

DESCHUTES COUNTY OFFICIAL RECORDS  
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2002-03430



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# DESCHUTES COUNTY CLERK

## CERTIFICATE PAGE



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**SECOND AMENDMENT TO AMENDED AND RESTATED DECLARATION**

**FOR**

**TENNIS VILLAGE TOWNHOUSES ASSOCIATION, INC.  
(an Oregon Condominium)**

This Amended Declaration, pursuant to the provisions of ORS 100.135 is made and executed in Lane County, Oregon, this 18<sup>th</sup> day of December, 2001, by **TENNIS VILLAGE TOWNHOUSES ASSOCIATION, INC.**, an Oregon nonprofit corporation.

**RECITALS**

- A. **TENNIS VILLAGE TOWNHOUSES ASSOCIATION, INC.** (the "Association"), is an Oregon nonprofit corporation.
- B. The members of the Association are members of a condominium project which was established pursuant to the following documents:
  - 1. Declaration Tennis Village Townhouses - Stage I (Recorded December 13, 1976, in Volume 242, Page 158, Official Records, Deschutes County, Oregon);
  - 2. Annexation and Supplemental Declaration, Tennis Village Townhouses - Stage II (Recorded April 27, 1977, in Volume 249, Page 335, Official Records, Deschutes County, Oregon);
  - 3. Annexation and Supplemental Declaration, Tennis Village Townhouses - Stage III (Recorded November 11, 1977, in Volume 262, Page 452, Official Records, Deschutes County, Oregon);
  - 4. As amended by instrument dated October 28, 1985, Document No. 58-28282; and
  - 5. An Amended and Restated Declaration recorded on November 18, 1986, at Book 136, page 2346, Deschutes County Official Records, as further amended by instrument recorded June 22, 1994, at Book 343, page 1380, Deschutes County Official Records (together the "Amended Declaration").
- C. The members of the Association have voted to amend the Amended Declaration as provided herein by a vote of 100% of the membership of the Association.

**THEREFORE**, the Association, on behalf of its Unit Owners, hereby amends the Amended Declaration as follows:

1. **New Section.** The following Section 17 is hereby added to the Amended Declaration:

“17. **Voting Rights of the Unit Owners.** Each Unit Owner shall be entitled to one vote per Unit owned by such Unit Owner; provided, however, if any one Owner, or any group of Owners directly or indirectly related, or affiliated, or in common control with one another (collectively an “Acquiring Person” or “Acquiring Group” as the case may be) attains the ownership of a total of five or more Units, then such Acquiring Person and/or Acquiring Group shall only be entitled to vote a maximum of five votes at any vote of Unit Owners, notwithstanding the ownership of more than five Units, unless a majority of non-interested Unit Owners elect to restore the voting rights of the Acquiring Person or Acquiring Group to one vote per Unit.”

2. **Defined Terms.** Except as otherwise defined herein, the terms used in this Second Amendment to the Amended Declaration (the “Second Amendment”) shall have the respective meanings assigned to such terms in the Amended Declaration.

3. **Ratification of Declaration.** Except as expressly amended hereby, all terms, covenants and conditions of the Amended Declaration shall remain in full force and effect, and the members of **TENNIS VILLAGE TOWNHOUSES ASSOCIATION, INC.** to expressly ratify and confirm the Declaration as amended hereby. All future references to the Amended Declaration shall be deemed to refer to the Amended Declaration as amended hereby.

4. **Effective Date.** This Second Amendment shall take effect upon recording.

Executed by the duly authorized representatives of the Association this 10<sup>th</sup> day of December, 2001.

**TENNIS VILLAGE TOWNHOUSES  
ASSOCIATION, INC., an Oregon  
nonprofit corporation**

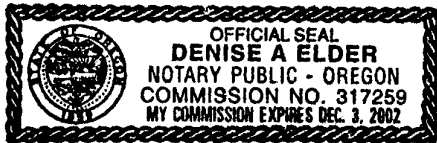
By: Larry Brabham  
**LARRY BRABHAM, President and  
Chairman**

By: James W. Hoffman  
**JAMES W. HOFFMAN, Secretary**

STATE OF OREGON                     )  
   ) ss.  
County of Lane                     )

The above signed, **LARRY BRABHAM**, certifies that the above was adopted in accordance with the Amended Declaration of the said Association and the provisions of ORS 100.135.

The foregoing instrument was acknowledged before me this 18th day of December, 2001, by **LARRY BRABHAM**, as President and Chairman of **TENNIS VILLAGE TOWNHOUSES ASSOCIATION, INC.**, an Oregon nonprofit corporation.

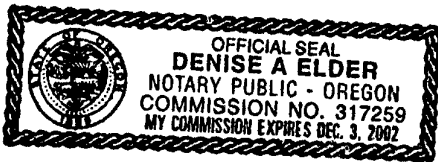


Denise A. Elder  
NOTARY PUBLIC FOR OREGON

STATE OF OREGON                     )  
   ) ss.  
County of Lane                     )

The above signed, **JAMES W. HOFFMAN**, certifies that the above was adopted in accordance with the Amended Declaration of the said Association and the provisions of ORS 100.135.

The foregoing instrument was acknowledged before me this 18th day of December, 2001, by **JAMES W. HOFFMAN**, as Secretary of **TENNIS VILLAGE TOWNHOUSES ASSOCIATION, INC.**, an Oregon nonprofit corporation.



Denise A. Elder  
NOTARY PUBLIC FOR OREGON

The foregoing Second Amendment to the Amended and Restated Declaration is approved pursuant to ORS 100.135, this 4th day of January, 2002, and in accordance with ORS 100.110 (7), this approval shall automatically expire if this Declaration is not recorded within two (2) years from this date.

SCOTT E. TAYLOR  
REAL ESTATE COMMISSIONER

By: Brian DeMargo  
Brian DeMargo

The foregoing Second Amendment is approved pursuant to ORS 100.110 and  
ORS 100.135, this 9 day of January, 2002.

**DESCHUTES COUNTY TAX  
ASSESSOR**

By: 

Its: \_\_\_\_\_