

ASSOCIATION OF UNIT OWNERS OF FLANDERS LOFTS, A CONDOMINIUM

Resolution of the Board of Directors

“Use of Parking Garage and Trash & Recycling Area”

Adopted: June 2024

RECITALS

- A. **“Association”** is the “*Association of Unit Owners of Flanders Lofts, a Condominium*,” which is also an Oregon nonprofit corporation.
- B. The Association is governed by the following documents, recorded in the records of Multnomah County, Oregon, referred to herein as **“Governing Documents”**:
 - 1. *Declaration Submitting Flanders Lofts, A Condominium to Condominium Ownership*, recorded on August 15, 1997 as document number 97123846, including any amendments thereto (the **“Declaration”**);
 - 2. *Bylaws of the Association of Unit Owners of Flanders Lofts, a Condominium*, recorded as Exhibit C to the Declaration with the same document number; along with the First Amendment to the Bylaws of the Association, recorded on March 16, 2005; and the Second Amendment to the Bylaws of the Association, recorded on February 11, 2013, collectively shall be referred to herein as the **“Bylaws.”**
- C. The Association is also governed by the Oregon Condominium Act, ORS Chapter 100.
- D. ORS 100.405(3), Article 14.3 of the Declaration, and Article 3.7 of the Bylaws vest the Board of Directors of the Association (the **“Board”**) with all of the powers and duties necessary for the administration of the affairs of the Association.
- E. ORS 100.405(3) and Article 7.5(l) of the Bylaws empower the Board to adopt Rules and Regulations.
- F. ORS 100.450(5) and Article 5.6 of the Bylaws provide that fees, late charges, fines, and interest imposed by the Association are enforceable as Assessments.
- G. Article 7.5 of the Association Bylaws prescribe the restrictions and requirements respecting the use of Condominium property.
- I. Article 5 of the Declaration provides that the Condominium pathways, driveways, apron and garage, except for individually marked parking spaces, are General Common Elements.
- H. Article 6.2 of the Declaration, as amended, provides that each Residential Unit must be assigned one parking space as a Limited Common Element and that parking spaces within the Flanders Loft garage, as shown on the plat which was recorded with the Declaration, shall each pertain to a single unit indicated in Exhibit B of the Declaration.
- I. For the benefit of the Association and Unit Owners, in order to manage limited parking resources, ensure fair access for all residents, and maintain the safety, security, convenience, and aesthetics of the condominium community, the Board deems it necessary and desirable to establish clear expectations and guidelines for the appropriate use of the Common Elements of the garage and recycling areas.

RESOLUTION

NOW, THEREFORE, it is Resolved that the Board shall adopt the rules and policies set forth below with respect to the Common Elements of the garage within the Condominium, and that these policies are to be appended to the Rules & Regulations of the Association for the benefit of Owners and Residents.

1. **Garage; Parking.** Residents, their guests, agents or vendors must park all vehicles in accordance with all city regulations, parking signs, street and curb markings, and these Association parking rules.
2. **Assigned Parking.** All parking spaces within the garage are private, marked, numbered, and assigned to each individual Owner in the Declaration. Each space assignment is further described on the Plat and parking space schedule included as Exhibit A. [Article 6.2 of the Declaration]
3. **Towing Policy.** The Association or Manager may arrange to have towed from the garage, at the vehicle owner's expense, any vehicle that is parked in violation of these parking policies.
4. **Vehicle Size Limits.** Parked vehicles must fit within the marked limits of the painted lines that define each parking space. Individual spaces vary in size with widths ranging from 7-feet to 8.5-feet, and lengths of 15-feet to 18-feet. The maximum length for any vehicle to be parked in the garage is 18-feet. [Plat and Survey of Flanders Lofts]
5. **Obstruction.** Building common areas including the garage, apron, and driveway shall be left free for the equal enjoyment of all owners and occupants, and shall remain unobstructed at all times. No vehicle may remain parked in the Condominium parking garage in a way as to obstruct access or free passage into or out of the garage or impede the access to any parking spot. [Article 7.5(b) of the Bylaws]
6. **Storage Restrictions.** Storing personal or household items in any parking space of the garage beyond that typically expected with vehicle storage, or in any way that causes a hazard, is prohibited. This includes furniture, storage containers, luggage, cardboard boxes, construction materials, debris, or large equipment. No containers larger than 1-gallon of flammable fluids may be stored in the garage. Items weighing over 50 pounds must be readily movable and on wheels. [Article 7.5(i) of the Bylaws]
7. **Wall Mounted Storage.** Cabinets, racks, or shelving that are to be affixed to the walls or any structural element of the garage must have such plans reviewed, permitted, and approved in advance through the Association's architectural review committee (ARC) process. Wall mounted bike racks that are installed in the General Common Element adjacent to the lobby and elevator door are for the shared use of all Owners and Residents. [Article 7.5(d) of the Bylaws]
8. **Common Elements Maintenance.** All maintenance, repairs, and replacements to the general and limited common elements shall be made by the Association and charged to all unit owners as a common expense. Each unit owner shall keep the limited common elements pertaining to their unit in a neat, clean, and sanitary condition. Trash or debris on any Common Element shall be cleared promptly. [Article 7.1 (b) of the Bylaws]
9. **Nuisance and Hazard Prevention.** No personal property, including construction materials, debris, or waste/recycling, may be stored or staged on a General or Limited Common Element in a manner that creates a nuisance, hazard, fire risk, or otherwise interferes with access by owners and residents to and from any parking space, the garage entrances or exits, or access to the building lobby.
10. **Building Doors.** The Condominium building is to remain secure at all times, with doors locked and access restricted. No owner, guest, resident, agent, or service provider shall jam, prop open, or


otherwise cause to remain open any door, including all building entrances and garage doors, at any time. Report any damaged, non-functioning, or otherwise unsecured door to the Manager immediately.

11. **Automatic Garage Door.** Owners, drivers, tenants, guests, or any person who causes the overhead garage door to open must remain at the garage entrance and monitor the entrance until the overhead garage door is completely closed and should not allow tailgating of persons or vehicles into the parking area.
12. **Garage & Vehicle Security.** The common elements of the garage are inherently less secure than other areas of the Condominium. Owners and residents must remain alert in the garage and should be aware of the potential risks including property damage or theft. The Association can accept no responsibility for damage to or theft of vehicles or personal property kept within the garage. Observations or occurrences of property theft, trespassing, vandalism, or building damage should be reported to the Manager promptly for tracking, maintenance, and/or investigation. Call Portland Police at 9-1-1 if appropriate.
13. **Idling and Vehicle Maintenance.** Extended engine idling or any activity that could create excess fumes, noise, odors, or mess is prohibited. Owners are responsible for the proper cleanup of any fluids or lubricants. [Article 7.5(c) of the Bylaws]
14. **Trash Dumping.** Improper dumping of trash, rubbish, personal property, or debris in a Common Element, adjoining easement, or otherwise outside the designated sanitary containers is prohibited. All waste must be kept in sanitary containers within the designated trash and recycling area. [Article 7.5(i) of the Bylaws]
15. **Construction and Packing Debris.** The trash room and sanitary containers are for household rubbish and recycling only. Construction debris, discarded furniture, and excessive packing materials are prohibited unless arranged in advance with the Manager, with additional hauling costs charged to the Unit Owner.
16. **Garage Easement.** In accordance with our easement agreement with the owners of 422 8th Ave., access to and from the trash and recycling containers located within the Flanders garage shall not be restricted.
17. **Responsibility.** Owners and residents must exercise due care with Association property and all Common Elements. Costs for repair, removal of excess trash or dumped items, cleaning, or any other remediation for damage caused by improper or careless use or dumping, will be assessed against the Unit Owner. Any fees assessed to the Association by adjoining property owners for dumping will be assessed to the owner of the unit from which the trash or debris was dumped.
18. **Owner Cooperation.** The owner of each unit is ultimately responsible for any renter, tenant, or lessee who violates any portion of the above rules, the Governing Documents, or the Rules & Regulations of the Association. Owners that rent or lease a unit shall cooperate directly with the Board and Manager in resolving complaints or concerns with respect to such tenants or leaseholders who may be in violation or otherwise creating an issue.
19. **Fines.** The Board may assess fines against a unit owner for violations of this resolution in accordance with the Association's current Schedule of Fines as described within the Enforcement Resolution. Unit

owners are responsible for violations by any renter, tenant, guest, or family member, of any portion of the Governing Documents, this resolution, or the Rules & Regulations of the Association.

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to each Unit Owner at the preferred postal address or e-mail address shown in the records of the Association, and this resolution shall be included in the collection of governing documents and rules & regulations which are maintained and made available by the Manager. This resolution shall be delivered by the secretary promptly to each unit owner and shall be binding upon all unit owners and occupants of all units from the date of delivery.

ATTESTED:

DocuSigned by:


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

DocuSigned by:


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

DATED : June 11 , 2024

Exhibit A - Plat Map and Schedule of Parking Spaces

(includes Exhibit 'B' of the Declaration)