

Awbrey Glen Homeowner's Association Resolution 2008-1

**AWBREY GLEN HOMEOWNER'S ASSOCIATION
Resolution of The Board of Directors
Interpreting Section 1 of the Supplemental Declaration for Awbrey Glen (Champion
Ridge)**

WHEREAS, "Declaration" is the *Declaration of Covenants, Conditions, and Restrictions for Awbrey Glen*; first recorded as document number 92-25570 in the Deschutes County records, and subsequently additional property known as Champion Ridge was annexed and made subject to the Declaration by the Supplemental Declaration for Awbrey Glen, recorded as document number 93-24943 in the Deschutes County records;

WHEREAS, Section 1 of the Supplemental Declaration for Awbrey Glen (Champion Ridge) requires that "Each Living Unit shall have a floor area of not less than 1,600 square feet nor more than 2,400 square feet unless otherwise approved by Declarant, not including decks or garage areas."

WHEREAS, Article 1, Section 1.12 of the Declaration defines Living Unit to mean a building designated for separate residential occupancy but the term "floor area" is undefined in the Declaration;

WHEREAS, the declarant did not expressly waive the square footage limitations in Champion Ridge;

WHEREAS the Board finds it helpful to reference the definitions in the Bend Development Code, Chapter 10-10, Chapter 1.2 (Definitions) defines Floor area as the area included in surrounding walls of a building or portion thereof, exclusive of vent shafts and courts. The code makes specific reference to Building footprint as part of the definition of Floor Area and defines that term to mean the outline of a building, as measured around its foundation.

NOW, BE IT RESOLVED, that the Board interprets the phrase "floor area" contained in Section 1, of the Supplemental Declaration for Awbrey Glen (Champion Ridge), as follows:

- A. "Floor Area" consists of the sum of the gross horizontal areas of all floors of the Living Unit, measured from the exterior faces of the exterior walls of the building(s), and all other enclosed volumes that could be utilized as floor area. Excluded from "Floor Area" are garages, decks or other similar structures for accessory uses.
- B. In determining the floor area of existing buildings, the footprint shall be taken into account and no improvement or use of any unfinished or partially finished areas within the existing footprint shall be interpreted as extending or adding to the floor area as built and previously approved. Footprint is the area outlined by the foundation of the building on which a stem wall rests. The footprint does not include areas below exterior decking even if enclosed by skirting. Nothing in this interpretation shall be construed to permit changes in the roofline or other additions or alterations that would add to the gross horizontal areas within the existing structure.
- C. Nothing in this interpretation of "floor area" vacates, diminishes or otherwise restricts the discretion of the Architectural Review Committee in considering whether to approve or deny a proposed improvement. Nor does this interpretation amend or in any way alter the obligations of owners in the governing documents to submit plans to the Architectural Control Committee for review or to strictly comply with such plans if approved.

ATTEST:

CAB

President, Board of Directors
Awbrey Glen Homeowner's Association

RS

Secretary
Awbrey Glen Homeowner's Association

Date: 4/13/2008

Awbrey Glen Homeowner's Association Resolution 2008-2

**AWBREY GLEN HOMEOWNER'S ASSOCIATION
Resolution of The Board of Directors
Interpreting Section 1 of the Supplemental Declaration for Awbrey Glen (Pine Canyon)**

WHEREAS, "Declaration" is the *Declaration of Covenants, Conditions, and Restrictions for Awbrey Glen*; first recorded as document number 92-25570 in the Deschutes County records, and subsequently additional property known as Pine Canyon was annexed and made subject to the Declaration by the Supplemental Declaration for Awbrey Glen, recorded as document number 96-10269 in the Deschutes County records;

WHEREAS, Section 1 of the Supplemental Declaration for Awbrey Glen (Pine Canyon) requires that "Each Living Unit shall have a floor area of not less than 1,800 square feet nor more than 2,600 square feet unless otherwise approved by Declarant, not including decks or garage areas"

WHEREAS, Article 1, Section 1.12 of the Declaration defines Living Unit to mean a building designated for separate residential occupancy but the term "floor area" is undefined in the Declaration;

WHEREAS, the declarant did not expressly waive the square footage limitations in Pine Canyon;

WHEREAS the Board finds it helpful to reference the definitions in the Bend Development Code, Chapter 10-10, Chapter 1.2 (Definitions) defines Floor area as the area included in surrounding walls of a building or portion thereof, exclusive of vent shafts and courts. The code makes specific reference to Building footprint as part of the definition of Floor Area and defines that term to mean the outline of a building, as measured around its foundation.

NOW, BE IT RESOLVED, that the Board interprets the phrase "floor area" contained in Section 1, of the Supplemental Declaration for Awbrey Glen (Pine Canyon), as follows:

- A. "Floor Area" consists of the sum of the gross horizontal areas of all floors of the Living Unit, measured from the exterior faces of the exterior walls of the building(s), and all other enclosed volumes that could be utilized as floor area. Excluded from "Floor Area" are garages, decks or other similar structures for accessory uses.
- B. In determining the floor area of existing buildings, the footprint shall be taken into account and no improvement or use of any unfinished or partially finished areas within the existing footprint shall be interpreted as extending or adding to the floor area as built and previously approved. Footprint is the area outlined by the foundation of the building on which a stem wall rests. The footprint does not include areas below exterior decking even if enclosed by skirting. Nothing in this interpretation shall be construed to permit changes in the roofline or other additions or alterations that would add to the gross horizontal areas within the existing structure.
- C. Nothing in this interpretation of "floor area" vacates, diminishes or otherwise restricts the discretion of the Architectural Review Committee in considering whether to approve or deny a proposed improvement. Nor does this interpretation amend or in any way alter the obligations of owners in the governing documents to submit plans to the Architectural Control Committee for review or to strictly comply with such plans if approved.

ATTEST:

QAB

President, Board of Directors
Awbrey Glen Homeowner's Association

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Secretary
Awbrey Glen Homeowner's Association

Date: 4/13/2008

Awbrey Glen Homeowner's Association Resolution 2009-1

AWBREY GLEN HOMEOWNER'S ASSOCIATION, INC.

Resolution of The Board of Directors

Election of The Board of Directors

WHEREAS, "Declaration" is the *Declaration of Covenants, Conditions, and Restrictions for Awbrey Glen*, "Bylaws" is *Bylaws of Awbrey Glen Homeowner's Association, Inc.*, "Act" is the *Oregon Planned Community Act, ORS 94.550 - 94.783* and "Association" is *Awbrey Glen Homeowner's Association, Inc.*;

WHEREAS, Article 8, Section 8.8 of the Declaration and Article V, Section 3 of the Bylaws requires the members of the Association to elect Directors;

WHEREAS, Article IV, Section 8 of the Bylaws allows members of the Association to vote by mail to elect Directors;

WHEREAS, First Amendment of the Bylaws (June 18, 2003) established the numbers of Directors at five, the period of office to be four years and that no more than three new members are elected in any one-year period.

NOW, THEREFORE, IT IS RESOLVED, that pursuant to the authority of the Association as set forth in Article 8, Sections 8.8 of the Declaration, Article IV, Section 8, Article V, Section 3 of the Bylaws and the First Amendment of the Bylaws the following be adopted to provide for the election of Directors.

1. The election of Directors shall take place prior to the annual meeting, which is normally held in June of each year. The notice of the date of the election shall be sent to all homeowners at least 60 days prior to the election.

2. The Board may, but is not required to, appoint a Nominating Committee to recruit and appoint qualified candidates to run for election to the Board. The committee shall be composed of at least three members of the Association. The Chairman of the Nominating Committee shall be a Director that is not up for election. A member of the Nominating Committee may not be a candidate for election while serving on the Nominating Committee.

3. The Nominating Committee (if used) shall be appointed at least 60 days prior to the scheduled election date and shall provide their candidate list to the Board at least 45 days prior to the election. The list of candidates presented to the Board shall equal the number of vacancies on the Board.

4. The Board must approve the candidate list before placing the names on the ballot. If the Board does not approve a candidate, the Nominating Committee shall submit additional names as necessary.

5. In addition to those persons solicited by the Nominating Committee, or if the Board chooses not to use a Nominating Committee, any member of the association may request to be included on the ballot. The notice of election shall contain instructions and the schedule for individuals wishing to run for the Board.

6. All candidates for election will submit experience and biographical information as requested by the Board at least 30 days prior to the election.

7. Ballots shall be distributed to all members of the association at least 15 days prior to the election date.

8. An independent accounting firm, selected by the Board, shall collect the ballots and notify the Board of the results. Ballots that are received after the closing date shall not be counted.

9. The elected candidates shall be notified, meet with the Board before the annual meeting, and shall be introduced at the annual meeting. At this meeting, officers of the Board shall also be elected.

NOW, BE IT FURTHER RESOLVED, a copy of this resolution shall be sent to all Owners at their last known address.

ATTEST:

JAB

President, Board of Directors
Awbrey Glen Homeowner's Association, Inc.

ZS

Secretary, Board of Directors
Awbrey Glen Homeowner's Association, Inc.

Date: 1/14/09

Resolution 2009-2

AWBREY GLEN HOMEOWNERS ASSOCIATION, INC.

Resolution of the Board of Directors

COLLECTION OF UNPAID CHARGES

WHEREAS, "Declaration" is the *Declaration of Covenants, Conditions, and Restrictions for Awbrey Glen*, "Bylaws" is *Bylaws of Awbrey Glen Homeowners Association, Inc.*, "Act" is the *Oregon Planned Community Act*, ORS 94.550 – 94.783 and "Association" is *Awbrey Glen Homeowners Association, Inc.*;

WHEREAS, "assessments," as used in this Resolution, includes all amounts validly assessed against a Lot or Homesite Owner ("Owner") pursuant to the Declaration, the Association's Bylaws, Rules and Regulations, and any Board of Directors ("Board") Resolutions, including, but not limited to common expenses, interest, fees, fines, attorney fees and all collection costs;

WHEREAS, Article 8, Section 8.10 of the Declaration and Article XIV of the Bylaws allow the Association to adopt rules and enforce compliance with the Declaration, Bylaws, and administrative rules and regulations;

WHEREAS, Article 11, Section 11.1 of the Declaration and ORS 94.630(1)(n) authorize the Board to establish late charges and fines;

WHEREAS, Article 10, Section 10.7 of the Declaration provides that all assessments, together with interest, attorney fees and costs of collection shall be a continuing lien upon the homesite against which each such assessment is made;

WHEREAS, Article 11, Section 11.3(b) and (c) of the Declaration authorizes the Board, on behalf of the Association, to bring suit to foreclose the lien against the homesite and/or to bring an action to obtain a money judgment against an Owner for damages and/or for unpaid assessments;

WHEREAS, Article 11, Section 11.6 of the Declaration provides that Owners shall be obligated to pay reasonable fees and costs including, but not limited to, attorney fees incurred in connection with efforts to collect delinquent and unpaid assessments, to enforce the provisions of the Declaration, Bylaws, rules and regulations or the Act;

WHEREAS, assessments are currently due and payable annually in advance on the first day of every calendar year. Optional payment plans for monthly, quarterly or semi-annually are provided with rebilling fees applied and stated at the Owners request.

WHEREAS, from time to time Owners become delinquent in the payments of their assessments and fail to respond to the demands from the Board to bring their accounts current, and it is imperative assessment payments are timely received;

WHEREAS, pursuant to Article 11, Section 11.6 of the Declaration interest at the rate of 12% per annum on all unpaid charges shall accrue;

WHEREAS, the Board deems it in the Association's best interest to adopt a uniform and systematic procedure for the collection of unpaid assessments in a timely manner, and further believes it to be in the Association's best interest to refer these accounts promptly to an attorney for collection so as to minimize the Association's loss of assessment revenue.

NOW, THEREFORE, IT IS RESOLVED, that pursuant to the authority of the Association as set forth in Article 11, Sections 11.3 and 11.6 of the Declaration and ORS 94.630(1)(n), there is hereby levied a late fee against any assessment account for any assessment which is not paid in full within thirty (30) days of the date such assessment is due; and such late fee shall be twenty-five dollars (\$25.00) per month on any delinquent amount due.

NOW, BE IT FURTHER RESOLVED, that the following steps be adopted to provide for the uniform and systematic procedure for the collection of unpaid assessments:

1. All assessments shall accrue interest at the rate of twelve percent (12%) from the date such assessment is first due.
2. If any assessment remains unpaid by an Owner for more than thirty (30) days from the due date for its payment, the Board or Agent directed by the Board shall send a notice to the Owner indicating the amount due, including notice of the late fees and interest, and demand for immediate payment thereof.
3. If any assessment remains unpaid by the Owner for more than sixty (60) days from the due date for its payment, the Board or Agent directed by the Board, shall begin the collection process by: (a) sending a written demand for payment; (b) prepare and record a lien against the Owner's homesite; (c) notify the Owner within twenty (20) days of recording that the lien has been recorded; and (d) may notify any first mortgage or trust deed holder of the Owner's default, if applicable. The lien amount shall include all collection costs to date, including any fees and/or costs of preparing and/or recording the lien, any notice of lien required by law, and any notice to a first mortgage holder, if applicable. The demand for payment shall notify the Owner of the Owner's liability for payment of charges imposed by to cover fees and costs associated with all collection efforts. The demand for payment shall include all collection costs to date. The Board can turn over the process and/or collection of this debt to the Association's Attorney any time during this process.

4. If any assessment remains unpaid by the Owner thirty (30) days after the date of the demand, Board, Homeowner Association Manager, or Association's Attorney shall send Owner a ten (10) day demand letter for payment notifying the Owner that if full payment is not received within ten (10) days of the date of the letter the Association intends to file suit to either obtain a money judgment or foreclose on the lien. The demand shall include the updated amount owing, including all collection costs to date.

5. If any assessment remains unpaid by the Owner ten (10) days after the ten-day demand letter/notice of intent to file suit, the Association's Attorney shall file suit for a money judgment, unless the Board, after recommendation by Attorney, determines that lien foreclosure is advisable under the circumstances. In such cases, the Attorney may file a lawsuit for a money judgment, for foreclosure, or for both a money judgment and foreclosure, as permitted by applicable law.

6. If the Association is successful in obtaining a money judgment, the Association's Attorney shall collect on the judgment by any means provided by law.

NOW, BE IT FURTHER RESOLVED, that all legal fees and costs incurred in the collection of a delinquent account shall be assessed against the delinquent Owner and shall be collected as an assessment as provided in the Bylaws, Declaration and the Act.

NOW, BE IT FURTHER RESOLVED that neither the Board nor any of its agents shall discuss the collection of the account directly with the Owner after it has been turned over to Attorney, unless one of the Attorneys is present or has consented to the contact and/or contract.

NOW, BE IT FURTHER RESOLVED, that Attorney shall have the discretion to enter into an installment payment plan with a delinquent Owner in appropriate circumstances. Any payment plan providing for a down payment of less than the greater of one-third (1/3) of the delinquent balance or twice the current monthly assessment, or a duration in excess of twelve (12) months shall require approval of the Board president.

NOW, BE IT FURTHER RESOLVED, that Attorney, in its initial demand notice shall communicate to Owner that the account has been turned over to it for collection, and that all payments are to be made to Attorney until the account has been brought current.

NOW, BE IT FURTHER RESOLVED, that nothing in this Resolution precludes the Board from taking further action in the collection of unpaid assessments permitted by the Association's governing documents or applicable law, including, but not limited to, adopting or enforcing rules regarding the termination of utility services paid for out of assessments of the association and access to and use of recreational and service facilities available to Owners and, after giving notice and an opportunity to be heard, terminate the rights of any Owners to receive such benefits or services until the correction of any violation covered by such rule has occurred.

(1/3) of the delinquent balance or twice the current monthly assessment, or a duration in excess of twelve (12) months shall require approval of the Board president.

NOW, BE IT FURTHER RESOLVED, that Attorney, in its initial demand notice, shall communicate to Owner that the account has been turned over to it for collection, and that all payments are to be made to Attorney until the account has been brought current. The Association hereby grants to Attorney its limited power of attorney to endorse for deposit checks made payable to the Association (or its agent management company, if any) in satisfaction of accounts sent to Attorney for collection. Attorney shall deposit all payments in its trust account. All amounts collected shall be disbursed by Attorney according to the provisions of the Association and Attorney representation agreement.

NOW, BE IT FURTHER RESOLVED, that nothing in this Resolution precludes the Board from taking further action in the collection of unpaid assessments permitted by the Association's governing documents or applicable law, including, but not limited to, adopting or enforcing rules regarding the termination of utility services paid for out of assessments of the association and access to and use of recreational and service facilities available to Owners and, after giving notice and an opportunity to be heard, terminate the rights of any Owners to receive such benefits or services until the correction of any violation covered by such rule has occurred.

NOW, BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to all Owners at their last known address.

ATTEST:


President, Board of Directors
Awbrey Glen Homeowners Association, Inc.


Secretary, Board of Directors
Awbrey Glen Homeowners Association, Inc.

Date: June 22, 2008

Resolution 2009-4

AWBREY GLEN HOMEOWNER'S ASSOCIATION, INC.

Resolution of The Board of Directors

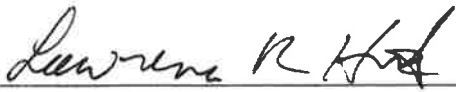
Investment Policy

WHEREAS, Oregon Revised Statute 94.670 (2) requires all assessments to be deposited in the name of the Association in a separate federally insured account at a financial institution.

WHEREAS, Oregon Revised Statute 94.595 (7) requires prudent investment of reserve account funds.

BE IT RESOLVED that the replacement reserves and operating funds shall be invested in such amounts as may be authorized by the Board of Directors in accord with the following policy.

- A. No funds shall be deposited or invested except in authorized investments. Authorized investments are those that are in accordance with the Oregon Planned Community Act and with the declaration and bylaws of the Awbrey Glen Homeowners Association.
- B. All accounts, instruments, and other documentation of such investments shall be subject to the approval of, and may from time to time be amended by, the Board of Directors as appropriate, and they shall be reviewed at least annually.
- C. The Board of Directors shall appoint at least one director (normally the Treasurer), annually to serve as the agent of the Board on all investment accounts.
- D. Investments shall be guided by the following goals, listed in decreasing order of importance:
 1. Safety of principal. The long-term goal is safety of the replacement reserves.
 2. Liquidity and accessibility. Funds should be readily available for projected or unexpected expenditures.
 3. Minimal costs. Investment costs (redemption fees, commissions, and other transaction costs) should be minimized.
 4. Professional management. Funds should be invested with professional managers who have good reputations and sound credentials.
 5. Return. Funds should be invested to seek the highest level of return that is consistent with preservation of the purchasing power of the principle and accumulated interest.


Board of Directors
Awbrey Glen Homeowners Association

12/15/09

Awbrey Glen Homeowner's Association Resolution 2010-1

AWBREY GLEN HOMEOWNER'S ASSOCIATION (AGHOA), INC.

Resolution of the Board of Directors

Posting of Material on AGHOA Bulletin Boards

WHEREAS, "Declaration" is the *Declaration of Covenants, Conditions, and Restrictions for Awbrey Glen*, "Bylaws" is *Bylaws of Awbrey Glen Homeowner's Association, Inc.*, "Act" is the *Oregon Planned Community Act, ORS 94.550 - 94.783* and "Association" is *Awbrey Glen Homeowner's Association, Inc.*;

NOW, THEREFORE, IT IS RESOLVED, that pursuant to the authority of the Association, as set forth in Article 8, Sections 8.10 of the Declaration and Article XIV of the Bylaws the following be adopted to provide guidance for posting material on Association bulletin boards.

1. Items must be dated and a valid contact point (telephone number, email, postal address, etc.) must be included.
2. Items will be allowed to remain on the bulletin board for 14 days after posting.
3. Items should be of general interest to the Association members, such as:
 - a. Vendor providing a service to homeowners.
 - b. Homeowner has lost an item and is looking for help locating.
 - c. Homeowner looking for a vendor.
 - d. Notice of an upcoming community event.
 - e. Homeowner has property for sale.
4. Items should not be personal in nature.
5. Items should not be political, controversial, or offensive in nature.
6. The management company shall be the sole determining authority for approving the postings. Should they deem a posting to be inappropriate, they will:
 - a. Immediately remove the posting.
 - b. Notify the poster the item was removed.
 - c. Indicate why the item was removed.
7. Should the poster continue to post items that are deemed inappropriate, action may be taken under Article 11.1 of the Awbrey Glen Homeowners Association Declaration of Covenants, Conditions, and Restrictions. Should the poster be a vendor, they may be restricted from using any posting service provided on Awbrey Glen Homeowners Association property.

NOW, BE IT FURTHER RESOLVED, a copy of this resolution shall be sent to all Owners at their last known address.

ATTEST:



President, Board of Directors
Awbrey Glen Homeowner's Association, Inc.



Secretary, Board of Directors
Awbrey Glen Homeowner's Association, Inc.

Date: 5/18/2010

Awbrey Glen Homeowner's Association Resolution 2010-2

AWBREY GLEN HOMEOWNER'S ASSOCIATION (AGHOA), INC.

Resolution of The Board of Directors

WHEREAS, Awbrey Glen Homeowner's Association, Inc. is governed by the Declaration of Covenants, Conditions, and Restrictions for Awbrey Glen (the "Declaration"), and the Bylaws of Awbrey Glen Homeowner's Association, Inc., (the "Bylaws"), and the Oregon Planned Community Act, ORS 94.550 - 94.783; and

WHEREAS, Article 8, Section 8.10 of the Declaration and Article XIV of the Bylaws allows the Association to adopt, modify, or revoke such rules and regulations governing the conduct of persons and the operation and use of home sites and the common areas as it may deem necessary or appropriate in order to assure the peaceful and orderly use and enjoyment of the property within Awbrey Glen; and

WHEREAS, ORS 94.670 (12) of the Oregon Planned Community Act allows the Association to adopt reasonable rules governing the frequency, time, location, and manner of examination and duplication of association records and the imposition of a reasonable fee for furnishing copies of any documents, information or records described in that section; and

WHEREAS, that fee may include reasonable personnel costs for furnishing the documents, information or records;

NOW, THEREFORE, IT IS HEREBY

RESOLVED, that pursuant to the authority of the Association, as set forth in Article 8, Sections 8.10 of the Declaration, Article XIV of the Bylaws, and ORS 94.670, the following procedures shall be followed in fulfilling Owners' requests for documents:

1. Isolated Owner requests for copies of not more than ten (10) pages of Association documents that the Association is required by law to provide to Owners will be honored within a reasonable time without charge.

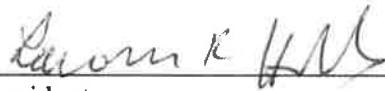
2. All other Owner requests for such documents shall be honored within the time required by law subject to the Owner's prior payment of a reasonable charge, which shall include the following:

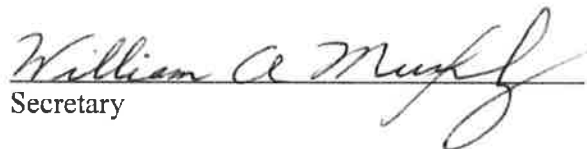
- A. A fee equal to the current per-page rate charged by a local copying company, such as Kinko's.
- B. Personnel costs incurred in fulfilling the request shall be billed at the administrative labor rate in the current management contract. A minimum time of 30 minutes will be billed for each request.
- C. Other fees incurred by the Association in fulfilling the request for information if the request is unusual in nature (aka color copies, oversized copies, etc.). These fees will be determined as needed.

3. When an Owner requests information, if fees are to be imposed, the homeowner will be given a good faith estimate of the cost for assembling and providing the information. This is an estimate only, and maybe exceeded as the situation determines.

IN WITNESS WHEREOF, the Chairman and Secretary hereby certify that the foregoing Resolution was adopted by the Board of Directors at a duly called meeting on October 11, 2010, and a copy of this Resolution shall be sent to all Owners at their last known address.

**AWBREY GLEN HOMEOWNER'S
ASSOCIATION, INC.**

By: 
President

By: 
Secretary

A.G.

2011-1

**RESOLUTION OF THE BOARD OF DIRECTORS
ESTABLISHING GENERAL RULES OF CONDUCT
FOR AWBREY GLEN HOMEOWNERS ASSOCIATION**

WHEREAS, the Awbrey Glen governing documents contain certain general provisions prohibiting offensive or annoying activity on Lots (see Declaration of CC&Rs Section 6.4 for example), such provisions do not expressly extend to activity or behavior on Awbrey Glen Common Areas.

WHEREAS, recent events at Awbrey Glen suggest that similar, but expanded restrictions are appropriate for Awbrey Glen Common Areas, as well as Lots; and

WHEREAS, Section 4.3(f)(ii) of the Awbrey Glen CC&Rs authorizes the Association to adopt, amend, and repeal rules and regulations relating to the use of Common Areas;

IT IS HEREBY RESOLVED, that no offensive or commercial activity shall be carried on, nor shall anything be done on any Common Area which may be or become an annoyance or nuisance to other Owners; and it is hereby further

RESOLVED, that littering, vandalism, including, without limitation, all graffiti to private or common property, and the unauthorized taking of private property of another, and the unauthorized taking of the common property of the Awbrey Glen Homeowners Association is hereby prohibited; and it is hereby further

RESOLVED, that no person shall interfere with the authorized, quiet enjoyment of Awbrey Glen Common Area by another resident; and it is hereby further

RESOLVED, that all persons within Awbrey Glen shall take care while within Awbrey Glen, whether situated on any Lot or Common Area, not to create any excessive noise; and it is hereby further

RESOLVED, that any violation of any of the foregoing prohibitions shall subject the Owner responsible for such violation to any and all remedies available to the Association, including, without limitation, levying a fine in the like amount and manner as in the case of an Owner's violation of Section 6.5 of the Awbrey Glen CC&Rs, as such fine schedule may be amended from time to time.

IN WITNESS WHEREOF, the undersigned Chairman and Secretary hereby certify that the foregoing Resolution was duly adopted by the Awbrey Glen Board of Directors at its meeting held on Sept. 19, 2011.



Chairman



Secretary

Awbrey Glen Homeowner's Association Resolution 2014-1

AWBREY GLEN HOMEOWNER'S ASSOCIATION (AGHOA), INC.

Resolution of The Board of Directors

WHEREAS, "Declaration" is the *Declaration of Covenants, Conditions, and Restrictions for Awbrey Glen*, "Bylaws" is *Bylaws of Awbrey Glen Homeowner's Association, Inc.*, "Act" is the *Oregon Planned Community Act, ORS 94.550 - 94.783*, "Association" is *Awbrey Glen Homeowner's Association, Inc.*, "Board" is the *Board of Directors for the Awbrey Glen Homeowner's Association, Inc.* and "ARC" is the *Architectural Review Committee of the Awbrey Glen Homeowner's Association, Inc.*;

WHEREAS, Article 7, Section 7.13 of the Declaration provides that any person adversely affected by a decision of the ARC may appeal such decision to an Appeals Board and authorizes the President of the Association to appoint an Appeals Board to review ARC decisions.

NOW, THEREFORE, IT IS RESOLVED, that pursuant to the authority of the Association, as set forth in Article 7, Sections 7.13 of the Declaration, the following be adopted.

- 1) Any homeowner (or their designated representative) wishing to appeal a decision made by the ARC, may first reappear before the ARC and may provide additional/new information for consideration by the ARC. The request to reappear before the ARC must be in writing and must be made within 10 days of the *written* ARC decision to which the appeal relates. The ARC will hear the appeal at the *first meeting following the receipt of the request to appeal*. The ARC will provide a written response within 10 days of the appeal being heard. If necessary, a reasonable fee may be imposed to cover the cost of the appeal.
- 2) Should the ARC, after due consideration of the appeal, confirm its original decision, the affected homeowner (or their designated representative) may then appeal to the Board. The request to appeal to the Board must be in writing and must be made within 10 days of the *written* ARC decision confirming its original decision. The Board will hear the appeal at the next scheduled Board meeting or may schedule a special meeting if the Board determines it more appropriate. The Board will provide a written response within 10 days of the appeal being heard. The decision of the Board shall be final. If necessary, a reasonable fee may be imposed to cover the cost of the appeal.
- 3) Should a homeowner (or their designated representative) wish, they may appeal directly to the Board and not appeal first to the ARC. The request to appeal to the Board must be in writing and be made within 10 days of the *written* decision to which the appeal relates. The Board will hear the appeal at the next scheduled Board meeting or may schedule a special meeting if the Board determines it more appropriate. The Board will provide a written response within 10 days of the appeal being heard. The decision of the Board shall be final. If necessary, a reasonable fee may be imposed to cover the cost of the appeal.

Note: The fee will only be imposed if the ARC or the Board requires an outside expert to review/comment upon the appeal. The amount of the fee will be determined by the cost of the outside expert.

NOW, BE IT FURTHER RESOLVED, a copy of this resolution shall be sent to all Owners at their last known address.

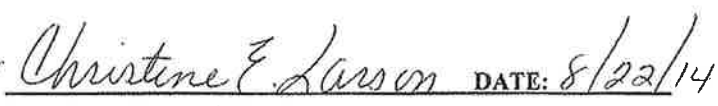
IN WITNESS WHEREOF, the President and Secretary hereby certify that the foregoing Resolution was adopted by the Board of Directors at a duly called meeting on the date set forth below.

ATTEST:


President, Board of Directors

Awbrey Glen Homeowner's Association, Inc.

DATE: 8/21/14



Secretary, Board of Directors

Awbrey Glen Homeowner's Association, Inc