

WHEN RECORDED RETURN TO:

Thomas Lannen

PO Box 816

Stevenson, WA 98648

DOCUMENT TITLE(S) River View Meadow Homeowners Association
Amendment to the Associations By-Laws
Protocol for Liens on Delinquent Fees and Assessments
December 12, 2008

REFERENCE NUMBER(S) of Documents assigned or released:

Skamania County Doc # 2007167776

[No] Additional numbers on page ____ of document.

GRANTOR(S):

Dan & Debra Mitchell, Kevin & Helen Sudbeck, Tom & Sofia Lannen, Michael & Jean Polansky
Larry & Kim Ostler, James Benjamson, Brett & Tresea Johnson, Joyce Meng, Steve Weiss & Linda
Miller, Ginger & Steve Townsend, and Carol Preban

[No] Additional names on page ____ of document.

GRANTEE(S):

Dan & Debra Mitchell, Kevin & Helen Sudbeck, Tom & Sofia Lannen, Michael & Jean Polansky
Larry & Kim Ostler, James Benjamson, Brett & Tresea Johnson, Joyce Meng, Steve Weiss & Linda
Miller, Ginger & Steve Townsend, and Carol Preban

[No] Additional names on page ____ of document.

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

Lots 1,2, & 3 of the River Short Plat, BK 3/ pg. 340

Lots 1,2,3 & 4 of the View Short Plat, BK 3/pg 339

Lots 1,2,3 & 4 of the Meadow Short Plat BK 3/pg 341 Reconfigured BK 197/pg 801

[No] Complete legal on page ____ of document.

TAX PARCEL NUMBER(S): 03072540040000, 03072540030000, 03072540030300,
0307254002000, 03072540020200, 03072540040900, 03072540041000, 03072540030400,
03072540030500, 03072540020300, 03072540020400

[No] 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.

**BYLAWS
OF THE
RIVER VIEW MEADOW DEVELOPMENT HOMEOWNERS ASSOCIATION
As Amended by the Board of Directors on Dec. 10, 2008**

**ARTICLE I
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, Clear View 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 meeting and the items on the agenda, including the general nature of any proposed amendment to the

Declaration or Bylaws, any budget changes or any proposal to remove an officer.

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 officer 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 prospective 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.

Section 6.5 Liens, Fees and Penalties

Each owner is obligated to pay the Association annual and special assessments which are secured by a lien upon the property against which the assessment is made. Owners whose assessments are not paid within 30 days of the due date will be sent a reminder. If the assessment or fee is not paid within ninety (90) days of the date it originated, the Association will charge interest at the rate of twelve (12) percent per annum and take action to file a lien against the property.

Interest, costs and reasonable attorney's fees for such action and any appeal thereof shall be added to the assessments. The Association may charge late fees for the administrative and processing costs. No owner may waive or otherwise escape liability for the assessments of the Association by non-use of common areas or abandonment of his or her lot. All assessments and fees imposed against an Owner's lot shall be joint and several personal obligations against all owners of the lot assessed.

Section 6.6 Voting Rights

The voting rights of any Owner may be suspended by the Association for any period of time during which any assessments, fees or other charges due remain unpaid."

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 amendments to the Bylaws of the Association, effective December 10, 2008.

Addendum:

Historical Summary of Amendments to the By-Laws of the RVM Homeowners Association

September 20, 2007: Original By-Laws accepted by a vote of the Board and recorded as Doc # 2007167776 in The Records of Skamania County.

December 10, 2008 1st Amendment to the By-Laws. Add to Article VI, Sections 6.5 - Liens, Fees and Penalties and Section 6.6 - Voting Rights
Recorded on Dec 12, 2008 as Doc # _____
In The Records of Skamania County.

**River View Meadow Homeowners Association
Skamania County, Washington 98648
July 9, 2008**

**Vote to Amend the By-Laws of the River View Meadow Homeowners
Owners Association**

Amend the current By-Laws to include language that clarifies the protocol for placing liens against lots whose owners are delinquent on payments of fees and assessments levied by the Association.

The vote is to approve including the following Article in the current By-Laws. No language currently exists.

Amend the By-Laws to include the following:

"ARTICLE VI

Section 6.5 Liens, Fees and Penalties

Each owner is obligated to pay the Association annual and special assessments which are secured by a lien upon the property against which the assessment is made. Owners whose assessments are not paid within 30 days of the due date will be sent a reminder. If the assessment or fee is not paid within ninety (90) days of the date it originated, the Association will charge interest at the rate of twelve (12) percent per annum and take action to file a lien against the property.

Interest, costs and reasonable attorney's fees for such action and any appeal thereof shall be added to the assessments. The Association may charge late fees for the administrative and processing costs. No owner may waive or otherwise escape liability for the assessments of the Association by non-use of common areas or abandonment of his or her lot. All assessments and fees imposed against an Owner's lot shall be joint and several personal obligations against all owners of the lot assessed.

Section 6.6 Voting Rights

The voting rights of any Owner may be suspended by the Association for any period of time during which any assessments, fees or other charges due remain unpaid."

Amend the current By-Laws to include language that defines the protocol for placing liens against lots whose owners are delinquent on payments of fees and assessments levied by the Association.

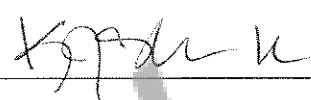
Please mark either "For" or "Against", sign and date.

Clear View Lot # and Legal Description	For	Against	Name	Signature
1 Lot 1 River SP	X		Dan & Debra Mitchell	Debra Mitchell
2 Lot 1 View SP	X		Kevin & Helen Sudbeck	See attachment
3 Lot 2 View SP	X		Tom & Sofia Lannen	T. Lannen 7-10-08
4 Lot 1 Meadow SP	X		Mike & Jean Polansky	M. Polansky
5 Lot 2 Meadow SP	X		Larry and Kim Ostler	L. Ostler
6 Lot 2 River SP			Greg Helms	
7 Lot 3 River SP	X		Brett & Teresa Johnson	Teresa Johnson
8 Lot 3 View SP	X		Joyce (N. K) Meng	Meng
9 Lot 4 View SP	X		Stephen Weiss Linda Miller	Stephen Weiss
10 Lot 3 Meadow SP	X		Ginger & Stephen Townsend	Angie Townsend
11 Lot 4 Meadow	X		Carol Preban	Carol Preban
12 Lot 4 River SP			Not included in CC&Rs	NA

Number of votes "For" 10 "Against" 0 Amendment is approved

Amend the current By-Laws to include language that defines the protocol for placing liens against lots whose owners are delinquent on payments of fees and assessments levied by the Association.

Please mark either "For" or "Against", sign and date.

Clear View Lot # and Legal Description	For	Against	Name	Signature
1 Lot 1 River SP			Dan & Debra Mitchell	
2 Lot 1 View SP	X		Kevin & Helen Sudbeck	
3 Lot 2 View SP			Tom & Sofia Lannen	
4 Lot 1 Meadow SP			Mike & Jean Polansky	
5 Lot 2 Meadow SP			Larry and Kim Ostler	
6 Lot 2 River SP			Greg Helms	
7 Lot 3 River SP			Brett & Teresa Johnson	
8 Lot 3 View SP			Joyce (N. K) Meng	
9 Lot 4 View SP			Stephen Weiss Linda Miller	
10 Lot 3 Meadow SP			Ginger & Stephen Townsend	
11 Lot 4 Meadow			Carol Preban	

[https://webmail.nps.edu/exchange/kjsudbec/Inbox/FW: RVM HOA
Amendments to BY-Laws and CC&Rs Vote
Required.EML/1_multipart_xF8FF_3_RVM By-Law
Amendment1.doc/C58EA28C-18C0-4a97-9AF2-036E93DDAFB3/RVM By-Law
Amendment1.doc?attach=1](https://webmail.nps.edu/exchange/kjsudbec/Inbox/FW:RVM_HOA_Amendments_to_BY-Laws_and_CC&Rs_Vote_Required.EML/1_multipart_xF8FF_3_RVM_By-Law_Amendment1.doc/C58EA28C-18C0-4a97-9AF2-036E93DDAFB3/RVM_By-Law_Amendment1.doc?attach=1)