

Association of Unit Owners of Flanders Lofts, A Condominium

RESOLUTION OF THE BOARD OF DIRECTORS

**“Special Assessment of \$150,000” (September 2020)**

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.

**RESOLUTION**


After discussion and upon motion duly made, seconded, and unanimously carried at a regular meeting of the Board on September 22nd, 2020 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 \$150,000 (one-hundred-and-fifty 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. **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.
3. **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 September 22nd, 2020.

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 : September 22, 2020