

After Recording Return To:
Summerplace Homeowners Association
2020 NE 150th Ave.
Portland, OR 97230 plu



\$36.00

03/16/2012 01:31:12 PM

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\$10.00 \$11.00 \$15.00

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RESOLUTION

A resolution clarifying that the only sidewalks in Summerplace deemed to be Common Facilities are those not abutting a public street or contained within public right-of-way.

The Board of Directors of the Summerplace Homeowners' Association makes the following findings:

WHEREAS, Section 3.1 (Common Facilities) of the Declaration of Conditions and Restrictions ("CC&Rs"), Book 1336, Page 1996, for Summerplace provides in part that roads that have been dedicated to and accepted by Multnomah County are not considered to be Common Facilities; and

WHEREAS, upon annexation of the area including Summerplace, the City of Portland assumed jurisdictional control and ownership of all rights-of-way previously held by Multnomah County, including the streets running through and abutting Summerplace; and

WHEREAS, the public right-of-way includes the street surface, curb, gutter, sidewalk and any associated planting strip; and

WHEREAS, a dispute has arisen as to whether and which sidewalks in Summerplace are considered to be Common Facilities under CC&R Article 3.

NOW THEREFORE, based on the foregoing findings, the Board of Directors of the Summerplace Homeowners' Association resolves and declares that:

- a) Sidewalks abutting public streets and contained within the public right-of-way are not Common Facilities as described in Article 3 of the Declaration of Conditions and Restrictions for Summerplace.
- b) Only sidewalks that are entirely contained within and surrounded by common property of the Summerplace Homeowners' Association are Common Facilities as described in Article 3 of the Declaration of Conditions and Restrictions for Summerplace.

IT IS SO RESOLVED and made effective this 14th day of March, 2012, by a majority of the Board of Directors.

Those in favor: 6

Those opposed: 0

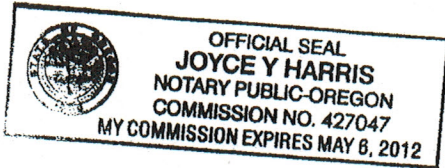
Abstentions: 0

Dick Goemmel
President of the Board of Directors,
Summerplace Homeowners Association

Vivian Jacobson
Secretary,
Summerplace Homeowners Association

State of Oregon)
) SS
County of Multnomah)

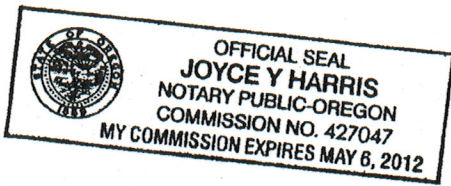
This instrument was acknowledged before me on March 15th, 2012 by Dick Goemmel, President of the Board of Directors of Summerplace Homeowners Association.



Joyce Harris
Notary Public for Oregon
My Commission Expires: 5/6/12

State of Oregon)
) SS
County of Multnomah)

This instrument was acknowledged before me on March 15th, 2012 by Vivian Jacobson, Secretary of the Board of Directors of Summerplace Homeowners Association.



Joyce Harris
Notary Public for Oregon
My Commission Expires: 5/6/12