

83-14721

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AMENDED
ARTICLES OF ASSOCIATION OF
OREGON WATER WONDERLAND PROPERTY OWNERS
UNIT #1

ARTICLE I
NAME AND PURPOSE

SECTION 1

This Association shall be called OREGON WATER WONDERLAND Property Owners Association, Unit #1. (Amended August 7, 1982)

SECTION 2

The purposes and objects of the Association shall be to provide for the operation, maintenance, repair, rebuilding or rehabilitation of roads, streets, and public ways and enforcement of covenants of Oregon Water Wonderland Unit I, Deschutes County, Oregon, for the benefit of members of the Association. (Amended August 20, 1983)

ARTICLE II
MEMBERSHIP

SECTION 1

All owners of a parcel of property within the above described 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

SECTION 1

The Board of Directors shall annually assess each lot in the subdivision its proportionate share of the costs for maintenance of said roads, streets, and public ways, and enforcement of covenants in said 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. 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. (Amended August 20, 1983)

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. 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 such 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 percent (5%) 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 one week before the designated period.

SECTION 3 - Quorum

At any regular or special meeting a quorum shall consist of Twenty Percent (20%) of the membership. (Amended August 7, 1982)

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 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 may be cast in person or by written ballot. (Amended August 20, 1983)

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 OFFICERSSECTION 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. One shall be elected for a three year term; two shall be elected for a two year term; and two shall be elected for a one year term. (Amended August 20, 1983)

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 enforcement of the covenants of the subdivision, including the right to incur the necessary expenses for insurance, bond premiums, rental of equipment, purchase of necessary materials and labor incident to such operation and maintenance. (Amended August 20, 1983)

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 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 membership thereon, and the position shall be deemed vacant. The Board shall appoint replacements to serve until the next annual Association meeting when a permanent replacement shall be elected to serve out the unexpired term. (Amended August 20, 1983)

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.

The Board may create advisory committees composed of individuals interested in one or more phases of the work 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 and all other officers 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. (Amended August 20, 1983)

3 -- AMENDED ARTICLES OF ASSOCIATION

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 these Articles of Association, or by the Board.

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 30 days after such submission to the membership; provided that in each case, votes of at least a majority of the members shall have been received. Action taken in this manner shall be as effective as action taken at a duly called meeting. (Amended August 20, 1983)

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.

ARTICLE VIII

AMENDMENTS

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

ARTICLE IX
RECORDING

SECTION 1

The Property Owners Association of Oregon Water Wonderland Property Owners Association, Unit I, at a duly called Property Owners Association meeting held at 1:00 p.m. on Saturday, August 27, 1983, at 55670 Big River Drive, Bend, Or. 97702, in Deschutes County, Oregon, with 85 lots represented by 20 lots in person and 65 lots of property owners being represented by proxies, such being a quorum of the property owners in Oregon Water Wonderland, Unit I, for holding said meeting and at such meeting the property owners amended Article I, Section 2, Article III, Section I, Article IV, Section I, VII, Article V, Section I, II, IV, VI, Article VI, Section I, Article IX Section I, of the Articles of Association of Oregon Water Wonderland Property Owners Association of Oregon Water Wonderland Unit I the property owners authorized and directed the President and Secretary of the Board of Directors to execute a copy of these Amended Articles of Association and record them in the office of Deschutes County Clerk's office to be in effect until modified, changed or terminated by a majority vote of the members voting as set forth herein.

DATED this 26th day of October, 1983.

OREGON WATER WONDERLAND UNIT I
PROPERTY OWNERS ASSOCIATION

Gail D. Hays
PRESIDENT

Arthur P. Lutz
SECRETARY

SUBSCRIBED AND SWORN TO before me this 26th day of October, 1983.

Mark L. Hennessey
Notary Public for Oregon
My Commission Expires: 9/1/88

OWW #1 POA
55579 S. Century Dr.
Blind, Or. 97702

STATE OF OREGON)
COUNTY OF DESCHUTES) SS.

I, MARY SUE PENHOLLOW, COUNTY CLERK AND
RECORDER OF CONVEYANCES, IN AND FOR SAID
COUNTY, DO HEREBY CERTIFY THAT THE WITHIN
INSTRUMENT WAS RECORDED THIS DAY:

1983 NOV -2 PM 12:40

MARY SUE PENHOLLOW
COUNTY CLERK

BY: *Peggy Samuel* DEPUTY
NO. 83-18721 REC 21
DESCHUTES COUNTY OFFICIAL RECORDS