

ARBOR VILLAGE HOMEOWNERS ASSOCIATION

ADMINISTRATIVE RESOLUTION NUMBER 10 – CLARIFICATION OF ASSESSMENT FOR CARRIAGE COLLECTIONS LOTS 186, 207, 208, 211, 212 & 402

WHEREAS, Article VII, of the Bylaws of Arbor Village Homeowners Association, provide for the management of the affairs of the Arbor Village Homeowners Association, a nonprofit corporation formed under the laws of the State of Oregon;

WHEREAS, Article X, Assessments, of the Bylaws of Arbor Village provide that each Member is obligated to pay to the Association annual and special assessments;

WHEREAS, the Board of Directors has the responsibility and authority to collect funds owed to the Association based on the Declaration and Bylaws for the Arbor Village Homeowners Association and the Oregon Planned Community Act ORS 94.550-94.785 or the lien law, ORS 87.352-87.382 and foreclosure of lien per ORS Chapter 88;

WHEREAS, Article VII, Section 7.1 Powers and Duties, of the Bylaws, assigns the Board of Directors all of the powers and duties necessary for the administration of the affairs of the Association;

WHEREAS, the Amendment to the Declaration of Arbor Village; recorded as Arbor Village No.2 outlines the Covenants, Conditions and Restrictions and Homeowners Association Provisions and Fees and the Creation of the “Carriage Collection;”

WHEREAS, Lots 1-13, 98-118, 172-211 and 212-252 are declared an area of special concern which shall, in addition to the privileges and obligations heretofore established for all property in Arbor Village in the original and amended “Declaration”, to be subject to privileges and obligations unique to said lots 1-13, 98-118, 172-211 and 213- 252. In addition lots 211 and 252 are subject to partitioning to create approximately 5 additional home sites in the future and the additional homesites shall become a part of and subject to all relevant Homeowners Association Provisions and Covenants, Conditions and Regulations (including, if appropriate the herein established Carriage Collection term;) those “unique” privileges and obligations create the “Carriage Collection” homes and lots and are as follows:

ALL front yards and side yards facing any street shall be subject to a landscape installation and maintenance easement over their entirety. Declarant shall install landscaping, street trees, and irrigation system(s) with water meter(s) dedicated solely to the irrigation of the herein created front and side yards facing any street landscaping. The herein identified landscaping improvements shall be maintained by the Arbor Village Homeowners Association pursuant to a separate source and application of funds accounting system.

Declarant hereby declares that in addition to the general Arbor Village Homeowner Association annual fee for each lot within the Arbor Village development, owners of lots 1-13, 98-118, 172-211 and 213-252 inclusive shall pay an annual Carriage Collection landscape maintenance fee. This additional Carriage Collection landscape maintenance fee shall be subject to the same regulations as the Homeowners Association standard fee with the exception that it shall be managed and expended solely for the maintenance of the front and side yards improvements on the Carriage Collection lots.

WHEREAS, Lot 212 (located on NW Scottson Terrace) is designated as a location for apartments and it shall be exempt from all Covenants, Conditions, Restrictions and Homeowners Association Provisions.

WHEREAS, Lot 186, located on the corner of NW Maplecrest Way and NW Bellingham Ct, was never developed and is now considered part of the tracts dedicated to the Homeowners Association.

WHEREAS, Lot 207 (12982 NW Maplecrest Way) and Lot 208 (12970 NW Maplecrest Way) are part of the Carriage Collection maintenance easement and have been having their landscaping maintained by the Arbor Village Homeowner Association. However, due to an error in accounting these lots were not in the past assessed as Carriage Collection lots.

NOW, THEREFORE, BE IT RESOLVED THAT:

Effective with the July 1, 2009 Carriage Collection assessment, and in accordance with the Declaration and Bylaws of the Arbor Village Homeowners Association lots 207 and 208 will now and in the future be subject to any and all Carriage Collection assessments levied.

WHEREAS, Lot 211 (13028 NW Scottson Terrance) and Lot 402 (13020 NW Scottson Terrace) are listed in the Bylaws and Declaration of Arbor Village Homeowner Association as part of the Carriage Collection, however the Declarant failed to exercise the maintenance easement, thus these lots have not had in the past nor shall in the future have their landscaping maintained by the Association.

NOW THEREFORE, BE IT RESOLVED THAT:

Lots 211 & 402 are not currently nor shall be in the future subject to any Carriage Collection Assessments, nor shall they receive any landscape maintenance or irrigation as outlined in the Declaration as a “unique” privilege for those lots that are defined as Carriage Collection homes.

Recorded in the Book of Resolutions: 2009.

ATTEST:

Date

Chairperson, Board of Directors