

A M E N D E D

ARTICLES OF ASSOCIATION OF LAKE PARK ESTATES PROPERTY OWNERS

ARTICLE I

NAME AND PURPOSE

Section 1

This Association shall be called: LAKE PARK ESTATES PROPERTY OWNERS ASSOCIATION.

Section 2

The purpose and objects of the Association shall be to provide for the operation, maintenance, repair, rebuilding or rehabilitation of roads, streets and public ways,

for the benefit of members of the Association who have purchased lots from Lake Park Estates.

ARTICLE II

MEMBERSHIP

Section 1

All owners of a parcel of property within the above subdivision shall automatically become members of this Association, and shall receive a certificate evidencing such membership. 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

The Board of Directors of the Lake Park Estates Property Owners Association shall annually assess each lot in the subdivision its proportionate share of the costs for maintenance of roads, streets and public ways and recreation areas in the Lake Park Estates subdivision. The costs of said 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.

Section 2

In the event any property owner shall fail to pay his 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, if any, shall become and constitute a lien against the parcel or parcels owned by said delinquent property owner. The lien shall attach upon filing a claim of lien in the office of the County Clerk of Deschutes County, Oregon, within sixty (60) days from the date thereof, particularly describing said parcel or parcels and mailing to the delinquent property owner at his last known address a copy of said claim of lien.

1- ARTICLES OF ASSOCIATION

(These Articles of Incorporation are amended for purposes of deletion of "collection of garbage, maintenance of sanitary land fill and maintenance of common areas" from Article I, Section 2, only.)

(They are further amended to insert "and recreation areas" in Section 1, line 3.)

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. If no such claim of lien shall have been filed within said time, or if the claim of lien shall have been filed but no action to enforce such lien shall have been commenced within six (6) months after such filing, then such claim and/or lien shall be null and void.

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%) per cent 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 no less than one week before the designated period.

Section 3 - Quorum

At any regular or special meeting a quorum shall consist of fifty (50%) per cent of the membership, except that any membership meeting at which a quorum is not present may be adjourned for from seven to fourteen days, and the Secretary of the Board will, within three days, give notice to all voting members of the adjourned meeting. At the reconvened meeting, a quorum shall consist of twenty-five (25%) per cent of the membership.

Section 4 - Powers of Meeting

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

Notwithstanding anything to the contrary herein contained, it is understood that there shall not be permitted more than one (1) vote per parcel owned. Vote must be cast in person or by mail and there may be voting by proxy. Cumulative voting will be required for election or removal of Directors.

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.

Section 7 - Organization Meeting

The initial Board of Directors shall duly call an organizational meeting of the membership at such time as fifty (50%) per cent of the lots of the subdivision are sold, or within one year from the date hereof, whichever first occurs. At such meeting the membership shall elect a new Board of Directors and conduct such other and further business as the membership attending may elect. The quorum for such organizational meeting shall be not less than fifty (50%) per cent of the membership.

ARTICLE V

DIRECTORS AND OFFICERS

Section 1 - Directors

The management of the Association shall be vested in the Board of Directors of five persons, who shall be elected by the membership, except the initial Board of Directors shall be designated by LAKE PARK ESTATES, 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 the operation, maintenance, repair, rebuilding or rehabilitation of the roads, streets and public ways.

and maintenance of common areas for the benefit of members of the Association who have purchased lots from Lake Estates, including the right to incur the necessary expenses for insurance, bond premiums, rental of equipment, purchase of necessary materials and labor incident to such operations and maintenance.

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

Section 2 - Vacancies

Any Director of this Association who, having been duly notified, fails to attend four regular consecutive board meetings without excuse satisfactory to the Board, shall thereby forfeit his membership hereon, and the position shall thereupon be deemed vacant.

Section 3 - 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.

Section 4 - 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 5 - 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 the Articles of Association or by the Board.

Section 6 - Bonds

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

ARTICLE VI

MAIL VOTE

Section 1

Whenever in the judgment 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 a majority of the members shall be received. Action taken in this manner shall be as effective as action taken at any 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 of failure to act of any 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, excepting only acts or omissions arising out of his wilful misfeasance.

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, either in person or by proxy at any duly organized meeting of the Association.

Dated this 16th day of September 1971.

Joseph J. Marshall
Committee Member

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ARTICLE VIII

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Dated this 16th day of September 1971.

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Joseph Marshall
Annette Marshall

STATE OF CALIFORNIA,
COUNTY OF Los Angeles } ss.
On 9-16-71 before me, the under-
signed, a Notary Public in and for said County and State, personally
appeared Joseph Marshall and
Annette Marshall

known to me
to be the persons whose names are subscribed to the within
instrument and they executed the same.



JOSEPH M. MARSHALL
NOTARY PUBLIC - CALIFORNIA
COMM. NO. 10000
LOS ANGELES COUNTY
My Commission Expires March 7, 1974
Notary Public in and for said County and State

811

STATE OF OREGON
County of Deschutes

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

the 27 day of Nov A.D. 1977

at 4:46 o'clock P. M. and recorded

in Book 182 on Page 373 Records **INDEX**

of Shaw

ROSEMARY PATTERSON
County Clerk

By Janice R. Sullivan Deputy