

After recording, please return to:

Eagle Point Golf Community  
177 Alta Vista Rd., Suite B  
Eagle Point, OR 97524

Jackson County Official Records **2024-01145**  
R-DR  
Cnt=1 SIMPSOHP **06/11/2024 03:33:53 P**  
\$30.00 \$10.00 \$13.00 \$13.00 \$11.00 **Total:\$141.0**  
\$60.00 \$4.00



02078892202400114570060060

I, Christine Walker, County Clerk for Jackson County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Christine Walker - County Clerk

Document Title: HB 2534 Amendments to Declarations of Covenants, Conditions, Restrictions, and Easements for Eagle Point Golf Community

Direct Party: Eagle Point Golf Community Homeowner's Assoc.

Indirect Party: All Owners of Record

Related Documents: 95-20209; 00-12919; 00-44545

**HB 2534 AMENDMENTS TO DECLARATIONS OF  
COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENTS  
FOR EAGLE POINT GOLF COMMUNITY**

**Recitals**

1. Eagle Point Golf Community, which includes Lakeside Park Subdivision, ("Eagle Point Golf Community") is a planned community located in Jackson County, Oregon.
2. Eagle Point Golf Community is subject to the following documents: (1) Declaration of Covenants, Conditions, Restrictions and Easements for Eagle Point Golf Course Community, recorded as Document No. 95-20209 in Jackson County, Oregon ("1995 Declaration"); (2) Declaration of Covenants, Conditions, Restrictions, and Easements for Eagle Point Golf Community and Lakeside Park Subdivision, recorded as Document No. 00-12919 in Jackson County, Oregon ("Declaration No. 00-12919"); and (3) Declaration of Covenants, Conditions, Restrictions, and Easements for Eagle Point Golf Community and Lakeside Park Subdivision, recorded as Document No. 00-44545 in Jackson County, Oregon ("Declaration No. 00-44545") (collectively "Declarations").
3. Pursuant to Oregon House Bill 2534 from the 81st Oregon Legislative Assembly 2021 Regular Session ("HB 2534") and ORS 93.270 as amended by HB 2534, Eagle Point Golf Community desires to amend the Declarations listed in Section 2 *supra* as provided herein to remove restrictions that either are or may be deemed discriminatory under ORS 93.270.
4. Pursuant to Section 4(2) of HB 2534, amendments to the Declarations for the sole purpose of removing discriminatory language that does or may violate ORS 93.270 may be recorded without a vote of the owners or the Board if the amendment includes a certification signed by the president and secretary of Eagle Point Golf Community that the amended or restated Declarations do not change except as required under HB 2534, or as may be necessary to correct scriveners' errors or to conform to format and style.

**Amendments**

**1995 DECLARATION**

**Section 1.41 of the 1995 Declaration is hereby amended to read as follows:**

1.41 "Unit": a portion of the Properties, whether improved or unimproved, which may be independently owned and conveyed and which is intended for development, use, and occupancy as an attached or detached residence. The term shall refer to the land, if any, which is part of the Unit as well as any improvements thereon. The term shall include, by way of illustration but not limitation, condominium units, townhouse units, cluster homes, patio or zero lot line homes, and single-family detached houses on separately platted lots, as well as vacant



land intended for development as such, but shall not include Common Areas, common property of any Neighborhood Association, or property dedicated to the public. In the case of a building within a condominium or other structure containing multiple dwellings, each dwelling shall be deemed to be a separate Unit. In the case of a parcel of vacant land on which improvements are under construction, the parcel shall be deemed to contain the number of Units designated for residential use for such parcel on the Master Plan or the site plan approved by Declarant, whichever is more recent, until such time as a subdivision plat or condominium plat is filed of record on all or a portion of the parcel. Thereafter, the portion encompassed by such plat shall be deemed to contain the number of Units designated for residential use on the plat. No portion of the Golf Course is included in the Properties, and, accordingly, no portion of the Golf Course is included within a Unit.

**Sections 2.1(g)&(i) of the 1995 Declaration are hereby amended to read as follows:**

(g) The right of the Board to permit use of any recreational facilities situated on the Common Area by persons other than Owners, their household, lessees and guests upon payment of use fees established by the Board;

(i) The rights of certain Owners to the exclusive use of those portions of the Common Area designated "Exclusive Common Areas", as more particularly described in Section 2.2.

Any owner may extend his or her right of use and enjoyment to the occupants of his or her household, permitted lessees, and social invitees, subject to reasonable Board regulation. An Owner who has the right to and does lease his or her Unit shall be deemed to have assigned all such rights to the lessee of such Unit.

The initial Common Area as identified in Exhibit "A" shall be conveyed to the Association prior to or in concurrence with the conveyance of a Unit to a Retail Owner.

**Section 12.5(b) of the 1995 Declaration is hereby amended to read as follows:**

(b) Household Composition. No rule shall interfere with the freedom of occupants of Units to determine the composition of their households, except that the limit of the total number of occupants must comply with state and local county codes.

**Section 12.6(b)(vi) of the 1995 Declaration is hereby deleted in its entirety.**

**DECLARATION NO. 00-12919**

**Section 1.41 of Declaration No. 00-12919 is hereby amended to read as follows:**

1.41 "Unit": a portion of the Properties, whether improved or unimproved, which may be independently owned and conveyed and which is intended for development, use, and occupancy as an attached or detached residence. The term shall refer to the land, if any, which is part of the Unit as well as any improvements thereon. The term shall include, by way of



illustration but not limitation, condominium units, townhouse units, cluster homes, patio or zero lot line homes, and single-family detached houses on separately platted lots, as well as vacant land intended for development as such, but shall not include Common Areas, common property of any Neighborhood Association, or property dedicated to the public.

In the case of a building within a condominium or other structure containing multiple dwellings, each dwelling shall be deemed to be a separate Unit. In the case of a parcel of vacant land on which improvements are under construction, the parcel shall be deemed to contain the number of Units designated for residential use for such parcel on the Master Plan or the site plan approved by Declarant, whichever is more recent, until such time as a subdivision plat or condominium plat is filed of record on all or a portion of the parcel. Thereafter, the portion encompassed by such plat shall be deemed to contain the number of Units designated for residential use on the plat. No portion of the Golf Course is included in the Properties, and, accordingly, no portion of the Golf Course is included within a Unit.

**Sections 2.1(g)&(i) of Declaration No. 00-12919 are hereby amended to read as follows:**

(g) The right of the Board to permit use of any recreational facilities situated on the Common Area by persons other than Owners, their household, lessees and guests upon payment of use fees established by the Board;

(i) The rights of certain Owners to the exclusive use of those portions of the Common Area designated "Exclusive Common Areas", as more particularly described in Section 2.2.

Any owner may extend his or her right of use and enjoyment to the occupants of his or her household, permitted lessees, and social invitees, subject to reasonable Board regulation. An Owner who has the right to and does lease his or her Unit shall be deemed to have assigned all such rights to the lessee of such Unit.

The initial Common Area as identified in Exhibit "A" shall be conveyed to the Association prior to or in concurrence with the conveyance of a Unit to a Retail Owner.

**Section 12.5(b) of Declaration No. 00-12919 is hereby amended to read as follows:**

(b) Household Composition. No rule shall interfere with the freedom of occupants of Units to determine the composition of their households, except that the limit of the total number of occupants must comply with state and local county codes.

**Section 12.6(c)(v) of Declaration No. 00-12919 is hereby deleted in its entirety.**

**DECLARATION NO. 00-44545**

**Section 1.41 of Declaration No. 00-44545 is hereby amended to read as follows:**

1.41 "Unit": a portion of the Properties, whether improved or unimproved, which may be independently owned and conveyed and which is intended for development, use, and



occupancy as an attached or detached residence. The term shall refer to the land, if any, which is part of the Unit as well as any improvements thereon. The term shall include, by way of illustration but not limitation, condominium units, townhouse units, cluster homes, patio or zero lot line homes, and single-family detached houses on separately platted lots, as well as vacant land intended for development as such, but shall not include Common Areas, common property of any Neighborhood Association, or property dedicated to the public. In the case of a building within a condominium or other structure containing multiple dwellings, each dwelling shall be deemed to be a separate Unit. In the case of a parcel of vacant land on which improvements are under construction, the parcel shall be deemed to contain the number of Units designated for residential use for such parcel on the Master Plan or the site plan approved by Declarant, whichever is more recent, until such time as a subdivision plat or condominium plat is filed of record on all or a portion of the parcel. Thereafter, the portion encompassed by such plat shall be deemed to contain the number of Units designated for residential use on the plat. No portion of the Golf Course is included in the Properties, and, accordingly, no portion of the Golf Course is included within a Unit.

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(g) The right of the Board to permit use of any recreational facilities situated on the Common Area by persons other than Owners, their household, lessees and guests upon payment of use fees established by the Board;

(i) The rights of certain Owners to the exclusive use of those portions of the Common Area designated "Exclusive Common Areas", as more particularly described in Section 2.2.

Any owner may extend his or her right of use and enjoyment to the occupants of his or her household, permitted lessees, and social invitees, subject to reasonable Board regulation. An Owner who has the right to and does lease his or her Unit shall be deemed to have assigned all such rights to the lessee of such Unit.

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**Section 12.5(b) of Declaration No. 00-44545 is hereby amended to read as follows:**

(b) Household Composition. No rule shall interfere with the freedom of occupants of Units to determine the composition of their households, except that the limit of the total number of occupants must comply with state and local county codes.

**Section 12.6(c)(v) of Declaration No. 00-44545 is hereby deleted in its entirety.**

#### **Effect of Amendment**

Except as expressly amended hereby, the Declarations remain in full force and effect.

### Certification

The undersigned hereby certify that these Amendments have been approved in the manner required by HB 2534. The undersigned also certify that these Amendments do not change the Declarations except as required under ORS 93.270 as amended by HB 2534.

#### Eagle Point Golf Community Homeowner's Assoc.

Elizabeth M. Vogt  
President

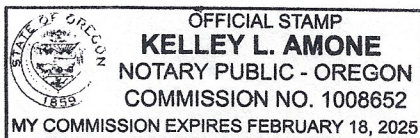
6 June 2024  
Date

Kimberly Wood  
Secretary

06.06.2024  
Date

STATE OF OREGON )  
County of Jackson ) :ss

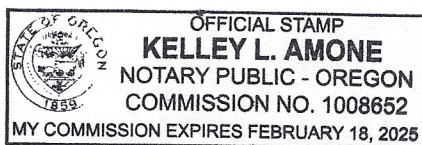
Personally appeared the above-named Elizabeth Vogt, President of Eagle Point Golf Community Homeowner's Assoc., and acknowledged the foregoing instrument to be their voluntary act and deed this 6th day of June, 2024.



Kelley L. Amone  
Notary Public for Oregon  
My commission expires: 2-18-25

STATE OF OREGON )  
County of Jackson ) :ss

Personally appeared the above-named Kimberly Wood, Secretary of Eagle Point Golf Community Homeowner's Assoc., and acknowledged the foregoing instrument to be their voluntary act and deed this 6th day of June, 2024.



Kelley L. Amone  
Notary Public for Oregon  
My commission expires: 2-18-25