

After recording return to:  
Karna R. Gustafson  
Vial Fotheringham LLP  
17355 SW Boones Ferry Rd., Suite A  
Lake Oswego, OR 97035

**AMENDMENT TO BYLAWS  
OF  
SUMMERFIELD TOWNHOUSE SERVICE ASSOCIATION NO. 1 (ALPHA)  
(A Non-profit Oregon Corporation)**

**RECITALS**

The Amended and Restated Bylaws of Summerfield Townhouse Service Association No. 1 (Alpha) were recorded in the Washington County, Oregon, deed records on December 7, 2016, as Document No. 2016-101564 (“Bylaws”).

Summerfield Townhouse Service Association No. 1 (Alpha) (“Association”) is comprised of the owners of the following described property:

Lots 87 through 140 inclusive; SUMMERFIELD No. 2, in the City of Tigard, County of Washington, and State of Oregon.

Members of the Summerfield Townhouse Service Association No. 1 (Alpha) (“Association”) have voted to amend the Bylaws to impose a new buyer fee in connection with the transfer of Properties.

**AMENDMENT**

The following Section 4.15 is hereby added to the Bylaws:

“4.15 New Buyer Fee Assessment. In addition to the annual and special assessments authorized in this Article, there shall be a new buyer fee assessment imposed upon the Transfer as defined in Section 4.15(1) of any Property. The New Buyer Fee Assessment shall be one half of one percent of the purchase price of the Property at the time of closing of the Property. The New Buyer Fee Assessment is the personal obligation of the purchaser, new title holder, or transferee, of the Property.

- (1) Transfer. Except as provided in Section 4.15(3), “Transfer” includes: (i) the recordation of a deed, contract of sale, or any other instrument which transfers the possession and equitable ownership, (ii) any change in ownership or control of the owner, or (iii) any transfer or assignment by operation of law.

- (2) Late Payment. New Buyer Fee Assessments shall be subject to a late payment penalty equal to five percent (5%) of the New Buyer Fee Assessment, which shall be assessed along with interest at the rate of twelve percent (12%) per annum for any New Buyer Fee Assessment not paid when due.
- (3) Exemptions. Upon written application for exemption, the Board of Directors shall grant an exemption from the New Buyer Fee Assessment with respect to: (i) any transfer made without consideration, for estate planning purposes; (ii) any transfer made solely for gift purposes; (iii) any transfer to beneficiaries of an estate, or testamentary trust; (iv) any transfer pursuant to a foreclosure of a security interest or deed in lieu of foreclosure; or (v) any transfer where the purchaser acquires a Property within six (6) months of disposing of another Property at the Summerfield Townhouse Service Association No. 1 (Alpha).
- (4) Use of New Buyer Fee Assessments. The New Buyer Fee Assessments collected pursuant to this section shall be used by the Association for constructing and maintaining capital items and for major repairs, remodeling, renovation, additions to or replacement of common facilities, and not to fund regular Association operations. The New Buyer Fee Assessment shall not be interpreted as an advance payment of any regular assessment, serial assessment, or special assessment.
- (5) Effective Date. The New Buyer Fee Assessment shall be effective for transfers occurring after the date this document is recorded in the Washington County, Oregon deed records.”

It is hereby certified that the foregoing Amendment has been approved by the requisite percentage members as required by the Bylaws and Oregon Planned Community Act.

DATED: June 15, 2021

SUMMERFIELD TOWNHOUSE SERVICE  
ASSOCIATION NO. 1 (ALPHA)

By: Nancy Sahler  
President

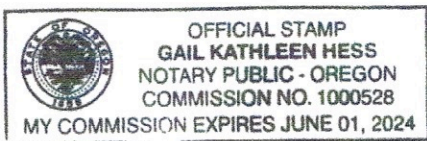
By: Barbara Sherman  
Secretary

[ACKNOWLEDGMENTS ON FOLLOWING PAGE.]

STATE OF OREGON )  
County of Washington ) ss.

June 15, 2021, 2021

Personally appeared before me the above-named Barbara Sherman who, being duly sworn, did say that he/she is the President of the Summerfield Townhouse Service Association No. 1 (Alpha) and that said instrument was signed in behalf of said Association by authority of its Board of Directors; and acknowledged said instrument to be its voluntary act and deed.



Gail K. Hess  
Notary Public for Oregon

STATE OF OREGON )  
County of Washington ) ss.

June 15, 2021, 2021

Personally appeared before me the above-named Nancy Sahler who, being duly sworn, did say that he/she is Secretary of the Summerfield Townhouse Service Association No. 1 (Alpha) and that said instrument was signed in behalf of said Association by authority of its Board of Directors; and acknowledged said instrument to be its voluntary act and deed.



Gail K. Hess  
Notary Public for Oregon