

Association of Unit Owners of Flanders Lofts, A Condominium

RESOLUTION OF THE BOARD OF DIRECTORS

**“Special Assessment of \$200,000” (June 2023)**

RECITALS

- A. The Association of Unit Owners of Flanders Lofts, a Condominium, hereinafter the “**Association**,” is an Oregon nonprofit corporation.
- B. The Association is governed by its *Declaration Submitting Flanders Lofts, A Condominium to Condominium Ownership* recorded in 1997 including any amendments (hereinafter the “**Declaration**”) and the *Bylaws of the Association of Unit Owners of Flanders Lofts, a Condominium*, recorded as Exhibit C to the Declaration, together with the *First Amendment to the Bylaws* recorded in 2005, and the *Second Amendment to the Bylaws* recorded in 2013 combined referred to herein as the “**Bylaws**.” The Declaration and the Bylaws are recorded in the records of Multnomah County, Oregon and referred to herein as the “**Governing Documents**.”
- C. The Association is also governed by the Oregon Condominium Act and Oregon Revised Statutes (ORS) Chapter 100.
- D. The powers and duties necessary for the administration of the affairs of the Association are vested with the Board of Directors (the “**Board**”) by ORS 100.405(3), Article 14.3 of the Declaration and Article 3.7 of the Bylaws.
- E. Responsibility for the operation, care, maintenance, repair, and replacement of the common elements is delegated to the Board in Article 11.1 of the Declaration and Article 3.7(a) of the Bylaws.
- F. A reserve account to provide for the long-term maintenance, repair, and replacement of common elements is required by ORS 100.175(2) and established in Article 5.5 of the Bylaws.
- G. An annual reserve study is required by ORS 100.175 (3a) as an integral part of a condominium maintenance plan, so as to ensure that adequate replacement funds are available when components reach the end of their useful life.
- H. The most recent reserve study performed for the Association using the ‘cash flow method’ and a ‘threshold funding model projection’ indicates that the Association’s reserve account is inadequately funded.
- I. The Board is empowered to levy special and extraordinary assessments if necessary to pay for common expenses by Article 5.4(b) of the Bylaws. The reserve account is to be funded by assessments against individual Unit Owners pursuant to ORS 100.175 (2d).
- J. Charges for late payments of assessments, attorney fees for collection of assessments and fines for violations are collectible pursuant to ORS 100.405(4k); ORS 100.450(4)(c) and Article 5.6 of the Bylaws provide that fees, late charges, fines, and interest imposed by the Association are enforceable as assessments.
- K. The Board deems it necessary and desirable to levy a special and extraordinary capital assessment upon the Owners so that the Association is able to fund significant and essential maintenance and repairs to the condominium building.

RESOLUTION

After discussion and upon motion duly made, seconded, and unanimously carried at a special meeting of the Board on May 30th, 2023 a Resolution for this special assessment was approved.

**NOW, THEREFORE, it is Resolved** that the Association will levy an extraordinary Special Assessment, for the purposes of funding the reserve account, in the amount of \$200,000 (two-hundred thousand dollars) upon all Unit Owners as of the date of this Resolution, to be allocated in accordance with their undivided interest in the condominium as described in Exhibit B of the Declaration. Further,

1. **Payments.** Each Unit Owner's allocated assessment, according to their undivided interest, may be paid in installments for up to 24 months, or in a lump sum. Individual payment arrangements may be made directly with the Manager. The Manager may levy a processing fee upon Unit Owners for scheduling installment payments.
2. **Schedule.** Each Owners' share of the assessment will be charged against the Owners' accounts on July 1st, 2023, with lump sum payments due on that date. Owners who wish to make serial installment payments must notify the Manager, and such installments shall begin on August 1st, 2023. Any final payment of an installment plan is due no later than July 31st, 2025.
3. **Interest or Discounts.** The Association will neither impose a finance fee or interest for installment payments, nor offer a discount for a lump sum payment of this assessment.
4. **Fines.** The Board of Directors may levy fines or late fees against Unit Owners for violations of this Resolution in accordance with the Association's Schedule of Fines as described within the current Enforcement Resolution.

**BE IT FURTHER RESOLVED** that a copy of this Resolution shall be sent to each Unit Owner by their preferred contact method as shown in the records of the Association. This Resolution shall be effective upon each Unit Owner as of June 1st, 2023.

ATTESTED:

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Chairperson, Board of Directors,  
AUO of Flanders Lofts, A Condominium

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Secretary, Board of Directors,  
AUO of Flanders Lofts, A Condominium

DATED : June 1st, 2023

## Schedule of Individual Owner Assessments

**Total Assessment: \$200,000.00 | Assessed on July 1st 2023**

(Based upon undivided interest in the condominium)

		<u>\$200,000</u>	<u>\$200,000</u>
		<u>lump-sum</u>	<u>over</u> <u>24-months</u>
101 - Comm	8.60%	\$17,200	\$717
102 - Comm	4.34%	\$8,684	\$362
201	3.26%	\$6,512	\$271
202	2.19%	\$4,374	\$182
203	2.77%	\$5,540	\$231
204	2.95%	\$5,902	\$246
205	2.99%	\$5,984	\$249
206	2.87%	\$5,738	\$239
207	2.50%	\$5,004	\$209
208	2.98%	\$5,968	\$249
301	3.26%	\$6,512	\$271
302	2.19%	\$4,374	\$182
303	2.77%	\$5,544	\$231
304	2.95%	\$5,902	\$246
305	2.92%	\$5,844	\$244
306	2.87%	\$5,738	\$239
307	2.50%	\$5,004	\$209
308	2.98%	\$5,968	\$249
401	3.36%	\$6,716	\$280
402	6.52%	\$13,046	\$544
403	5.48%	\$10,962	\$457
404	5.14%	\$10,276	\$428
405	4.43%	\$8,854	\$369
406	3.89%	\$7,786	\$324
407	4.18%	\$8,368	\$349
408	4.85%	\$9,700	\$404
409	4.32%	\$8,636	\$360