# THE CEDAR GARDENS CONDOMINIUM

(A REPLAT OF LOTS I & IG, BLOCK 2, HOLLADAY PARK ADDITION )
SITUATED IN THE NE.1/4, OF SECTION 35, T.I.N., R.I.E., W.M.
CITY OF PORTLAND
MULTNOMAH COUNTY, OREGON

BY: BURTON ENGINEERING 3944 SE. HAWTHORNE BLVD PORTLAND, OREGON 97214 78-316

BASIS OF BEARING: ORIGINAL SURVEYED MARCH 1979

## PLAT **DECLARATION**

KNOW ALL MEN BY THESE PRESENTS. That THE MAINTYRE COOPER COMPANY and JAURENCE J. BEAL do hereby and declare the universed map of the conservation of the conformation to be an additional map of the conformation to be a conformation to be a conformation to be a conformation to be a conformation they do served on the surveyors of the order of the conformation when they do neverly commit soid food the conformation of the Unit Ownership Law as fold out, in Chapter 31 of The Organ Revised Statutes.

Jaconnes D. Geel Edward Conger, President

### **ACKNOWLEDGEMENT**

STATE OF OREGON S.S. COUNTY OF MULTNOMAH) S.S.

THIS IS TO CERTIFY. That on this JATA day of OMACLA.

In and for said State and County, personally appeared Endon Gooper, President, Beforen Wigner, State of the Company and the Company named in the Observation and Luberner of the Company named in the observation and Luberner of the Company named in the observation and Luberner of Libert, who being first duly sawn, did say, which can find the observation and the searched in the foregoing instrument and that their spinaries affixed to said instrument was their own free four and deed.





## SURVEYORS CERTIFICATE

i, THOMAS H. BURTON, Trist being duly sworn, depose unit, say that I have correctly, surreyed and marked with lawful manuscribt the conditions and deposed with lawful manuscribt the conditions and deposed with lawful manuscribt. CELANA deficiles Conditions with the organic conditions and manuscribt the conditions and the base of an expension of a solid conditions and the base of the bacthers of solid conditions and the bacthers of solid conditions are also conditions and the bacthers or control of Lot 16. Block 2. Halliday Park Addition, he sad initial Point and the Northwest control integer, in the Sulfrad condition when the land the wast into a distance of SOOO feet to the Sulfrad conditions are consistent of the solid Block of a distance of SOOO feet to the Sulfrad conservations and the solid conditions are conservations and the solid conditions are conservations and the solid conditions are conservations and solid conditions are companying tracing is a time of solid conditions.



Larrord Subscribed and sworn 19 pergre met

. UNIT 2 FL. ELEY 167.64

FIRST FLOOR

FIRST FLOOR

Elev. 167.64

33.00

UNIT 1 FL.ELEV.167.64

GARAGE LEVEL

8"Cone.

SARAGE LEVEL

Sof 98"x351.1E

TYPICAL SECTIONS
SCALE 1'-0"

TYP. BALCONY UNIT

BAY UNIT

UNNT 4 FL.ELEV. 167.64

UNIT 3 FL. ELEY, 167.64

FLOOR

Months of Larrange of Aggon 1980

Approved Mach 15 Bureau of Buildings All taxes, fees, assessments or other charges as provided by 0.R.S. 91.512 have been paid as of Marck 24,1979 Director, Div. of Assessment and Taxation Multnomah Couniy, Oregon

By Cormas C. Child R3, 1979 Courty Engineer Multhomath County, Oregon City of Portland

, Sawell and Deputy

Attest: 7200 | 1979 | County Recording Office ah County, Oregon By Th Buthas

SCALE 1"=20" WEST-INITIAL POINT Set 2"x 36" Gaivo UNIT ? FL.ELEV. 167.64 UNIT 5 FL.ELEV. 167.64 UNIT 12 FL.ELEV. 167.64 UNIT !! FL.ELEV. 167.64 UNIT 10 FL. ELEY. 167.64 UNIT 3 FLELEK 167.64 UNIT 8 FL.ELEV. 167.64 UNIT 5 FL. ELEV. 167.64 33.00 33.00 33.00 3et 8.5. 3et 46" x30".1 NOTE: ELEVATIONS ARE FROM C.O.P. 354 CONVERTED TO U.S.C. 8 G.S. SECOND FLOOR (UNITS 2,3,6,7,10 B11) (SIDE BAY - UNITS 1 B12) 1242 15.0"

YYP. BAY UNIT End Units 6" Wall-Exterior O"FIRE WALL Balcony Over SW TYP BALCONY UNITY (UNITS 4,5,8 B.9.)

WHEN RECORDED, RETURN TO:

Vial Fotheringham LLP 7000 SW Varns St. Portland, OR 97223

GRANTOR: The Cedar Gardens Condominiums Association PO Box 12753 Portland, OR 97212 Multnomah County Official Records R Weldon, Deputy Clerk

2012-046959



\$56.00

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**GRANTEE:** Public

FIRST AMENDMENT TO THE
DECLARATION OF UNIT OWNERSHIP FOR
THE CEDAR GARDENS CONDOMINIUM

This Amendment to the Declaration of Unit Ownership for The Cedar Gardens Condominium is made by the Association of Unit Owners of The Cedar Gardens Condominium.

### RECITALS

- A. The Cedar Gardens Condominium is a condominium, located in Multnomah County, Oregon, which was created by the following documents, recorded in the records of Multnomah County, Oregon:
  - 1. Declaration of Unit Ownership for The Cedar Gardens Condominium, recorded February 1, 1979, in Book 1339, Page 2169 ("Declaration").
  - 2. Bylaws of The Cedar Gardens Condominium, recorded concurrently with the Declaration, in Book 1339, Page 2144 ("Bylaws").
  - 3. Articles of Incorporation of the Association of Unit Owners of The Cedar Gardens Condominium, filed on March 25, 2011 ("Articles of Incorporation").
- B. The purpose of this Amendment is to amend language of the Declaration to ensure that its references to Oregon law are current and its provisions are consistent with Oregon law.

NOW, THEREFORE, pursuant to Section 11 of the Declaration and Section 100.135 of the Oregon Condominium Act ("Act"), the Association hereby makes the following amendment:



### I. Article 6, Section 6.2 of the Declaration is amended to read:

6.2 <u>Children as Residents Not Restricted</u>. There shall be no restrictions on children in any of the units of this condominium.

### II. Section 6.4 of the Declaration is amended to read:

6.4 Appearance of Condominium Building. The unit owners will not cause anything to be hung, displayed, or placed on the walls, doors, windows, walkways, ceilings of walkways or roof of the condominium building or any other common element; and they will not otherwise change the appearance of any portion of the common elements without the prior written consent of the Board of Directors. Each unit owner shall provide draperies at all windows which shall be linked with white materials, sufficiently opaque so as not to disclose the color of the interior portion of such draperies. No clothes lines or similar devices, no radio or television antennas or aerials and no "For Sale" signs, will be allowed on any part of the condominium property without the prior written consent of the Board of Directors, unit owners may post reasonable signs in reasonable places on the condominium advertising any unit for sale and unit owners may post reasonable signs in reasonable places on the condominium advertising a unit for rent.

ASSOCIATION OF UNIT OWNERS OF THE CEDAR GARDENS

CONDOMINIUM

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### **CERTIFICATION**

The undersigned Chairman and Secretary of the Association of Unit Owners of The Cedar Gardens Condominium certify that the within First Amendment to the Declaration of Unit Ownership of The Cedar Gardens Condominium has been approved pursuant to ORS 100.135.

	ASSOCIATION OF UNIT OWNERS OF THE CEDAR GARDENS CONDOMINIUM  By: Chairman  By: Secretary
STATE OF OREGON ) ss County of Multrom )	
The foregoing instrument was aclumber, 2011 by frank Carter Unit Owners of The Cedar Gardens Condon	knowledged before me on the day of Chairman of the Board of Association of minium, on its behalf.
AIMEE R ALBRECHT NOTARY PUBLIC-OREGON COMMISSION NO. 442433 MY COMMISSION EXPIRES SEPTEMBER 27, 2013	Notary Public for Oregon My Commission Expires: 9/21/13
STATE OF OREGON ) ss County of Multinout )	
The foregoing instrument was acl	Rnowledged before me on the Lot day of Secretary of the Board of the Association of Ininium, on its behalf.
OFFICIAL SEAL AIMEE R ALBRECHT NOTARY PUBLIC-OREGON COMMISSION NO. 442433 MY COMMISSION EXPIRES SEPTEMBER 27, 2013	Notary Public for Oregon My Commission Expires: 9/21/3

### **GOVERNMENTAL APPROVAL**

The foregoing First Amendment to the Declaration of Unit Ownership of The Cedar Gardens Condominium is approved pursuant to ORS 100.110 this day of 2011. In accordance with ORS 100.110(8), this approval automatically expires if this amendment is not recorded within one (1) year from this date.

OREGON REAL ESTATE COMMISSIONER

Lauria A Skillman

### **COUNTY ASSESSOR APPROVAL**

The foregoing First Amendment to the Declaration of Unit Ownership of The Cedar Gardens Condominium is approved pursuant to ORS 100.110 this 19 day of APRIL, 2012

ML

MULTNOMAH COUNTY ASSESSOR

WHEN RECORDED, RETURN TO:

Vial Fotheringham LLP 7000 SW Varns St. Portland, OR 97223

**GRANTOR:** The Cedar Gardens Condominiums Association

PO Box 12753 Portland, OR 97212 GRANTEE: Public Multnomah County Official Records R Weldon, Deputy Clerk

2012-046960



\$56.00

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### FIRST AMENDMENT TO THE BYLAWS OF THE CEDAR GARDENS CONDOMINIUM

This Amendment to the Bylaws of The Cedar Gardens Condominium is made by the Association of Unit Owners of The Cedar Gardens Condominium.

### **RECITALS**

- A. The Cedar Gardens Condominium is a condominium, located in Multnomah County, Oregon, which was created by the following documents, recorded in the records of Multnomah County, Oregon:
  - 1. Declaration of Unit Ownership for The Cedar Gardens Condominium, recorded February 1, 1979, in Book 1339, Page 2169 ("Declaration").
  - 2. Bylaws of The Cedar Gardens Condominium, recorded concurrently with the Declaration, in Book 1339, Page 2144 ("Bylaws").
  - Articles of Incorporation of the Association of Unit Owners of The Cedar Gardens Condominium, filed on March 25, 2011 ("Articles of Incorporation").
- B. The purpose of this Amendment is to amend language of the Declaration to ensure that its references to Oregon law are current and its provisions are consistent with Oregon law.

**NOW, THEREFORE,** pursuant to Article X of the Bylaws and ORS 100.410, the Association hereby makes the following amendments:

I. Article II, Section 2 of the Bylaws is amended to read as follows:

Section 2. <u>Voting.</u> Notwithstanding ORS Chapter 100 (also known as the "Oregon Condominium Act"), the owner of each unit shall be entitled to one vote.



"Majority" or "Majority of Unit Owners" shall mean owners of more than fifty percent (50%) of the units. The calling and conducting of meetings of the Association of Unit Owners and the exercise of voting rights shall be controlled by Article II of the Bylaws. If multiple owners cannot agree on how to cast their vote, they shall abstain as to the matter with respect to which a vote is being taken. Any attempt to cast a split ballot shall be void.

### II. Article IV, Section 3(b) of the Bylaws is amended to read as follows:

(b) Designation and collection of monthly assessments from the owners, in accordance with these Bylaws, the Declaration and the Oregon Condominium Act.

### III. Article IV, Sections 9 and 10 of the Bylaws is amended to read as follows:

Section 9. <u>Regular Meetings.</u> Regular meeting of the Board of Directors may be held at such time and place as shall be determined, from time to time, by a majority of the Directors. Notice of regular meetings of the Board of directors may be called by the Chairman on three (3) days notice to each director, given personally or by mail, telephone or email, which notice shall state the time, place (as herein provided) and purpose of the meeting.

Section 10. <u>Special Meetings.</u> Special meetings of the Board of Directors may be called by the chairman or secretary or written request of at least (3) directors. Special meetings of the Board of Directors may be called on three (3) days notice to each Director, given personally or by mail, telephone or email, which notice shall state the time, place (as herein provided) and the purpose of the meeting.

### IV. Article VI, Section 2 of the Bylaws is amended to read as follows:

Section 2. <u>Default.</u> Failure by an owner to pay any assessment of the Association shall be a default by such owner of his obligations pursuant to these Bylaws and the Oregon Condominium Act. The Association shall be entitled to a lien which may be enforced up on compliance with provisions of ORS Chapter 100. In any foreclosure suit by the Association, with respect to such lien, the Association shall be entitled to collect reasonable rent from the defaulting owner for the use of his unit or shall be entitled to the appointment of a receiver pursuant to ORS Chapter 100. Any default by the owner in any provisions of these Bylaws or of the Oregon Condominium Act shall be deemed to be a default by the owner of any mortgage to which the owner is a party or to which the unit is subject.

### V. Article VI, Section 7(a) of the Bylaws is amended to read as follows:

(a) No resident of the condominium shall post any advertisement, posters, or signs of any kind in or on the condominium property except and authorized by the Association and except that the Declarant and unit owners may post "For Sale" signs advertising units or "For Rent" signs advertising a unit for rent.

### VI. Article VI is amended by adding the following language as Section 9:

Section 9. Limit on Rentals. Unit owners who took ownership before April 1, 2009, may rent out their units as they choose, as long as they and their tenants comply with the requirements of the Bylaws, the Declaration of Unit Ownership, and other Association policies. Unit owners who took possession after April 1, 2009, may not begin to rent out their units if doing so would result in three or more units being occupied by tenants, in order to limit total rentals to no more than 20 percent of all units. At such time as all unit owners took ownership of their condos after April 1, 2009, the number of units that can be occupied by tenants at any time will be limited to two. Immediate family members of unit owners, including spouses, parents, siblings and children, are not viewed as renters or tenants for the purposes of this section. In the event of a hardship, including job termination or relocation, medical emergency, disability or other hardship approved by the board, unit owners may for a period of up to 12 months obtain board permission to rent out their units, even if two or more other units are already being rented.

### VII. Article XI, Section 4 of the Bylaws is amended to read as follows:

Section 4. <u>Notice of Default by Mortgagor</u>. The Association of Unit Owners shall give the mortgagees written notification of any default by their mortgagors in the performance of such mortgagor's obligations pursuant to the condominium document or the Oregon Condominium Act, which is not cured within thirty (30) days.

### VIII. Article XII of the Bylaws is amended to read as follows:

These Bylaws are intended to comply with the provisions of the Oregon Condominium Act, which are incorporated of Unit Ownership. In case any of the provisions hereof conflict with the provisions of said statutes, the statutory provisions shall apply. In case of any conflict between the provisions hereof and the Declaration, the provisions in the Declaration shall apply.

### IX. Article XIV is amended to read as follows:

In the even suit or action is commenced by the Directors for the collection of any amounts due pursuant to these Bylaws or for the enforcement of any provisions of the Bylaws or of the Oregon Condominium Act, the owner or owners, jointly and severally, will in addition to all other obligations, pay the costs of such suit or action, including reasonably attorneys' fees to be fixed by the trial court and, in the event of an appeal, the cost of the appeal, together with reasonable attorneys' fees in the appellate court to be fixed by such court.

ASSOCIATION OF UNIT OWNERS OF THE CEDAR GARDENS

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Chairman

By: Yelly

### **CERTIFICATION**

The undersigned Chairman and Secretary of the Association of Unit Owners of The Cedar Gardens Condominium certify that the within First Amendment to the Bylaws of The Cedar Gardens Condominium has been approved pursuant to ORS 100.135.

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	ASSOCIATION OF UNIT OWNERS OF THE CEDAR GARDENS CONDOMINIUM  By: Lell Bhorian  Chairman  By: Lucy Lucy Zucon  Secretary
STATE OF OREGON )	•
County of MULTNAMAH)	
The foregoing instrument was ac	Chairman of the Board of Association of
The foregoing instrument was acl	Notary Public for Oregon
OFFICIAL SEAL OONA D K C GOODMAN NOTARY PUBLIC-OREGON COMMISSION NO. 453859 MY COMMISSION EXPIRES NOVEMBER 14, 2014	My Commission Expires: Nov. 14, 2014