

ISSUE #1

MARKUP #1 ->

Section 1: [2018 Amendment to 2016 Restated Bylaws, Recitals & Section 4.2] Unilateral Board Amendment of Bylaws

Article XI of the Bylaws provides that they may be amended at any regular or special meeting of the Association membership or the Board of Directors by a majority vote of the members or the Directors, as applicable, present at the meeting. The undersigned President and Secretary of the Association hereby certify that the following amendment was duly adopted by a majority vote of the Directors present at a duly called meeting of the Board of Directors held on September 12, 2018.

MARKUP #1 · SUBJECTIVE OR OVERBROAD WORDING

BOARD & COUNSEL REVIEW

Sec. 2018 Amendment to 2016 Restated Bylaws, Recitals & Section 4.2 (p. 1): OR Manual Attorney Audit Finding (2018 Amendment to 2016 Restated Bylaws, Recitals & Section 4.2 - [2018 Amendment to 2016 Restated Bylaws, Recitals & Section 4.2] Unilateral Board Amendment of Bylaws Without Owner Vote - Article XI of the Bylaws provides that they may be amended at any regular or special meeting of the Association membership or the Board of Directors by a majority vote of the members or the Directors, as applicable, present at the meeting. The undersigned...

Statutory / Legal Reference: ORS Ch. 94 (§§ 94.550 - 94.783 Oregon Planned Community Act); ORS Ch. 100 (§§ 100.005 - 100.990 Oregon Condominium Act)
Statutory Comparison: Manual attorney review identified statutory and enforceability compliance risks under ORS Ch. 94 (§§ 94.550 - 94.783 Oregon Planned Community Act); ORS Ch. 100 (§§ 100.005 - 100.990 Oregon Condominium Act).

CURRENT WORDING IN DOCUMENT:

[2018 Amendment to 2016 Restated Bylaws, Recitals & Section 4.2] Unilateral Board Amendment of Bylaws Without Owner Vote - Article XI of the Bylaws provides that they may be amended at any regular or special meeting of the Association membership or the Board of Directors by a majority vote of the members or the Directors, as applicable, present at the meeting. The undersigned President and Secretary of the Association hereby certify that the following amendment was duly adopted by a majority vote of the Directors present at a duly cal

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Amend Section 2018 Amendment to 2016 Restated Bylaws, Recitals & Section 4.2 ([2018 Amendment to 2016 Restated Bylaws, Recitals & Section 4.2] Unilateral Board Amendment of Bylaws Without Owner Vote - Article XI of the Bylaws provides that they may be amended at any regular or special meeting of the Association membership or the Board of Directors by a majority vote of the members or the Directors, as applicable, present at the meeting. The undersigned President and Secretary of the Association hereby certify that the following amendment was duly adopted by a majority vote of the Directors present at a duly called meeting of the Board of Directors held on September 12, 2018.) to conform with ORS Ch. 94 (§§ 94.550 - 94.783 Oregon Planned Community Act); ORS Ch. 100 (§§ 100.005 - 100.990 Oregon Condominium Act) and the manual attorney audit recommendations for Summerplace Homeowners Association.