Return TO: David Blahnik GOGSSTElluride Ar Bend, DR 97702

DESCHUTES COUNTY OFFICIAL RECORDS NANCY BLANKENSHIP, COUNTY CLERK

\$46.00



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## AMENDMENT TO THE BYLAWS OF THE MOUNTAIN HIGH HOMEOWNERS ASSOCIATION

ARTICLE VIII: The title to Article VIII is amended to read Collection of Assessments and Schedule of Fines and is separated into two sections:

Section 1. Collection of Assessments: As provided in the Declaration, each member is obligated to pay to the Association the annual and special assessments which are secured by a continuing lien upon the property against which the assessments are made. Any assessments which are not paid when due shall be delinquent. If the assessments are not paid within thirty (30) days after the due date the assessment shall bear interest from the date of delinquency at the maximum legal rate per annum, and the Association may bring an action against the owner personally obligated to pay the same or file a lien against, the property and interest, costs, and reasonable attorney's fees of any such action shall be added to the amount of such assessment. No owner may waive or otherwise escape liability for the assessments provided for herein by non-use of the Common Areas or abandonment of his lot.

Section 2. Schedule of Fines: As provided in Article 5 of the Mt. High Covenants, Conditions and Restrictions and the Oregon Planned Community Act, the Board of Directors has the authority under ORS 94.630 (1) (A), (n) to levy fines pursuant to a schedule contained in the declaration or bylaws or an amendment to either that is delivered to each lot, mailed to the mailing address of each lot or mailed to the mailing addressed designated in writing by the owners; or on a resolution of the association or its board of directors that is delivered to each lot, mailed to the mailing addresses designated in writing by the owners.

The Board of Directors is charged with enforcing the Rules and Regulations and provisions of the Amended Declaration of Covenants, Conditions and Restrictions recorded on January 20, 1999 in Deschutes County, Oregon and the Bylaws of the Association recorded on October 25, 2004 in Deschutes County, Oregon. The Association has the authority pursuant to the Declaration and ORS 94.630(1) (e) to take legal action against non-complying unit owners.

The board shall levy no fine until written notice of the violation has been sent to the offending owner and until such person has had an opportunity to be heard before the Board or any committee that the board may appoint from time to time for such purpose and that all fines levied pursuant to this policy shall be deemed common expenses that are due and payable by the owner against whom such fines are assessed and unless timely paid, shall become a part of any lien that may be filed by the Association against the unit owned or occupied by such offending owner or occupant.

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## SCHEDULE OF FI NES Effective Date: February 1, 2006

Article 1: Use Restrictions	Violation / Fine
1.1 Disturbing the peace and tranquility of Mt. High	\$250 per incident
1.2 Prohibits commercial use of property	\$ 50 per day
1.3 No outside storage of firewood, building materials, etc.	\$ 10 per day
1. 4a No outside clothes line.	\$ 10 per day
1.14bInstallation of satellite dishes must be in	\$ 10 per day
compliance with Telecommunications Act of 1996	
1.5 Each lot must be maintained in a clean, attractive non-hazardous condition	.\$ 10 per day
1.6 Garage sales and yard sales prohibited. Estate sales w/board approval.	\$ 250 per incident
1.7 Timeshare or interval ownership prohibited	<b>\$1000</b> .
1.8 Transient rental use prohibited	<b>\$1500</b> .
1.9 Removal of living trees more than 2-1/2 inches d.b.h without approval	
Fine: \$500 for a tree between 2-3/4 and 5 inches d.b.h.	
Fine: \$1000 for a tree between 5-1/4 and 7-1/2 inches d.b.h.	
Fine: \$1500 for a tree larger than 7-3/4 inches d.b.h.	
1.10 Fires prohibited except in fireplaces, wood stoves or BBQ's	\$ 250 per incident
1.11 No Solicitation except as outlined in the Rules & Regulations	\$ 100 per incident
1.12 Exterior Contractor activity restricted to certain times and days	\$250 per day
1.12 Exterior Contractor activity restricted to contain third and approval of the ACLC	\$1500
1.13 No exterior remodering or building without approval of all the second section activity regulations must be observed	\$ 100 per day
1.15 This number not used	•
1.15a Failure to provide trash receptacle & portable toilets at construction site.	\$ 100 per day
1.15b Failure to store building materials within boundary of job site	\$ 100 per day
1.15c Miscellaneous Construction rules. Failure to abide	\$ 100 per day
1.16 Failure to comply with regulations covering: Exterior Paint;	• •
Roofs; Walls and Siding; and Driveways	\$1500
1.17 Dumping of trash within Mountain High prohibited	\$ 50 per incident
1.17 Dumping of trash within Mountain Tright promoted.  1.18 Vehicular ingress/egress over common areas prohibited w/o permission	\$ 500
1.19 Skateboarding and roller blading prohibited	\$ 10 per incident
1.19 Skateboarding and roller blading promoted	• •
1.20 This number not used	
Article 2 - Motorized Vehicle/Recreational Vehicles/Parking	
the state of the s	
2.1 Overnight parking of owner or occupant venicles in driveways prohibited. Vehicles must be garaged. Driveway parking temporary only.	\$ 10 per day
2.2 On street short term parking is permitted only for service vehicles or	\$ 10 per day
special events. Violation	<b>4</b> 10 pm <b>y</b>
2.3 Prohibits RV equipment parked, stored or used for overnight accommodations on any lot. 48 hours for cleaning & unloading allowed	\$ 50 per day
accommodations on any lot. 48 flours for cleaning & unloading anowed	φ 50 μοι σαγ
A-tiple 2. Date and Animals	
Article 3: Pets and Animals 3.1 Prohibits any animal except domestic household pets. Pets shall not	
3.1 Prohibits any animal except domestic nousehold pets. Pets shall not run loose or unattended. Dogs shall be leashed or under voice control.	
Owners are responsible for removing droppings without delay	\$ 50 per incident
Owners are responsible for removing droppings wanted dealy	F

Article 4: Uniform Sign Code

4.1 Owners shall comply with the Uniform Sign Code.....

\$ 50 per incident

**Article 5: Amendment** 

5.1 Rules & Regulations may be amended or repealed by a majority vote of the Board, subject to 30 day notice of proposed rule prior to adoption.

Article 6: Violations

6.1 The Board of Directors may impose fines upon members for rule violation; per Article 5, of the CC&R's and Section VIII of the Bylaws.

Effective date: February 1, 2006

## MOUNTAIN HIGH HOMEOWNERS ASSOCIATION BEND, OREGON

The Board of Directors on February 15, 2005 approved an amendment to the Bylaws in accordance with ORS 94.630 (1) (e), (1) (A), (n) and has caused the Bylaws to include a Schedule of Fines.

IN WITNESS WHEREOF, the undersigned President and Secretary of the Association certify that this Amendment to the Bylaws of the Mountain High Homeowners Association has been approved by a ballot vote of a majority of a quorum of unit owners present at the Annual Meeting of the Mountain High Homeowners Association held on January 15, 2006.

Dated this 30 day of Jahary, 2006  By   Cay   Value   By   Name: David Blahnik  Title: President   Title: Secretary
STATE OF OREGON } } §
On this day of January 2006, personally appeared before me Divide Black who being duly sworn, states the she is the President of MOUNTAIN HIGH HOMEOWNERS ASSOCIATION, an Oregon nonprofit corporation, and that the foregoing instrument was signed
and sealed on behalf of said corporation and he/she acknowledged said instrument to be the voluntary act and deed of said corporation.  OFFICIAL SEAL NEAL MARTIN NOTARY PUBLIC-OREGON COMMISSION NO. 396387 MY COMMISSION EXPIRES OCTOBER 30, 2009
STATE OF OREGON }
County 0.12 4000000000000000000000000000000000000

On this 27th day of the part of Mountain appeared before me David Blahrik who being duly sworn, states he she is the Secretary of MOUNTAIN HIGH HOMEOWNERS ASSOCIATION, an Oregon nonprofit corporation, and that the foregoing instrument was signed and sealed on behalf of said corporation and he/she acknowledged said instrument to be the voluntary act and deed of said corporation.

Notar Public for Oregon

OFFICIAL SEAL
KYLIE C REEKIE
NOTARY PUBLIC- OREGON
COMMISSION NO. 389177
MY COMMISSION EXPIRES JAN 31, 2009