

After Recording return to:
Law Office of Brian Cox
142 West 8th Avenue
Eugene, Oregon 97401



\$92.00

02039444202200366380020026

08/25/2022 11:02:06 AM

Send Tax Statements to: As Before

RPR-AMEN Cnt=1 Pgs=2 Stn=1 CASHIER 05
\$10.00 \$10.00 \$11.00 \$61.00

**THIRD AMENDMENT TO DECLARATIONS OF COVENANTS,
CONDITIONS, & RESTRICTIONS OF SUNSET MEADOWS,
A PLANNED UNIT DEVELOPMENT
LANE COUNTY, STATE OF OREGON**

Be is resolved by the Board of Directors:

**INSURANCE
RECITALS**

- A. This resolution and amendment by the Board of Directors of the *Sunset Meadows Association, Inc.*, an Oregon nonprofit corporation ("*Association*") is made effective on January 1, 2023. The *Association* is charged with the operation and management of Sunset Meadows, an Oregon planned community located in Lane County, Oregon. The *Association* is governed by the following:
1. *Declaration of Covenants, Conditions and Restrictions for Sunset Meadows, a Planned Unit Development*, recorded on November 29, 1979 as document number 7969255 in Lane County, Oregon, including any amendments and supplements thereto ("*Declaration*");
 2. *Amended By-Laws of Sunset Meadows Association, Inc.*, revised October 13, 2010, including any amendments thereto ("*Bylaw*"); and,
 3. The *Oregon Planned Community Act, ORS 94.550 - 94.783*, as applicable.
- B. The *Declaration* was amended, in part, by the *Amendment to Declaration of Covenants, Conditions, and Restrictions of Sunset Meadows, a Planned Unit Development*, made April 18, 1980 and recorded as document number 8029256 in Lane County, Oregon ("*First Amendment*"), and in part by the *Second Amendment to Declaration of Covenants, Conditions, and Restrictions of Sunset Meadows, a Planned Unit Development*, recorded on June 29, 2006 as document number 2006-045568 in Lane County, Oregon ("*Second Amendment*").
- C. *ORS 94.676* allows the *Association* to adopt a resolution to require unit owners to obtain insurance coverage on their units, including the designation of which policies are primary in the event of duplicate insurance coverage.
- D. *Article XIII, Section 6* of the *Declaration* as amended by the *First Amendment* and by the *Second Amendment* provide that the *Association* shall cause the various units and all other buildings and improvements to be insured with broad form and extended coverage insurance for the full replacement value thereof.
- E. Owners may procure their own personal property insurance, personal liability insurance, and flood insurance.

F. ORS 94.630(l)(m); Article VI, Section 1(f) of the Declaration and Article III, Section 9 of the Bylaws provide that the Association has the authority to promulgate rules and regulations necessary for the administration of the affairs of the Association.

G. It is the intent of the Board of Directors to (a) ensure that unit owners maintain sufficient insurance coverage on their individual units to ensure that the insurance coverage for property losses to individual units are not shifted upon or borne by the Association.

Pursuant to ORS 94.676 and in consideration of the Recitals above, the following amendment to the Declaration of Covenants, Conditions and Restrictions for Sunset Meadows are adopted.

ARTICLE XIII, Section 6 is amended to read:

**Article XIII
Section 6. Insurance**

The Association shall at all times cause the all common areas, buildings and improvements owned by the Association to be insured with broad form fire and extended coverage insurance for the full replacement value thereof. Each Owner shall cause their individual units to be insured with broad form fire and extended coverage insurance for the full replacement value thereof, which shall be considered the primary coverage for the Owner's individual unit. Individual members of the Association shall provide their own personal property damage insurance, flood insurance and personal liability insurance away from the premises.

Except as amended by this instrument and, to the extent they do not conflict, prior amendments, the Declaration of Covenants, Conditions and Restrictions for Sunset Meadows, a Planned Unit Development, Lane County, State of Oregon as referenced above is hereby ratified and restated herein as though fully incorporated herein. A copy of this amendment and a notice advising owners to contact the owner's insurance agent to determine the effect of this amendment on the owner's individual insurance coverage be delivered to each owner either in person by mail to the mailing address of each owner or to the mailing address designated in writing by the owner.

DATED: August 16, 2022.

Sunset Meadows, a Planned Unit Development

Marilyn O'Malley
Its President

State of Oregon }
 } ss.
County of Lane }

Marilyn O'Malley personally appeared before me on August 16, 2022, and acknowledged the forgoing instrument to be her/his voluntary act and deed as President of Sunset Meadows, a Planned Unit Development.



Kevin Sutton
Notary Public for Oregon