

**After Recording Return to:**

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**AMENDMENT TO BYLAWS  
OF THE VAUX CONDOMINIUMS OWNERS' ASSOCIATION  
TO PROHIBIT SMOKING**

The Bylaws of The Vaux Condominium Owners' Association were recorded as an exhibit to the Declaration of Ownership for the Vaux Condominiums on September 20, 2006, in the records of Multnomah County, Oregon, as Document No. 2006-174967 (the "Bylaws"). The Oregon Condominium Act, at ORS 100.415(1)(q) and (r) provide 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. Section 7.24 of the Bylaws currently prohibits smoking tobacco or similar products on decks, balconies, and porches, and in all common areas of the Condominium.

From time to time, residents within the Condominium have complained to the Board of Directors that second-hand smoke has infiltrated their individual units, apparently originating from people smoking within adjacent units. The Association members recognize that creating a 100% smoke-free environment is the only way to protect people from the harmful effects of second-hand tobacco smoke. In accordance with the procedures set forth in the Association's governing documents and under applicable law, the owners have adopted the following amendment to the Bylaws:

Section 7.24 of the Bylaws is hereby amended to read in its entirety as follows:

**Section 7.24. Smoking Prohibited.** Effective as of 90 days after the recording of this amendment, smoking of tobacco or other products is prohibited on or within all common element areas of the Condominium, including both general and limited common element areas, and within all units in the Condominium. 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 or any other product or substance capable of being smoked and inhaled, 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. A violation of this

prohibition 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 Vice Chairman of the Vaux Condominiums Owners' Association hereby certify that this Amendment has been properly adopted pursuant to the necessary voting rights of owners at the Vaux Condominiums.

THE VAUX CONDOMINIUMS OWNERS'  
ASSOCIATION

By: \_\_\_\_\_

Vice Chairman

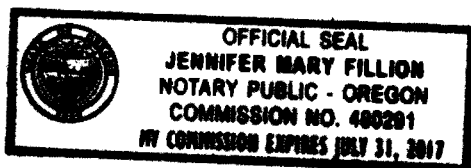
STATE OF OREGON )

County of Multnomah )

ss.

January 21<sup>st</sup>, 2014

Personally appeared before me the above-named Ronald Jean Kinley and who, being duly sworn, did say that he is the Vice Chairman of the Vaux Condominiums Owners' 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.



\_\_\_\_\_  
Notary Public for Oregon

IN WITNESS WHEREOF, the Secretary of the Vaux Condominiums Owners' Association hereby certify that this Amendment has been properly adopted pursuant to the necessary voting rights of owners at the Vaux Condominiums.

THE VAUX CONDOMINIUMS OWNERS' ASSOCIATION

By: \_\_\_\_\_

Secretary SARA BURTON

STATE OF OREGON

County of Multnomah

) ss. February 6, 2014

Personally appeared before me the above-named Sara Burton and who, being duly sworn, did say that \_\_\_ is the Secretary of the Vaux Condominiums Owners' 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.

\_\_\_\_\_  
Notary Public for Oregon

