

WHEN RECORDED, RETURN TO:

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Washington County, Oregon **2019-078271**
D-R/BYAM
Stn=7 C LOUCKS **10/31/2019 01:57:51 PM**
\$20.00 \$11.00 \$5.00 \$60.00 **\$96.00**

I, Richard Hobernicht, Director of Assessment and Taxation and Ex-Officio County Clerk for Washington County, Oregon, do hereby certify that the within instrument of writing was received and recorded in the book of records of said county.

Richard Hobernicht, Director of
Assessment and Taxation, Ex-Officio

GRANTOR: Westbrook Homeowners
Association

GRANTEE: Public

**2019 AMENDMENT
TO
AMENDED AND RESTATED
BYLAWS OF WESTBROOK
HOMEOWNERS ASSOCIATION**

This 2019 Amendment to Amended and Restated Bylaws of Westbrook Homeowners Association, is made by the Westbrook Homeowners Association, an Oregon nonprofit corporation (the "**Association**").

RECITALS

- A. Westbrook (the "**Planned Community**") is a Planned Community, located in Washington County, Oregon. The Planned Community was created and is governed by the following documents, in the records of Washington County, Oregon:
1. *Amended and Restated Covenants, Conditions, and Restrictions for Westbrook Nos. 1-7*, recorded on September 5, 1989 as document no. 89-41838 ("**Declaration**").
 2. *Amended and Restated Bylaws of Westbrook Homeowners Association*, recorded on July 6, 2012 as document no. 2012-054990 in the records of Washington County, Oregon ("**Bylaws**").
 3. Plat of *Westbrook*, recorded on October 4, 1967 in Reel 25, Page 42, including all supplemental plats of Westbrook phases 2-7.
- B. The Association is the Westbrook Homeowners Association, an Oregon nonprofit corporation, formed pursuant to the Declaration, Bylaws and Articles of Incorporation filed September 11, 1967, in the office of the Oregon Secretary of State, Corporation Division.

- C. Under ORS 94.625 and Article XV, Section 1 of the Bylaws, the Association and the owners may adopt amendments to the Bylaws.
- D. The owners and the Association wish to amend provisions of the Bylaws as provided below.

AMENDMENT

NOW, THEREFORE, pursuant to Article XV, Section 1 and ORS 94.625, the Association hereby amends the Bylaws in the manner set forth below:

I. A new Section 1 of Article X is added to the Bylaws containing the following language:

Section 1. Budget and Assessments.

(a) Budget Adoption. At least 60 days before the end of each fiscal year, the Board of Directors shall adopt a budget setting forth all the anticipated common expenses of the Association for the following fiscal year based on amounts authorized by the Board or the membership under Article V of the Declaration. The Board shall distribute a copy of the budget to all owners.

(b) Objection to Budget Items and Re-Adoption. The budget adopted by the Board is subject to objection by the Membership. Objection to the budget may be accomplished only as follows:

(1) If, thirty (30) days before the end of the fiscal year, at least 25% of all Members petition the Board to call a meeting to consider the budget at a meeting of the Members, the Secretary shall call a special meeting of the Members by sending a notice to all Members no less than ten (10) nor more than fifty (50) days in advance of the meeting. Any such petition must describe with particularity the specific budget items that the petitioning owners are objecting to.

(2) At the special meeting, if a majority of Members entitled to vote in person or by proxy vote to object to items in the budget, the Board shall reconvene to amend the budget, with due consideration to any objections raised by the owners. The Board shall notify the owners showing the amendments to the budget.

(3) If no petition is received 30 days before the end of the fiscal year, the budget shall be conclusively presumed valid for the following year.

(4) If the Board fails to adopt a new budget, the budget for the preceding year shall remain in effect for the following fiscal year.

(c) Assessments. Assessments as determined by the budget adopted by the Board of Directors pursuant to the Covenants and subsections (a) and (b) above are due and payable in advance on the first day of each month. Payment may be made by check, mailed or may be deposited at the Clubhouse mailbox, or by ACH (Automatic Clearinghouse). No assessment payments may be made by a cash payment. Owners making any payments for a period more than thirty (30) days in advance should designate the month covered. Notwithstanding any such designation, however, payments made to the Association, in the discretion of the Board of Directors, may be applied first to outstanding interest, fines, penalties or late fees with respect to such Owner's Lot, and next to the most delinquent past due assessment.

II. Except as otherwise indicated, all other provisions of the Bylaws remain unchanged.

**WESTBROOK HOMEOWNERS
ASSOCIATION**, an Oregon nonprofit corporation

By: James R. Currier
James Currier, President

By: Judith L. Fallon
Judith Fallon, Secretary

CERTIFICATION

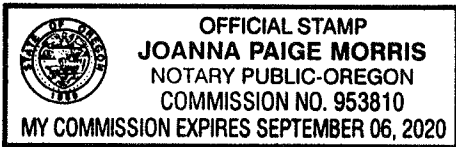
The undersigned President and Secretary of the Westbrook Homeowners Association hereby certify that the within 2019 Amendment to Amended and Restated Bylaws of Westbrook Homeowners Association, has been approved in accordance with Article XV, Section 1 of the Bylaws and the provisions of ORS 94.625.

James R. Currier
James Currier, President

Judith L. Fallon
Judith Fallon, Secretary

STATE OF OREGON)
County of Washington) ss

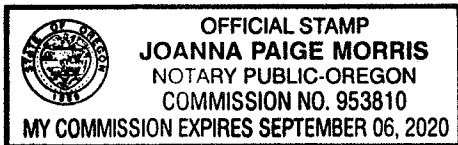
The foregoing instrument was acknowledged before me on the 31st day of October, 2019 by James Currier, President of the Westbrook Homeowners Association, on its behalf.



Joanna Morris
Notary Public for Oregon
My Commission Expires: 9/6/20

STATE OF OREGON)
County of Washington) ss

The foregoing instrument was acknowledged before me on the 31st day of October, 2019 by Judith Fallon, Secretary of the Westbrook Homeowners Association, on its behalf.



Joanna Morris
Notary Public for Oregon
My Commission Expires: 9/6/20