

Multnomah County Official Records
R Weldon, Deputy Clerk

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\$15.00 \$11.00 \$5.00 \$15.00

\$46.00

After Recording Return to:

P. Stephen Russell III, P.C.
LANDYE BENNETT BLUMSTEIN LLP
1300 SW Fifth Avenue, Suite 3500
Portland OR 97201
Phone: 503.224.4100

AMENDMENT TO BYLAWS

OF THE EASTSIDE OAK STREET ROWHOUSE CONDOMINIUM ASSOCIATION

This Amendment was adopted by:

The Eastside Oak Street Rowhouse Condominium Association
1311 SE Oak Street
Portland, OR 97214

Recorded By Fidelity National Title
Courtesy Only. Not Examined

8/12/10

**AMENDMENT TO BYLAWS
OF THE ASSOCIATION OF UNIT OWNERS OF EASTSIDE OAK STREET
ROWHOUSES**

This Amendment sets forth an amendment to the Bylaws of the Eastside Oak Street Rowhouse Condominium Association, an Oregon Condominium (the "Condominium"), as originally recorded in the records of Multnomah County, Oregon, on October 3, 1980, in Book 1473, Pages 2129, *et seq.*, as amended from time to time thereafter (the "Bylaws"). The Oregon Condominium Act, at ORS 100.415(1)(q) and (r), provides that the Association's Bylaws shall set forth any restrictions on the enjoyment of the units and common elements, and any restrictions on use or occupancy of units.

Owners and residents of the Condominium have recently complained of second-hand tobacco smoke at the Condominium. Second-hand smoke coming from common element areas migrates into other common element areas and into the interiors of units, and second-hand smoke from inside units migrates inside other units and to common areas. In recognition that it is impractical to prevent the migration of second-hand smoke, and in recognition that second-hand smoke is a carcinogen that materially interferes with other residents' enjoyment of the Condominium, the owners have voted to make the Condominium smoke-free.

NOW, THEREFORE, Article VII, Section 6, is hereby amended by adding the following new subsection (m) to read in its entirety as follows:

(m) **Smoking Prohibited.** Smoking is prohibited anywhere in the Condominium, including, without limitation, in, on or within all general and limited common element areas of the Condominium, and within all units. Without limiting the generality of the foregoing, this prohibition applies to all general and limited common element areas of the Condominium, whether indoors or outdoors, including, without limitation, patios, balconies, garages, private streets, lobbies, hallways, walkways, landscaped areas, and within all Condominium units. Smoking is defined to include carrying, burning or

otherwise handling or controlling any lighted or smoldering product containing tobacco, including, but not limited to, cigarettes, cigars or pipes. Each owner is responsible for the compliance with this rule by the owner and all residents within the owner's unit, and for all guests and invitees of such owner. Without limiting the remedies available to the Association or other owners, violations of this rule may result in a fine pursuant to the Association's fine schedule as adopted and amended from time to time by the Board of Directors.

IN WITNESS WHEREOF, the President and Secretary hereby certify that the foregoing Amendment was adopted by not less than seventy-five percent (75%) of the voting rights in the Condominium on 12 March 2012.

**EASTSIDE OAK STREET ROWHOUSE
CONDOMINIUM ASSOCIATION**

By: Richard D. Harrison
President

By: Susan J. Conroy
Secretary

STATE OF OREGON)
) ss. March 16, 2012
County of Washington)

Personally appeared before me the above-named officers and who, being duly sworn, did say that **Richard D. Harrison** is the President and **Susan Conroy** is the Secretary of the Eastside Oak Street Rowhouse Condominium Association, 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.



Terry J. Pint
Notary Public for Oregon

(ACKNOWLEDGMENTS CONTINUED)