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10/24/2018 02:30:37 PM

RPR-AMEN Cnt=1 Stn=41 CASHIER 04

\$20.00 \$10.00 \$11.00 \$61.00

After recording return to:
Emerald Valley West
Homeowners Association
P.O. Box 658
Creswell, OR 97426

Until further notice, send all tax
statements to: Same as before

**AMENDMENT TO THE DECLARATIONS OF
EMERALD VALLEY WEST HOMEOWNERS ASSOCIATION PUD
(herein "EVWHO")**

Prior declarations affected by this amendment can be found recorded at Lane County Deeds and Records, at the following Recorders Numbers:

2002-048851, 2002-048852, 2002-048853, 2005-092022 and 2007-080664.

and is applicable to and affects all the real property and improvements referenced in the forgoing recorded documents, and all other real property and improvements located within the EVWHO.

The bylaws of EVWHO can be found recorded at Lane County Deeds and Records, at the following Recorders Numbers: **2007-033636.**

WHEREAS this Amendment to the Declarations of Emerald Valley West Homeowners Association PUD had been approved by a vote of more than seventy-five percent (75%) majority vote of the voting rights of the Membership of the EVWHO.

WHEREAS this amendment does not:

(A) Limit or diminish any right of a declarant reserved under ORS 94.580(3) or (4) or any other special declarant right without the consent of the declarant.

(B) Change the boundaries of any lot or any uses to which any lot or unit is restricted as stated in the above referenced declarations under ORS 94.580 (2)(m) or otherwise changes the method of determining liability for common expenses, the method of determining the right to common profits or the method of determining voting rights of any lot or unit, unless the owners of the affected lots or units unanimously consent to the amendment.

(C) Make any changes to the plat, including required approvals or consents of

owners or others, that are governed by the applicable provisions of ORS 92.010 to 92.192.

NOW THEREFORE:

Pursuant to the relevant provisions of the Bylaws and Declarations of the Emerald Valley West PUD, the Board of Directors for the Emerald Valley West PUD, and by the vote of more than seventy-five percent (75%) majority vote of the voting rights of the Membership of the EVWVHOA, have amended the Declaration(s) that established the Emerald Valley West HomePUD by adding the following provision to Article 8 of the Declarations:

“8.1.1 No other provisions of the Declarations, or the Bylaws withstanding, and except as otherwise provided for in Article 8.1.1(a), no improvements of any kind or nature shall be constructed, installed, built, altered, demolished, removed, added to, remodeled, or any other work related to the forgoing, be allowed or commenced (including, without limitation, surveying, planning, permitting, site preparation and groundbreaking) on any lot, for any reason, if there are any dues, assessments, other charges, fees or money awards (including, without limitation, accrued and unpaid interest on any of the forgoing) owed to the Emerald Valley West Homeowners Association PUD, without the prior, written, unanimous consent of the Board; such consent may be withheld in the sole and absolute discretion of the Board.

(a) Limitations: Nothing in Article 8.1.1 shall be construed so as to prevent a lot owner from timely taking steps to preserve and protect structures and personal property that have been damaged by natural causes, criminal acts, fire and other circumstances beyond the control of the owner or occupants, or otherwise making repairs and restoration to such damaged structures, or making improvements or remodeling to the interior of existing structures, provided first that: (1) such repairs and restoration work is limited to repairs or restoration efforts necessary to restore the structure to its pre-damaged condition and appearance; and (2) such repairs and restoration work do not alter the structure's square footage, footprint, elevation, roof line, placement or position of the structure, sidewalks and driveways on the lot, and (3) such repairs and restoration work do not alter setbacks; and (4) such repairs and restoration work do not otherwise violate or conflict with applicable provisions of the Bylaws or Declarations or the directives and authorizations of the Board.

EMERALD VALLEY WEST
HOMEOWNERS ASSOCIATION, PUD

BY: Lou Erchberger
Chairman, Board of Directors

STATE OF OREGON)
) ss:
County of Lane)

SUBSCRIBED AND SWORN to before me this 23 day of October, 2018, by *NAME, acting in his capacity as the Chairman of the Board of Directors for Emerald Valley West Homeowners Association PUD, and who acknowledged the foregoing instrument to be his the voluntary act and deed, on behalf of the Emerald Valley West Homeowners Association, PUD.

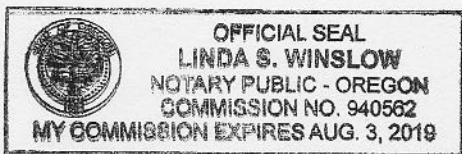


Linda S. Winslow
Notary Public for the State of Oregon

BY: Jean McKittrick
Jean McKittrick, Secretary

STATE OF OREGON)
) ss:
County of Lane)

SUBSCRIBED AND SWORN to before me this 23 day of October, 2018, by Jean McKittrick, acting in her capacity as the Secretary of Emerald Valley West Homeowners Association PUD, and who acknowledged the foregoing instrument to be her the voluntary act and deed, on behalf of the Emerald Valley West Homeowners Association, PUD.



Linda S. Winslow
Notary Public for the State of Oregon

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NOW THEREFORE:

I/We, Lori Eichelberger, as President and Secretary of the EVWFOA, and * as the Chairman of the Board of Directors, do hereby certify that in accordance with Article 10 of the Declarations of EVWFOA by an written ballot election held between July 6, 2018 and July 27, 2018, in accordance with the By-Laws of EVWFOA and the which was approved by more than a 75% majority vote of the voting rights of the Membership of the EVWFOA, at said election.

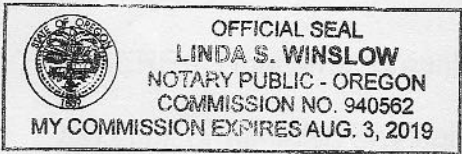
DATED this 23rd day of October, 2018.

EMERALD VALLEY WEST
HOMEOWNERS ASSOCIATION, PUD

BY: Lori Eichelberger
Lori Eichelberger, President

STATE OF OREGON)
) ss:
County of Lane)

SUBSCRIBED AND SWORN to before me this 23rd day of October, 2018, by Lori, Eichelberger, acting in her capacity as the President of Emerald Valley West Homeowners Association PUD, and who acknowledged the foregoing instrument to be her the voluntary act and deed, on behalf of the Emerald Valley West Homeowners Association, PUD.



Linda S. Winslow
Notary Public for the State of Oregon

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