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Gerard Jeub  
3055 SW 66<sup>th</sup> Court  
Portland, OR 97225

DESCHUTES COUNTY OFFICIAL RECORDS  
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2009-17791



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\$10.00 \$11.00 \$10.00 \$5.00

***AMENDMENT TO BYLAWS OF THE ASSOCIATION  
OF UNIT OWNERS OF KITTY HAWK CONDOMINIUMS***

THIS AMENDMENT TO BYLAWS OF THE ASSOCIATION OF UNIT OWNERS OF KITTY HAWK CONDOMINIUMS is made as of the date of the Chairperson's Certification below by the Association of Unit Owners of Kitty Hawk Condominiums (hereinafter the "Association").

RECITALS

- A. The Association is a Condominium Association established pursuant to the Declaration Kitty Hawk Condominiums and recorded July 31, 1978, in the records of Deschutes County, Oregon, in Volume 279, Page 338, as later amended ("Declarations" hereafter) and operating under the Bylaws of the Association of Unit Owners of Kitty Hawk Condominium recorded July 31, 1978 in the records of Deschutes County, Oregon in Volume 279, Page 368 as later amended by instruments recorded April 2, 1984 in Volume 50, Pages 8 through 22 and recorded November 28, 1986, Volume 137, Page 971-972 ("Bylaws" hereafter);
- B. Not less than 75% of the owners of the units within Kitty Hawk Condominium have voted to amend the Bylaws in the following respects.

NOW THEREFORE,

The Bylaws are amended as follows:

**Subsection 7.2 (a) of Section 7 "Apportionment of Receipts and Expenses" of the Bylaws is revoked and amended to read in its entirety as follows:**

**7.2 Apportionment of Receipts and Expenses.**

- (a) Receipts of the property shall be distributed among, and the common expenses shall

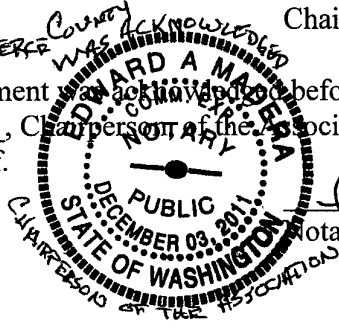
be charged to, the unit owners on the basis of the percentage of ownership as set forth in the Declaration of the Kitty Hawk Condominiums. Receipts by unit owners for rental of their unit shall not constitute commons receipts. The Association shall bill each owner quarterly for his/her share of the common expenses which he/she shall pay within ten (10) days of the billing due month. After such ten (10) day period, any delinquent assessment shall bear interest at the rate of 10% per annum plus a \$25 per month late charge. Such assessment shall be in addition to any assessments imposed directly upon the unit owner by the administrator of Sunriver under the Plan of Sunriver. If any unit owner shall become delinquent for two successive months of such common expenses, the Board of Directors shall proceed to either record of a lien against that unit, initiate foreclosure proceedings, or file civil action for collection of the assessment, late fees, interest and attorneys fees and any and all costs associated with collection, all pursuant to ORS 100.450. Even if no legal action is filed, all attorney fees and any other costs associated with the collection process will be immediately added to the assessment costs, late fees and interest incurred. No unit owner may exempt himself/herself from liability for his/her contribution towards common expenses by waiver of the use or enjoyment of any of the common elements or by abandonment of his/her unit.

**CERTIFICATION**

The undersigned of the Association of Unit Owners of Kitty Hawk Condominiums hereby certify that the foregoing AMENDMENT TO BYLAWS OF THE ASSOCIATION OF UNIT OWNERS OF KITTY HAWK CONDOMINIUMS has been approved in accordance with the Bylaws and the provisions of ORS 100.410.

By: Ronald O. Cherult  
Chairperson

STATE OF WASHINGTON; PIERCE County  
The foregoing instrument was acknowledged before me on this 23<sup>rd</sup> day of April, 2009, by RONALD O. CHERULT, Chairperson of the Association of Unit Owners of Kitty Hawk Condominiums, on its behalf.



Edward A. Madsen  
Notary Public

By: Gerald E. Jurb  
Secretary

STATE OF OREGON; WASHINGTON COUNTY

The foregoing instrument was acknowledged before me on this 27<sup>th</sup> day of April, 2009, by Gerald E. Jurb, Secretary, of the Association of Unit Owners of Kitty Hawk Condominiums, on its behalf.



Dusty L. Brown  
Notary Public