

**BY-LAWS**  
**OF**  
**BULL MOUNTAIN ESTATES**  
**HOME OWNERS ASSOCIATION**

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**ARTICLE I**  
DEFINITIONS

- 1.1 Definitions** The following terms when used herein shall have the following meanings unless a different meaning is plainly required by the context:
- 1.2 “Association”** shall mean The Bull Mountain Estates Association, its successors and assigns.
- 1.3 “Declaration”** shall mean the Covenants, Conditions and Restrictions applicable to The Properties.
- 1.4 “The Properties”** shall mean the real property described as The Bull Mountain Estates of Washington County, Oregon.

**ARTICLE II**  
LOCATION

- 2.1 Location.** The principal office of the Association shall be located at The Bull Mountain Estates Residence of the President of the Association.

**ARTICLE III**  
MEMBERSHIP AND VOTING RIGHTS IN THE ASSOCIATION

- 3.1 Membership.** Members of the Association shall be every Owner of a “lot” within Bull Mountain Estates subject by covenants of record to assessment by the Association and every person who holds a contract purchaser’s interest of record in a “lot”. There shall be no other qualifications for membership except as set forth above. Membership shall terminate on transfer of fee simple title by an Owner or the contract purchaser’s interest by a contract purchaser who qualifies as a member. If the owner sells a “lot” by contract of sale, upon recordation thereof, the Owner’s membership shall terminate and the contract purchaser’s shall commence.
- 3.2 Voting Rights.** Members will be entitled to one vote for each “lot” in which they hold interest required for membership by Section 1. If more than one person holds interest or interests, all such persons shall be members, but the vote for such “lot” shall be exercised as the persons holding such

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interest shall determine between themselves, provided that in no event shall more than one vote be cast with respect to any such "lot".

### **ARTICLE IV**

#### **MEETING OF MEMBERS**

**4.1 Annual Meeting.** The annual meeting of the members shall be held in Tigard, Oregon or at such place in Washington County, Oregon, and at such date and time in the month of March of each year as may be prescribed by the board of directors.

**4.2 Special Meeting.** Special Meeting of the members may be called at any time by the board of directors or upon written request of one quarter of the membership.

**4.3 Notice.** Notice of all meetings of members shall be mailed by or at the directions of the secretary to each member, postage prepaid, at the address thereof as shall appear in the records of the Association or supplied by such member to the Association for the purpose of notice. Such notice shall be so mailed not less than fourteen days nor more than 50 days prior to the date of such meeting. The notice of the meeting shall specify the place, day and hour of the meeting and in case of a special meeting, the purpose of the meeting.

**4.4 Quorum.** Except as hereafter provided, the presence at any meeting in person or by proxy of members entitled to cast twenty eight votes shall constitute a quorum for any action. If, however, such quorum shall not be present or represented at any meeting, the members entitled to vote shall receive a ballot to be returned within a specified time. The returned ballots shall constitute quorum.

**4.5 Majority Vote.** A majority vote of a quorum shall be necessary for passage of a measure.

**4.6 Proxies.** A member may vote in person or by proxy executed in writing and filed with a director. Every proxy shall be revocable and shall automatically terminate upon termination of membership.

### **ARTICLE V**

#### **BOARD OF DIRECTORS**

**5.1 Number.** The affairs of this association shall be managed by a board of four directors. Directors must be member of the Association.

**5.2 Term.** At each annual meeting the members shall elect two directors for the term of two years. Directors shall serve until their successors are elected and assume office.

**5.3 Vacancies.** In the event of death, resignation, or the removal of a director, his successor shall be appointed by the remaining directors. A director appointed to fill a vacancy shall hold office the remainder of the term of the director succeeded.

**5.4 Compensation.** No director shall receive compensation for any service he may render to the Association as a director. However, any director may be reimbursed for his actual expenses incurred

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in the performance of his duties as a director and may receive compensation for service to the Association in other capacities.

**5.5 Nomination of Directors.** Nomination for election by members to the board of directors shall be made by a nominating committee appointed by the president and consisting of a chairman who shall be a member of the board of directors and two or more members of the Association. The nominating committee shall make as many nominations as it shall in its discretion determine but not less than the number of vacancies that are to be filled at such annual meeting. Nomination may also be made from the floor at the annual meeting.

**5.6 Manner of Election.** In any case where the number of nominations for the board of directors exceeds the number of vacancies, elections shall be by secret written ballot. At each election the members or their proxies may cast in respect to each vacancy as many votes as they are entitled to vote by the provisions of the Declaration. The persons receiving the largest number of votes shall be elected. Cumulative voting is not permitted.

## **ARTICLE VI**

### **MEETING OF THE BOARD OF DIRECTORS**

**6.1 Regular Meeting.** Within ten days after the annual meeting of members, the directors elected at such meeting and those holding over shall hold an organization meeting for the purpose of electing officers as herein provided and for the transaction of such other business as may come before the meeting. If all directors are present at the time and place of such meeting, no prior notice of such meeting shall be required to be given to the directors. The board of directors by resolution may establish the date, time and place for other regular meeting of the board.

**6.2 Special Meeting.** Special meeting may be called by the president and must be called by the president at the request of at least two directors. Such meeting may be held at such time and place as the board of directors or the president shall determine and any business may be transacted at such meeting.

**6.3 Notices.** No notice need be given of regular meetings held pursuant to resolution of the board of directors as herein above specified. Notice of special meeting shall be given at least three days prior to the date of such meeting either personally, by mail, or by telephone. Attendance at a meeting shall constitute a waiver of notice thereof.

**6.4 Quorum.** A majority of the directors shall constitute a quorum but no action of the board of directors shall be valid unless it is approved by an affirmative vote of at least three directors.

**6.5 Action Without a Meeting.** Directors may take any action in the absence of a meeting which they could take at a meeting by obtaining the written approval of all the directors to such action. Any action taken shall have the same effect as though taken at a meeting of the directors.

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**ARTICLE VII**

**POWERS AND DUTIES OF THE BOARD OF DIRECTORS**

**7.1 General Powers.** The board of directors shall have the power to:

- A) Exercise for the Association all powers, duties and authority vested in or delegated to the Association and not reserved to the membership by other provisions of these by-laws.
- B) Declare the office of a member of the board of directors to be vacant in the event such member shall be absent without excuse from three consecutive meetings of the board of directors.

**7.2 Duties of the Board of Directors.** It shall be the duty of the board of directors to:

- A) Cause to be kept a complete record of all of its acts and the proceedings of its meetings and to cause to be presented at the annual meeting of the members a report reviewing the business affairs of the Association for the year.
- B) To fix the amount of annual assessment against each building lot and give the owner subject thereto written notice of such assessment at least 30 days prior to the due date thereof, and to cause to be prepared a roster of property subject to assessment with assessments applicable to each such property and to keep such roster in the Association office subject to inspection by any owner.

**ARTICLE VIII**

**COMMITTEES**

**8.1 Architectural Committee.** The board of directors shall appoint an Architectural Committee of three or more people who are members of the Association, which Committee may act for the board of directors to the extent set forth in the Declaration.

**8.2 Other Committees.** The board of directors shall appoint such other committees as it in its discretion deems necessary to assist in the operation of the affairs of the Association including without limitation, a Recreation Committee and an Audit Committee. Committee members need not be members of the board of directors.

**ARTICLE IX**

**OFFICERS**

**9.1 Officers.** The officers of this Association shall be a president and vice president a secretary and a treasurer who shall be members of the board of directors. The officers shall be elected at the organization meeting of the board of directors each year and the term of office shall be for a period of one year and until their successors are elected and assume office, unless such officer resigns or is removed.

**9.2 President.** The president shall preside at all meetings of the members of the Association and the board of directors. He shall sign for the Association such contracts and other documents as he may

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be authorized by the board of directors to sign and shall perform all acts and duties usually performed by a president or as prescribed by the board of directors.

**9.3 Vice President.** In the absence or disability of the president, the vice president shall preside and perform the duties of the president. He shall also perform such other duties as may be delegated to him by the board of directors.

**9.4 Secretary.** The secretary shall keep or cause to be kept a complete record of all meetings of the Association and of the board of directors; serve notice of all meetings of the board of directors and of the members; keep appropriate current records showing the members of the Association together with their addresses; and shall perform such other duties as may be required by the board.

**9.5 Treasurer.** The treasurer shall keep financial records, make financial reports, perform such duties as he is required to perform in connection with assessments and perform such other duties as may be required by the board.

**9.6 Delegation and Change of Duties.** In the event of absence or disability of any officer, the board of directors may delegate during such absence or disability the powers or duties of such officer to any other officer or any director.

## **ARTICLE X**

### **ASSESSMENTS**

**10.1 Basis and Determination.** The basis for annual assessments is to provide the necessary funds for expenditures for the Association such as postage, stationary and those needed incidental items required for the operation of the Association. The initial assessment shall be one hundred dollars (\$100) per "lot" due in the month of March. The remainder of the annual assessment funds owned by the Association at the close of business at the next and each subsequent annual meeting shall not exceed the total of the next year's assessment. The board of directors may fix an annual assessment in an amount less than the maximum set forth in the by-laws. The maximum annual assessment established in these by-laws may be changed as provided in the by-laws by vote of membership. Special assessments may likewise be established by vote of the membership as set forth in the by-laws.

**10.2 Certificates with Respect to Assessment.** The secretary shall cause to be furnished to any Owner liable for an assessment upon demand of such Owner a certificate in writing setting forth whether the assessments on the property of Owner have been paid. The secretary of the Association shall cause to be filed in the office of the County Clerk in which the property is located within 90 days after a delinquency with respect to an assessment a statement of the amount of the assessment together with interest, and upon payment in full thereof shall execute and file a proper release of such lien.

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**ARTICLE XI**

**BOOKS, RECORDS, AUDIT**

**11.1 Inspection by Members.** The books, records and papers of the association shall at all times during reasonable business hours be subject to inspection by any member at the office of the Association.

**11.2 Audit.** An annual audit shall be made by the audit committee previous to the date of each annual meeting, at which meeting such report shall be presented. A special audit shall be made at any time upon order of the board of directors or upon a majority vote of the members at any regular or special meeting.

**11.3 Execution of Corporate Documents.** When the execution of any instrument has been authorized by the board of directors without specifying the execution officer: the president, vice president, secretary and treasurer. The board of directors may authorize anyone of such officers to sign any of such instruments for and on behalf of the Association and may designate officials or employees of the Association other than those names above who may sign such an instrument.

**ARTICLE XII**

**AMENDMENTS**

**12.1 Amendments.** The by-laws may be amended at a regular or special meeting of the members provided that such amendment shall have the assent of two-thirds of the votes of members who are voting in person or by proxy at such meeting and that notice of the amendment had been included in the notice of the meeting.

**ARTICLE XIII**

**REGISTERING A COMPLAINT**

**13.1 Form.** To register a complaint, fill out the Home Owners Association concern form. Mail or drop it off at the HOA president or vice president's home.

**13.2 Resolution.** The president will call a meeting of the Architectural Control Committee within ten days of receiving the concern form for the purpose of developing a resolution.

**13.3 Action.** The concerned parties will be contacted in writing or by phone. When an appropriate compromise cannot be found, arbitration will follow within thirty days, if deemed necessary.

**13.4 Anonymity.** All concerns may remain anonymous as appropriate to the situation.

*State of Oregon,  
County of Washington  
signed & attested before me on  
11/3/97  
Bonnie J. Craft  
Notary Public - State of Oregon  
My commission expires 10/3/97*

*Jeffery E. Reddicks*  
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PRESIDENT Jeffery E. Reddicks  
President, Bull Mountain Estates  
Homeowner Association

