

## Upper Rivers Edge Master Declaration

### **Article 1: Definitions**

**Section 2. "Area of Common Responsibility"** shall mean and refer to the Private Ways common to all owners of properly subject to this Declaration, together with those areas, if any, within the Private Ways, the maintenance, repair, or replacement of which is the responsibility of the Association.

**Section 18. "Private Way"** means any private roads or other area which is designated as such in the Plat of River's Edge Phase V, or any plat filed in connection with the annexation of Additional Real Property, or in any Supplemental Declaration submitting real property to the terms and conditions of this Declaration

**Section 4. RULES AND REGULATIONS.** The Board of Directors may establish reasonable rules and regulations concerning the use of the Private Ways and facilities located thereon. Copies of such regulations and amendments thereto shall be furnished by the Association to all Owners prior to the rules' effective date. Such regulations shall be binding upon the Owners, their families, tenants, guests, invitees, and agents until and unless such regulation, rule, or requirement shall be specifically overruled, cancelled, or modified by the Board or the Association in a regular or special meeting by the vote of Class A members holding a majority of the total votes in the Association and by the vote of the Class B members, so long as such membership shall exist. The Board shall have the authority to impose reasonable monetary fines and other sanctions, and monetary fines may be collected by lien and foreclosure as provided in Article X

### **ARTICLE IV MAINTENANCE**

**Section 1. ASSOCIATION'S RESPONSIBILITY:** The Association shall maintain and keep in good repair the Private Ways and entrance ways common to all owners of land subject to this Declaration, such maintenance to be funded as hereinafter provided. The Private Ways are generally the loop road from Fairway Heights Drive to Pro Shop Drive, and the principal cul-de-sacs and access roads accessing this loop system. This maintenance shall include, but not be limited to, maintenance, repair and replacement, subject to any insurance then in effect, of all landscaping and other flora, structures, and improvements situated upon any Private Way, and shall include the entrance way landscaping at Mt. Washington and Pro Shop Drive, and Fairway Heights and Mt. Washington Drive, and the land along these roads, 40 feet on each side, to the point that the maintenance of any common areas outside of the private ways shall become the sole responsibility of any sub association as described above.

## **ARTICLE IX. RIGHTS AND OBLIGATIONS OF THE ASSOCIATION**

Section 1. POWER OF ASSOCIATION. The Association, subject to the rights of the Owners set forth in this Declaration, shall be responsible for the exclusive management and control of the Private Ways and all improvements therein, and shall keep it in good, clean, attractive, sanitary condition, order, and repair, pursuant to the terms and conditions of this Declaration and the Bylaws, and shall have the powers set forth in ORS 94.630.

## **ARTICLE X. ASSESSMENTS**

Section 1. PURPOSE OF ASSESSMENT. The assessments provided for herein shall be used for the general purposes of promoting the recreation, health, safety, welfare, common benefit, and enjoyment of the Owners and occupants of Lots or other residential units, including the maintenance of real and personal property, all as may be more specifically authorized from time to time by the Board of Director

### **Upper Rivers Edge Master Bylaws**

## **ARTICLE 1: DEFINITIONS**

**1.7 "Common Areas"** means those Lots or tracts designated as common or open space on any plat of any of the Property, or in the Declaration, or in any declaration annexing property to the Property, including any improvements thereon, and shall also include Common Easement Areas (as defined in the Declaration) and any Lots converted to Common Areas as provided in the Declaration.

## **ARTICLE X**

### **ARCHITECTURAL AND DESIGN CONTROL**

There is no New Construction Committee or Modifications Committee provided for in the Declaration.

## **ARTICLE XIV**

### **RULES AND REGULATIONS**

The Board shall have power to adopt and publish rules and regulations governing the use of **the Common Areas and facilities**, and the personal conduct of the Owners and their guests and tenants thereon, and to establish penalties for the infraction thereof. Such rules and regulations may be adopted upon a majority vote of the members of the Board present at a meeting at which there is a quorum of Board members and as to which notice has been given as provided in these Bylaws. Such notice shall include a verbatim copy of all proposed rules and regulations. No rule or regulation shall be adopted without first having been delivered or mailed to each Owner at the last address for such Owner in the records of the Association. Upon adopting any such rules and regulations, copies thereof shall be delivered

to each Member and a copy shall be posted in a conspicuous place on the Property. Any rule or regulation which conflicts with these Bylaws or the Declaration shall be null and voi