

KING CITY HIGHLANDS HOMEOWNER ASSOCIATION, INC.

BOARD OF DIRECTORS RESOLUTION #2021-1

SUBJECT: DEDICATION OF BEEF BEND ROAD BRICK WALL AND VEGETATIVE BARRIERS

PURPOSE: To acknowledge and accept HOA ownership of brick wall and vegetation.

AUTHORITY: The Declaration, Articles of Incorporation, Bylaws and CC&Rs of the Association, Oregon Law, specifically ORS 94 Oregon Planned Community Act, and ORS 65, Oregon Non-Profit Corporation, and Title VIII of the Civil Rights Act of 1968 (Fair Housing Act) as amended in 1995 (HOPA).

Whereas, Under Section 2 of Article IX of the Declarations, Article V of the Bylaws, and ORS 94.63, Board of Directors has all of the powers and duties necessary for the administration of the affairs of the Association, except such powers and duties as by law, the Declaration or Bylaws have determined may not be delegated to the Board by the owners:

Whereas, ORS 94.630(1)(a) and Article V, Section 2(b) of the Bylaws empower the Board to adopt rules and regulations:

Whereas, Article XII Section 1 of the Declaration specifies that that each Owner and Occupant shall comply with the Declarations, Bylaws, and rules and regulations adopted thereto:

Whereas, Article V, Section 1(a) of the Bylaws specifies the Board shall have the Authority to exercise for the Association all powers, duties and authority vested in or delegated to this Association by law, its Articles of Incorporation or the Declaration and has not reserved to the membership by other provisions of these laws, the articles of Incorporation or Declaration.

THEREFORE, LET IT BE RESOLVED THAT:

- I. The brick wall and vegetative spaces paralleling SW Beef Bend Road are elements of the HOA's common property.
- II. Adjacent property owner property lines do not include the brick wall or vegetative spaces and are not responsible for the maintenance, repair, or replacement of the brick wall or vegetation.
- III. The HOA assumes all responsibility for the maintenance, repair, and replacement of the entire brick wall structure and any/all vegetation placed in the open spaces between segments of the brick wall. Maintenance, repair, or replacement is funded as a Reserve Study Common Element and paid for with Reserve Funds.

IT IS FURTHER RESOLVED THAT:

A copy of this Resolution shall be distributed to all owners via electronic or mail.

The undersigned President and BOD Officer certify that this Resolution was approved by the Board of Directors at a Board meeting held on




President
King City Highlands Homeowners
Association, Inc.



Secretary
King City Highlands Homeowners
Association, Inc.



Date



Date