposed project.

At any annual meeting a quorum shall consist of five (5%) percent of the membership.

Section 4 - Powers of Meetings

At a membership meeting, declarative resolutions may be adopted, and instructions may be issued to the board provided they do not abridge powers specifically granted to the board by these Articles. At a special membership meeting no business may be transacted other than that stated as the purpose of the meeting, without the unanimous consent of the members present.

Section 5 - Voting rights

Each member shall be entitled to one vote, only, cast in person or by mail, and there may be voting by proxy.

Section 6 - Notice of Meetings

There shall be not less than ten days written notice given of any meeting of the membership, mailed by regular mail, postage prepaid, to the last known address of each member of the Association, stating the date, time, place and purpose of such meeting.

ARTICLE V

DIRECTORS AND OFFICERS

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Section 1 - Directors

The management of the Association shall be vested in a board of directors of five persons, who shall be elected by the membership, which directors shall serve for a period of one year and until their successors are duly elected and qualified.

Directors shall hold office until their successors have been elected and shall have entered upon the discharge of their duties.

The directors shall be limited in their authority to the contracting for improvements and maintenance of the district, including the right to incur the necessary expense for insurance, bond premiums, rental of equipment, purchase of necessary materials and labor incident to such operation and maintenance.

The directors shall have the right to the reasonable entry upon any parcel in the district for the purpose of such operation and maintenance without being deemed guilty in any manner of trespass, or unlawful entry.

Section 2 - Duties of Directors

The directors shall administer all business carried on by the Association under the direction and control of any special or regular meeting of the members. They shall arrange an impartial audit by a public accountant of the books of the Association at least once a year, and shall issue a financial statement to the membership. They shall also issue annually to the membership a full report of its work during the year and of the progress and condition of the Association.

The board may create advisory committees composed of individuals interested in one or more phases of the work of the Association.

Section 3 - Officers

The officers shall be: President, Vice-President, Secretary, Treasurer, and such others as the board may deem necessary. The President, Vice-President and Secretary shall be appointed by the board of directors from their number at the first regular board meeting following the annual election. All officers shall hold office at the discretion of the board.

If the Treasurer is not a member of the board, he may have a voice, but no vote, at board meetings.

Section 4 - Duties of Officers

The officers shall perform the duties usually appertaining to such offices and such other duties as may be delegated to them by these Articles of Association, or by the Board.

Section 5 - Bonds

All officers and employees of the Association handling funds of the Association shall be bonded.

ARTICLE VI

MAIL VOTE

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Section 1

Whenever in the judgement of the board of directors any question shall arise which it considers should be put to a vote of the membership, and when it deems it inexpedient to call a special meeting for that purpose, it may submit the matter to the membership in writing by mail for vote and decision, and the question thus presented shall be determined according to a majority of the votes received by mail within two weeks after such submission to the membership; provided that in each case, votes of at least five (5%) percent of the members shall be received. Action taken in this manner shall be as effective as action taken at a duly called meeting.

ARTICLE VII

LIABILITIES

Nothing herein shall constitute members of the Association as partners for any purpose. No member, officer, agent or employee shall be liable for the acts or failure to act of any other member, officer, agent or employee of the Association. Nor shall any member, officer, agent or employee be liable for his acts or failure to act under these Articles, except only acts or omissions arising out of his willful misfeasance.

These Articles shall not be construed to include responsibility of the Association for any individual property improvement.

ARTICLE VIII

AMENDMENTS

These Articles of Association may be amended, repealed or altered in the whole or in part by a majority vote at any duly organized meeting of the Association.

Dated this 9th day of April, 1965.

REVISED August 22, 1981, at annual meeting by the majority vote of the Association.

Paul A. Whitten
President.

STATE OF OREGON,

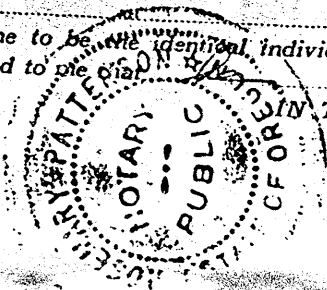
County of Deschutes } ss.

FORM NO. 23 — ACKNOWLEDGMENT
STEVENS-NESE LAW PUB. CO., PORTLAND, ORE.

BE IT REMEMBERED, That on this 27th day of August, 1981, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Paul A. Whitten

known to me to be the identical individual described in and who executed the within instrument and acknowledged to me that he executed the same freely and voluntarily.

TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.



Paul A. Whitten
Notary Public for Oregon.
My Commission expires 7-22-82

4535

STATE OF OREGON

County of Deschutes

I hereby certify that the within instrument of writing was received for Record

the 27 day of Aug A.D. 1981

at 1:30 o'clock P M., and recorded

in Book 346 on Page 597 Records

of Deeds

ROSEMARY PATTERSON

County Clerk

By Rhonda Lantz Deputy