

**NOTICE  
REGARDING  
CERTAIN DISCRIMINATORY RESTRICTIONS, IF APPLICABLE**

*Omitted from the attached document is any covenant or restriction that is based upon, but not necessarily limited to, race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal law, except to the extent that such covenant or restriction is permitted by applicable law.*

Oregon Version 20150707

After Recording Return to:  
Vial Fotheringham LLP  
17355 SW Boones Ferry Rd., Ste. A  
Lake Oswego, OR 97035

Washington County, Oregon **2015-054734**  
D-R/BAM  
Stn=11 S PFEIFER **07/07/2015 03:20:39 PM**  
\$25.00 \$11.00 \$5.00 \$5.00 \$20.00 **\$66.00**

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

**SECOND AMENDMENT TO THE  
AMENDED AND RESTATED DECLARATIONS OF RESTRICTIONS  
OF OAK HILLS HOME OWNERS ASSOCIATION  
(COVENANTS, CONDITIONS & RESTRICTIONS)**

This Second Amendment to the Amended and Restated Declarations of Restrictions of Oak Hills Home Owners Association is made by the Oak Hills Home Owners Association (“Association”) and is effective on recording.

**RECITALS**

A. Oak Hills Home Owners Association is located in Washington County, Oregon and is governed by the following documents recorded in the Records of Washington County, Oregon:

1. Amended and Rested Declarations of Restrictions of Oak Hills Home Owners Association, recorded April 30, 2013, as Document No. 2013-038732, including any amendments thereto (“Declaration”).
2. Bylaws of the Oak Hills Home Owners Association, recorded June 5, 2015, as Document No. 2015-044315, including any amendments thereto (“Bylaws”).

B. The owners and the Association wish to amend Article IX of the Declaration as outlined below.

**NOW, THEREFORE**, the Association hereby amends the Declaration in the manner set forth below.

**I. Article IX is hereby amended as follows:**

**Section 1. Annual Assessments.**

(a) All Residential Property shall be subject to an annual charge or assessment as hereinafter specified.

(b) Said annual charge or assessment, when imposed, shall be upon and against each Lot subject thereto and the whole thereof; the amount thereof shall be determined annually by the Board of Directors but shall not exceed \$550.00 per year per building site unless two-thirds of the votes cast at an annual meeting or a special meeting called for that purpose vote to increase the same.

(c) The right to fix (subject to the limitations herein prescribed), collect and enforce the collection of such charges or assessments, including interest thereon, and expend the same, shall be vested in the Association.

(d) Annual charges or assessments shall be set by September 30 to cover the following October 1 through September period. Annual charges or assessments shall be due and payable on November 15 of the year in which they are set, and shall be considered delinquent if not paid by that date. Following delinquency, the amount of the charges or assessments shall be increased by all costs of collection (including reasonable attorneys' fees and any incurred foreclosure costs, disbursements, or fees), which together shall bear interest at the rate of one and one-half percent (1.5%) per month. Within 120 days after delinquency, the Secretary of the Association shall file with the office of the County Clerk of Washington County, State of Oregon, a statement of lien for the aggregate amount of the charges or assessments which have become delinquent with respect to the building site and for all applicable collection costs and interest, and upon payment in full of the aggregate amount owed (as it may increase from time to time due to additional collection costs and interest) shall execute and file a proper release of the lien. The aggregate amount of the delinquent charges or assessments, collection costs, and interest shall constitute a lien on the whole building site with respect to which it is fixed from the date the statement of lien is filed until the date is released, and shall bind the then owner of contract purchaser, his heirs, devisees, personal representatives, and assigns. Such lien may be enforced by the Association in the manner provided by the law with respect to a lien on real property. The personal obligation to the then owner or contract purchaser to pay the aggregate amount of the delinquent charges or assessments, collection costs, and interest, however, shall remain his personal obligation for the statutory period and shall not pass to his successors in title unless expressly assumed by them and approved by the Association. Any sale or transfer of a building site pursuant to a decree of foreclosure shall not relieve the site from liability for any charges or assessments thereafter becoming due nor from the lien of any subsequent charges or assessments.

(e) The purchases of portions of said property by the acceptance of deeds therefor, whether from Declarants or subsequent owners of said property, or by the signing of contracts or agreements to purchase the same, shall become personally obligated to pay such charges or assessments, including interest, upon the portion or portions of said property purchased or agreed to be purchased by them, and shall thereby become subject to the right and power of the Association to institute proceedings for the collection of such charges, assessments and interest and the enforcement of the liens securing the same. Such rights and powers shall continue in the Association, and such obligations shall run with the land so that the successor owner of record of any portion of said property, and the holder or holders of contracts or agreements for the purchase thereof, shall in turn become liable for the payment of such charges or assessments together with interest on such as may have become delinquent.

(f) The proceeds received from said charges or assessments shall be used exclusively for the purpose of promoting the recreation, health, safety and welfare of the residents of Oak Hills and in particular for the improvement and maintenance of properties and services and facilities devoted to this purpose and related to the use and enjoyment of the common properties, including but not limited to:

(1) Expenses incident to the enforcement of the restrictions, conditions, covenants, charges and agreements contained in this Declaration and the collection of the charges or assessments provided for in this Article (to the extent such expenses are not otherwise reimbursed);

(2) Real and personal property taxes and assessments levied by any branch of government;

(3) Acquiring, building, operating and maintaining common areas, recreation areas, playgrounds, swimming pools, tennis courts, community halls, clubhouses including buildings, structures and personal property incident thereto; and

(4) Acquiring building, operating and maintaining streets, sidewalks, pathways, water systems, sewage systems and other public service including buildings, structures and personal property incident thereto.

## **Section 2. Special Assessments.**

(a) Levy of Special Assessment and Purposes. Subject to Subsection (b) of this section, in addition to the annual assessment described under Section 1 of this article, the Board of Directors may levy an individual special assessment or a series of separate and distinct individual special assessments recurring at a specified interval to fund the following expenditures:

(1) Maintenance, repair or replacement of Common Property, Association Property or any other item within the Association maintenance responsibility; and

(2) Capital improvements.

(b) Approval of Special Assessment. Before a special assessment or series may be levied, it must be approved by at least two-thirds (2/3) of the votes cast at an annual meeting or a special meeting called for that purpose. In the case of a series of separate and distinct individual assessments, only one vote shall be required to authorize the entire series.

**OAK HILLS HOME OWNERS ASSOCIATION**

By: James C Meyer  
President

By: Andie Marshall  
Secretary

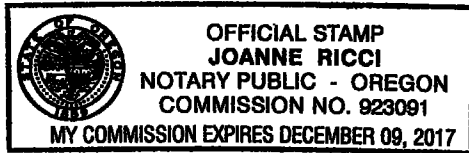
**CERTIFICATION**

The undersigned President and Secretary of the Association hereby certify that the foregoing First Amendment was adopted in accordance with the Declaration, Bylaws and the Oregon Planned Community Act.

By: James C Meyer  
President

STATE OF OREGON            )  
  ) ss.  
County of Washington)

The foregoing instrument was acknowledged before me this 3rd day of July, 2015, by James C Meyer, President of **OAK HILLS HOME OWNERS ASSOCIATION**, an Oregon nonprofit corporation, on its behalf.

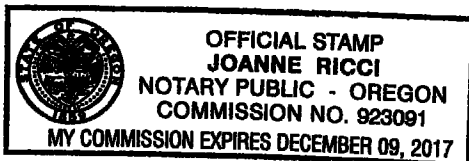


Joanne Ricci  
Notary Public for Oregon  
My Commission Expires on: 12-9-17

By: Linda C Marshall  
Secretary

STATE OF OREGON            )  
  ) ss.  
County of Washington)

The foregoing instrument was acknowledged before me this 3rd day of July, 2015, by Linda C Marshall, Secretary of **OAK HILLS HOME OWNERS ASSOCIATION**, an Oregon nonprofit corporation, on its behalf.



Joanne Ricci  
Notary Public for Oregon  
My Commission Expires on: 12-9-17