

AFTER RECORDING RETURN TO:

VF Law
6000 Meadows Road, Suite 500
Lake Oswego, OR 97035

GRANTOR: Gabriel Commons Association,
an Oregon nonprofit corporation

GRANTEE: Public

**FIRST AMENDMENT TO
AMENDED AND RESTATED BYLAWS OF
GABRIEL COMMONS ASSOCIATION**

This First Amendment to Amended and Restated Bylaws of Gabriel Commons Association (“Amendment”) is made by Gabriel Commons Association, an Oregon nonprofit corporation (“Association”).

RECITALS

- A. Gabriel Commons Condominium (the “Condominium”) is located in Multnomah County, Oregon. The Condominium was established pursuant to the Oregon Condominium Act, ORS chapter 100 (formerly the Oregon Unit Ownership Law, ORS 91.505-91.675), by the following documents recorded on March 29, 1973 in the Records of Multnomah County, Oregon:

Declaration of Unit Ownership of Gabriel Commons, a Condominium, recorded as Document No. 48041, in Book 917, Page 1480 (“Initial Declaration”).

Bylaws of Gabriel Commons Unit Owners Association, recorded as an exhibit to the Initial Declaration, Document No. 48041, in Book 917, Page 1480 (“Initial Bylaws”).

Plat of Gabriel Commons, a Condominium, recorded in Book 1203, Pages 94-97, Plat Records.

- B. The Association is formed pursuant to the Initial Declaration and Initial Bylaws as Gabriel Commons Unit Owners Association, an unincorporated association. The Association was incorporated under ORS chapter 65 as Gabriel Commons Condominium Association, an Oregon nonprofit corporation, by Articles of Incorporation filed January 13, 2005 as Registry No. 262701-99, in the office of the Oregon Secretary of State, Corporation Division, and renamed Gabriel Commons Association by Articles of Amendment filed February 27, 2006.

- C. The Initial Declaration was superseded in its entirety by Amended and Restated Declaration of Unit Ownership, Gabriel Commons Condominium, recorded August 11, 2020 as Document No. 2020-100336, in the Records of Multnomah County, Oregon (“Declaration”).
- D. The Initial Bylaws were superseded in their entirety by Amended and Restated Bylaws of Gabriel Commons Association, recorded March 9, 2021 as Document No. 2021-038882, in the Records of Multnomah County, Oregon (“Bylaws”).
- E. The property currently subject to the Declaration and the jurisdiction of the Association is the Plat of Gabriel Commons, a Condominium, recorded on March 29, 1973 in Book 1203, Pages 94-97, Plat Records of Multnomah County, Oregon.
- F. The Association and owners desire to amend the Bylaws to clarify the definition of a Capital Improvement, and to change the types of projects for which a special assessment will require approval of the owners.

NOW, THEREFORE, pursuant to ORS 100.410 and Article 13, Section 13.2 of the Bylaws, with the consent or approval of owners holding at least fifty-one percent (51%) of the voting rights of the Association, the Association and owners hereby amend the Bylaws in in the manner set forth below.

I. Article 1, Section 1.6.1 of the Bylaws is amended to read as follows:

- 1.6.1 Capital Improvement: Any significant structural, aesthetic or functional change to the Common Elements other than one required by applicable building codes.

II. Article 5, Section 5.4 of the Bylaws is amended to read as follows:

5.4. Special Assessments

- 5.4.1. Special Assessments for Capital Improvements and Maintenance, Repair, and Replacement of Common Elements costing \$50,000 or more. The Board of Directors may at any time propose a special assessment for the purpose of defraying in whole or in part the cost of Capital Improvements or the maintenance, repair, and replacement of Common Elements. Any special assessment for the purpose of either a Capital Improvement or a maintenance, repair, and replacement effort affecting Common Elements that will cost \$50,000 or more must be approved by a vote of the Owners pursuant to Section 5.4.2, below. The Board of Directors may approve special assessments for Capital Improvements and maintenance, repair, and replacement efforts that will cost less than \$50,000 without a vote of the Owners. This \$50,000 limitation pertains to the project total, not the per-unit total, and shall increase automatically by \$2,500 every year following the recording of this amendment.

5.4.2. Voting and Notices for Special Assessments for Capital Improvements or the Maintenance, Repair, and Replacement of Common Elements. Any special assessment for a Capital Improvement or the maintenance, repair, and replacement of Common Elements that will cost \$50,000 or more must have the assent of two-thirds of the Owners who vote in person or by proxy at a meeting duly called for that purpose. Written notice of any meeting called pursuant to this [§]section must be sent to all such Owners at least 30 days in advance of the meeting and include the purpose of the meeting. The due date of any special assessment subject to this section shall be fixed in the resolution authorizing such assessment.

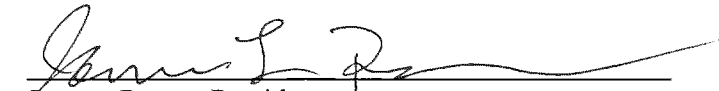
III. Article 5, Section 5.5 of the Bylaws is amended to read as follows:

5.5. Special Assessments for Purposes Other than Capital Improvements or Maintenance, Repair, and Replacement of Common Elements costing \$50,000 or more. The Board of Directors may at any time and in their sole discretion levy a Special Assessment to remedy a shortfall in operating or reserve funds or for any other reasonably necessary purpose except for Capital Improvements or the maintenance, repair, and replacement of Common Elements efforts costing \$50,000 or more.

IV. Except as otherwise expressly provided in this document, each of the provisions of the Bylaws remain in full force and effect.

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Dated: March 28, 2024.



Joanna Ponce, President
**Gabriel Commons Association, an Oregon
nonprofit corporation**

STATE OF OREGON)
) ss.
County of Multnomah)

This instrument was acknowledged before me this 28th day of March, 2024, by Joanna Ponce, as President of Gabriel Commons Association, an Oregon nonprofit corporation.





Notary Public for Oregon


Elizabeth Brooke-Willbanks, Secretary
**Gabriel Commons Association, an Oregon
nonprofit corporation**

STATE OF OREGON)
) ss.
County of Multnomah)

This instrument was acknowledged before me this 28th day of March, 2024, by Elizabeth Brooke-Willbanks, as Secretary of Gabriel Commons Association, an Oregon nonprofit corporation.




Notary Public for Oregon

