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Page 1 of 12  
Date: 09/24/2007 10:28A  
Filed by: DAN MITCHELL  
Filed & Recorded in Official Records  
of SKAMANIA COUNTY  
SKAMANIA COUNTY AUDITOR  
J MICHAEL GARVISON  
Fee: \$51.00

**WHEN RECORDED RETURN TO:**

Dan Mitchell

P.O. Box 387

Stevenson, WA 98648

**DOCUMENT TITLE(S)**

Adoption of new By-Laws of the River View Meadow Homeowners' Association

**REFERENCE NUMBER(S)** of Documents assigned or released:

Book 3, pg 340, Vol 199, pg 355, AF138177

☒ Additional numbers on page 1 of document.

**GRANTOR(S):**

Dan and Deb Mitchell – Lot 1 River SP

☒ Additional names on page 7 of document.

**GRANTEE(S):**

River Short Plat, Bk. 3, pg. 340

☒ Additional names on page 1 of document.

**LEGAL DESCRIPTION** (Abbreviated: i.e. Lot, Block, Plat or Section, Township, Range, Quarter):

Lots 1, 2, 3, & 4 of the River Short Plat Bk. 3, pg. 340

☒ Complete legal on page 1 of document.

**TAX PARCEL NUMBER(S):** 03072540040000, 03072540030000, 03072540030300,  
03072540020000, 03072540020200, 03072540040900, 03072540041000,  
03072540030400, 03072540030500, 03072540020300, 03072540020400

☐ Additional parcel numbers on page of document.

The Auditor/Recorder will rely on the information provided on this form. The staff will not read the document to verify the accuracy or completeness of the indexing information.

**September 21, 2007**

**Adoption of By-laws of the River View Meadow Homeowners' Association.**

**Grantors: See page 10**

**Grantees:**

- **River Short Plat – Lots 1, 2, and 3 of the River Short Plat BK.3, Pg. 340 Section 25, T3N, R7E**
- **View Short Plat – Lots 1, 2, 3, and 4 of the View Short Plat BK. 3, Pg. 339 Section 25, T3N, R7E**
- **Meadows Short Plat – Lots 1, 2, 3, and 4**  
**Lot 1-Meadow SP BK 3/PG341 Reconfig BK 197/PG 801**  
**Lot 2-Meadow SP BK 3/PG341 Reconfig BK 197/PG 268 & BK 197/PG 810**  
**Lot 3-Meadow SP BK 3/PG 341 Reconfig BK 197/PG 807**  
**Lot 4-Meadow SP BK 3/PG 341 Reconfig BK 197/PG 268, BK 197/ PG 804**  
**All in Section 25 T3N, R&E**

**ATTACHMENT: By-laws**

**ATTACHMENT: Minutes of September 21, 2007 meeting (page 11)**

**BYLAWS  
OF THE  
RIVER VIEW MEADOW DEVELOPMENT HOMEOWNERS ASSOCIATION**

**09/21/2007**

**ARTICLE 1  
DEFINITIONS**

In construing these Bylaws, the definitions contained in the Declaration of Covenants, Conditions and Restrictions for River View Meadow shall apply.

**ARTICLE II  
DUTIES AND POWERS OF THE ASSOCIATION**

The Association shall have the powers and authorities as set forth in Article 3 of the Declaration, as may be amended from time to time.

**ARTICLE III  
MEMBERSHIP, VOTING RIGHTS  
AND POWERS AND OBLIGATIONS**

**Section 3.1. Membership.** Membership in the Association shall be limited to those who own parcels within the Subdivision which have frontage on, or access to and from, Clearview Lane.

**Section 3.2. Assessments.** The annual assessments shall be set by the Board of Directors on a yearly basis.

**Section 3.3. Meetings of the Owners, Quorum.** The meetings of the Owners shall be conducted in accordance with RCW 64.38.035, as amended. The quorum requirements for a meeting of the Owners shall be as set forth in RCW 64.38.040, as amended, which, at the time of the adoption of these Bylaws, states that a quorum shall consist of the number of persons who are entitled to cast a majority of the votes and who are present in person or by proxy at the beginning of the meeting. Unless otherwise provided in the Declaration, Articles of Incorporation, or in any applicable statute, the affirmative vote of a majority of votes represented and voting shall constitute an act of the Owners. No more than one vote shall be allowed for each parcel.

**Section 3.4. Notice of meeting.** The Secretary shall provide notice of meetings of the Owners as required by RCW 64.38.035, as amended, which, at the time of the adoption of these Bylaws, requires the Secretary to provide written notice of any meeting of the Owners to each Owner not less than fourteen (14) or more than sixty (60) days before the meeting by hand delivery or by mailing to the mailing address of each Lot or to the mailing address designated in writing by the Owner. At the time of the adoption of these Bylaws, RCW 64.38.035 also requires the notice to state the time and place of the

**Section 3.5. Annual meetings.** As required by RCW 64.38.035, as amended, the Association shall hold annual meetings to be held on the date specified by the Board. At any annual meeting of Owners, the President of the Association, and any other officers, the Board or the President may designate, shall report on the activities and financial condition of the Association.

**Section 3.6. Special Meetings.** As required by RCW 64.38.035, as amended, special meetings of the Owners may be called at any time by the President or a majority of the Board Members.

#### **ARTICLE IV BOARD OF DIRECTORS**

**Section 4.1. General.** As set forth in the Declaration, which may be amended from time to time, the Association shall be managed by the Board. The Board shall be comprised of one (1) member from each parcel within the subdivision, and shall have the powers and duties as set forth in Article 3 and under RCW Chapter 64.38. A board member may be removed as provided in RCW 64.38.025(4).

**Section 4.2. Rules and regulations regarding Lots and common areas.** As set forth in the Declaration, as may be amended from time to time, the Board shall have the authority to adopt, amend, and repeal rules and regulations governing the operation and use of the Lots and Common Areas. Such rules may be adopted by majority vote of the Board at any properly noticed meeting.

**Section 4.3. Meetings of the Board.** Annual and special meetings of the Board shall be called and held at such places as are decided by the Board. The Board shall meet at least annually, with one meeting held within ninety (90) days after the end of each calendar year. At each annual meeting, the Secretary shall present to the Board a report on the financial condition of the Association, including a report of receipts and disbursements for the proceeding calendar year and the estimated receipts and expenses for the coming year. For other than emergency meetings, notice of Board meetings shall be provided to all Owners by a method reasonably calculated to inform Owners of the meeting. Emergency meetings may be held without notice, if the reason for the emergency is stated in the minutes of the meeting. Notice to the members of the Board shall be provided by first class mail, e-mail, or hand delivery to each individual Board member, unless the Board determines a different method for providing notice to the directors.

**Section 4.4. Quorum.** The presence in person or by proxy of a majority of the Board Members shall constitute a quorum for voting at a Board meeting.

**Section 4.5. Proxies.** A Board Member may vote in person or by proxy. A proxy may be given to any other Board member for a specific meeting, so long as the proxy is in writing, signed by the Board member giving the proxy and filed with the

Secretary. A proxy only applies to items listed in the agenda.

**Section 4.6. Voting by the Board.** Each Board member shall have one (1) vote. So long as a majority is constituted, the vote of a majority of Board members, whether present in person or by proxy, shall be a binding vote for all purposes, unless a greater percentage is required by law with this Declaration. In the absence of a majority vote, Board members not in attendance in person or by proxy will be afforded two (2) weeks to present their vote to an officer.

**Section 4.7. Insurance.** The Board may purchase and maintain insurance on behalf of any Board member or officer against any liability incurred by such Board member or officer in such capacity, if such insurance is available at a cost and on terms which the Board determines to be reasonable.

**Section 4.8. Hearings.** When the Board is called upon to hold a hearing, the Board shall give adequate written notice to all parties who are adversely affected or aggrieved, and such persons shall have a reasonable opportunity to present their case in person both orally and in writing to the Board before the Board makes a decision. All decisions of the Board shall be final upon being reduced to writing and signed by the President. A copy of all decisions shall be mailed by registered first class mail to all persons who participated either orally or in writing at the hearing.

**Section 4.9. Execution of Instruments.** All agreements, contracts, deeds, leases, and other instruments of the Association shall be executed by such individuals as may be designated from time to time by the Board.

## **ARTICLE V OFFICERS OF THE ASSOCIATION**

**Section 5.1. Designation.** The officers of the Association shall be the President and the Secretary, both of whom shall be elected by the Board. The same person shall not concurrently hold the offices of President and Secretary, and the officers shall not be owners of the same parcel. The Board may designate such additional officers or committees as it deems appropriate.

**Section 5.2. Election.** Each officer of the Association shall be elected biannually by the Board and shall hold office at the pleasure of the Board and until their successors are elected. If any office becomes vacant, the Board shall elect a successor to fill the unexpired term. The initial term of the President shall be one (1) year and then after the first year of the Association, the term will become two (2) years, so that only one officer is elected each year, and the elections of President and Secretary will occur in alternating years.

**Section 5.3. Removal.** The Board may remove any officer, at any time, with or without cause.

**Section 5.4. President.** The President shall be a Board member and shall be the chief executive officer of the Association. The President shall preside at all meetings of the Board, and, unless otherwise provided in this Declaration, shall have all of the general powers and duties normally incident to the office of the chief executive officer of an association.

**Section 5.5. Secretary.** The Secretary shall be required to be a Board member. The Secretary shall keep the minutes of all proceedings of the Board and all other Association records and shall attend to the giving of all notices pursuant to this Declaration or required by law. The Secretary shall be responsible for the collection, deposit, and disbursement of Association funds and shall keep full and accurate financial records and books of account showing all receipts and disbursements of the Association. The Secretary shall perform all other duties incident to the office of Secretary of an association or as may be directed by the Board. The Secretary shall perform all of the foregoing duties at the expense of the Association.

**Section 5.6. Compensation of Officers.** Other than reimbursement for out-of-pocket expenses incurred on behalf of the Association, neither the President, the Secretary, nor any other office or Board Member of the Association shall receive any compensation from the Association for acting as an officer unless such compensation is authorized by the Board.

## **ARTICLE VI FINANCIAL AND ADMINISTRATIVE MATTERS**

**Section 6.1. General.** The Association shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of the Board and committees having any authority of the Board and shall keep a record of the names and addresses of the Board members. All books and records of the Association may be inspected by any Board member, or his or her agent or attorney, for any proper purpose at any reasonable time. The Association shall comply with RCW 64.38.045 as amended.

**Section 6.2. Assessments.** The Association shall deposit all assessments into a separate bank account in the name of the Association. All expenses of the Association shall be paid from the Association bank account. The Association shall maintain records of assessments, or any other income received by the Association, and of all disbursements made.

**Section 6.3. Financial Statements.** Each year, the Board shall prepare and, within ninety (90) days after the end of each fiscal year, distribute to each Owner and, upon written request, any mortgagee, a copy of the annual financial statement consisting of balance sheet and income and expense statement for the preceding fiscal year. The Association shall make available for examination and duplication to Owners, mortgagees and perspective purchasers, upon request and under reasonable circumstances, current copies of the Declaration, Bylaws, and rules concerning the property, the Association's most recent financial statement, the current operating budget of the Association, and all

other records of the Association.

**Section 6.4. Tax Returns.** The Board shall cause to be filed any necessary income tax returns for the Association.

## **ARTICLE VII AMENDMENTS TO BYLAWS**

These Bylaws may be amended in whole or in part and new bylaws may be adopted by an affirmative vote of a majority of the Board of Directors.

## **ARTICLE VIII CONFLICTS**

These Bylaws shall be subject and subordinate to the Declaration. Any conflict between the provisions of these Bylaws and the Declaration shall be governed and controlled by the Declaration.

The Board of Directors hereby adopts the foregoing Bylaws of the Association, effective 09/21, 2007.



Clear View Lot # and Legal Description	For	Against	Name	Signature
<b>1</b> Lot 1 River SP	X		Dan & Debra Mitchell	Debra Mitchell
<b>2</b> Lot 1 View SP	X		Kevin & Helen Sudbeck	T. J. Lannen PROXY
<b>3</b> Lot 2 View SP	X		Tom & Sofia Lannen	T. J. Lannen
<b>4</b> Lot 1 Meadow SP	X		Mike & Jean Polansky	Polansky
<b>5</b> Lot 2 Meadow SP			Larry and Kim Ostler	
<b>6</b> Lot 2 River SP			James Benjamin (for Greg Helmes LLC)	
<b>7</b> Lot 3 River SP	X		Brett & Teresa Johnson	Teresa Johnson
<b>8</b> Lot 3 View SP	X		Joy (N. K) Meng	T. J. Lannen PROXY
<b>9</b> Lot 4 View SP	X		Stephen Weiss Linda Miller	Stephen A. Weiss
<b>10</b> Lot 3 Meadow SP	X		Ginger & Stephen Townsend	T. J. Lannen PROXY
<b>11</b> Lot 4 Meadow SP	X		Carol Preban	Carol Preban

The vote constitutes 82 percent of the property owners. The measure is passed



Minutes of the Meeting of Riverview Meadows HOA  
September 21, 2007  
Convened at Mike and Jean Polansky's home

Attendees:

Steve Weiss  
Carol Preban  
Teresa Johnson  
Jean & Mike Polansky  
Tom & Sofia Lannen  
Dan & Deb Mitchell

Dan convened the meeting at 7:15 p.m.

As the first order of business, Steve moved and Sofia seconded that we accept the bylaws. We discussed changes and one sentence was amended to address the timeliness of action needed in case of a hazardous situation. The change was unanimously approved and the bylaws were approved as amended. All present signed. Signatures were recorded for two property owners who voted by proxy (Sudbecks and Townsends).

Next Tom moved and Steve seconded that we approve the CC&Rs. We discussed various changes after which we voted unanimously to accept the CC&Rs. Signatures were recorded as before.

Old business items included:

1. road maintenance – there was no updated information. Tom volunteered to talk to the person having a road grader at Angel Heights to see what they would charge us to grade the entrance to Clear View Lane. Steve moved and Jean seconded that Tom proceed. It was unanimously agreed upon.
2. incorporation of the HOA – Steve will research costs of incorporation and insurance. Steve moved and Sofia seconded that Dan be empowered to effect incorporation with costs not to exceed \$150. It unanimously passed.

At 8:15, Steve moved and Sofia seconded that we adjourn the meeting. The vote was unanimous to adjourn.

FAX 866-841-3784

**RIVER VIEW MEADOWS HOMEOWNERS' ASSOCIATION****PROXY**

I hereby attest that I am the owner of the stated parcel, whose lot number appears below, and that I hereby appoint the following person, who is a property owner in River View Meadows, to vote on my behalf at the meeting of the River View Meadows Homeowners' Association, September 21, 2007 at 7 pm. I understand that if I appear in person at said meeting, this proxy is rendered invalid. I also understand this proxy to be non-transferrable.

I hereby appoint Tam and/or Sofia Lannen as my representative to vote in my absence for me.

Signed: Helen A. Sundbeck Date: 9/21/07

Print Name: Helen A. Sundbeck

RVM Lot number 2

(Please mail or deliver the original to Carol Preban, P.O. Box 891, Stevenson, WA, 98648)

**Tom Lannen**

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**From:** Ginger Townsend  
[gingertownsend@hotmail.com]  
**Sent:** Friday, September 21, 2007 4:09 PM  
**To:** bilt2last@earthlink.net  
**Cc:** preban@earthlink.net;  
sweiss@networks.com; steve@weiss-  
miller.com

Tom and Sofia I am asking you to Proxy for myself and Steve. We need to be at Shahala tonite. and I have a check for Carol Preban which I'll bring by to her on Sunday. Is there more that I should know? We are planning to hire Tom Owens as our Arch/Designer and will start submitting a preliminary plan to our group next Spring. ( hopefully) We expect to go thru multiple drafts until we get a working plan. Our lot is a visible one. We hope to build on grade at a lower elevation than the log home, and that is about all I know now. If you are not going I hope Steve and Linda Weiss will grozy for us. thank you, Ginger Townsend

**Tom Lannen**

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**From:** joyuak@comcast.net  
**Sent:** Friday, June 08, 2007 12:37 AM  
**To:** Tom Lannen  
**Subject:** Re: Homeowners Meeting and Misc. Items

Hi Tom,

I am Meng Koh, I am sorry that I am not able to attend the meeting tomorrow. I truly appreciated the updates on the latest issue and event . Due to my work and family schedule, I would like to ask you to represent my vote and I support all matters with the best intended interest for all lots owner.

Thank you  
 Meng Koh a.k.a. Joyce

----- Original message -----

From: "Tom Lannen" <bilt2last@earthlink.net>

Just a few thoughts about the meeting and other events in the neighborhood.

At the next meeting I believe that Larry will have info on dust control for the road, Steve will have info on insurance for officers and board members of the association, and the committee will have CC&R recommendations and revisions to the bylaws for review and/or approval..

We hope to have the committee's work emailed to everyone before the meeting so you can comment if you wish.

Several of us received letters from the county regarding the short plating of lot #6. If you have any comments you need to get them to the county. I will be writing a letter tomorrow, let me know if any of you would like me to copy you on it. I have also spoken with Jerry Werner, who owns the house below the Johnson's and is greatly impacted. His property had a slide back in 1979, which caused damage to his building. (It's interesting, I don't recall seeing anything in the "Braun" geo-tech report that the developer had done....convenient, or poor memory??? And this slide was before the Stewart road slide, which the report did address). He is very concerned about this development.

We should also discuss the possibility of the association sending a letter to the county.

Thoughts and comments invited.

Regards,  
 Tom

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