

**RESOLUTION OF THE BOARD OF DIRECTORS  
Barrington Heights Association of Homeowners**

**FIRE LANE LANDSCAPE ENHANCEMENT POLICY**

**RECITALS**

- A. The Barrington Heights Association of Homeowners (“**Association**”) is charged with operating and managing Barrington Heights, an Oregon Planned Community located in Clackamas County, Oregon.
- B. The Association is governed by the following documents recorded in Clackamas County, Oregon:
  - 1. *Declaration of Covenants, Conditions and Restrictions and General Description of Plan of Development for Barrington Heights I*, recorded on September 12, 1985 as document no. 85-32280, including any amendments and all supplements thereto (“**Declaration**”).
  - 2. *Bylaws of Barrington Heights Association of Homeowners*, recorded on October 19, 1989 as document number 89-46792, including any amendments thereto (“**Bylaws**”).
- C. The Association is also governed by applicable provisions of the Oregon Planned Community Act, ORS 94.550-94.783. The Association is an Oregon nonprofit corporation formed pursuant to Articles of Incorporation filed with the Oregon Secretary of State on January 23, 2007.
- D. Under Article III, Sections 1 and 2 of the Bylaws and ORS 94.640, the Association’s Board of Directors is charged with managing the affairs of the Association. The Board has all powers and duties necessary for the administration of the affairs of the Association.
- E. Under Article III, Section 3 of the Bylaws, the Board is charged with the care, upkeep and surveillance of the project and the common areas and facilities as well as the enforcement of restrictions on common property.
- F. Article III, Section 14 of the Bylaws and ORS 94.630(1)(a) authorize the Board to adopt rules and regulations for the planned community.
- G. Barrington Heights adjoins land owned by the Oregon Department of Transportation (“**ODOT**”). The Board of Directors has determined that a strip of land (“**Work Site**”) bordering the southern portion of the planned community requires maintenance in order to reduce the risk of fire hazard to individual lots and to Association common property. The Board has hired a professional landscaper to perform the necessary maintenance.
- H. ODOT has granted the Association a permit in order to perform the required maintenance along the Work Site.

- I. The Board finds it to be in the best interests of the Association to adopt this Resolution setting the policy with respect to maintenance conducted on the Work Site.

**NOW THEREFORE**, pursuant to Article III, Section 14 of the Bylaws and ORS 94.630(1)(a), it is resolved that the following rules and regulations are adopted with respect to the Work Site:

1. **Authority to Perform Maintenance.** The Association authorizes only the professional landscaper hired by the Board of Directors to enter upon or perform any maintenance in the Work Site. No owners, tenants, or other guests of any owner in Barrington Heights have authority to perform any maintenance within the Work Site, and any person performing such maintenance does so at his or her own risk. No owner, tenant or guest has permission to act on behalf of the Association or to represent that he or she is acting on behalf of the Association performing any work on the Work Site. Any losses or costs incurred that is the fault of one or more owners on the Work Site may be assessed exclusively against such owner's lot.
2. **Application to Perform Maintenance.** Owners may apply to perform maintenance along the Work Site by submitting an application for a permit to perform any maintenance. Applying owners must agree to defend, indemnify and hold the Association harmless from any liability arising out of work performed by the owner or the owner's tenants or guests.
3. **Signs.** No signs or advertising devices may be placed on any portion of the Work Site.
4. **Litter and Debris.** No part of the Work Site shall be used for the dumping of litter or debris of any kind.
5. **Enforcement and Remedies.** The Association shall have the right to enforce the provisions of this Resolution by any legal means available under the Declaration, Bylaws and applicable law, including without limitation the power to levy fines against violating owners pursuant to the Association's Financial Penalties Resolution.
6. **Distribution to Owners.** A copy of this Resolution shall be delivered to all owners at their last known address.

Dated: 01-13-2015



President  
Barrington Heights  
Association of Homeowners



Secretary  
Barrington Heights  
Association of Homeowners