

ORIGINAL

AMENDMENT TO BYLAWS
OF
HARRIMAN PLACE CONDOMINIUM OWNERS' ASSOCIATION

The Membership of the Harriman Place Condominium Owners' Association, Blaine County, Idaho, voted by ballot to AMEND the Bylaws of Harriman Place Condominium Owners' Association as follows:

Paragraph 8. POWER AND DUTIES OF THE BOARD which originally read:

8. POWER AND DUTIES OF THE BOARD

8.1 Powers. The board shall have all powers conferred upon the Harriman Owners' Association as set forth herein and in the Declaration, excepting only those powers expressly reserved to the members.

8.2 Duties. It shall be the duty of the board:

- 8.2.1 to cause to be kept a complete record of all of its acts and doings and to present a statement thereof to the members at each annual meeting of the members;
- 8.2.2 to supervise all officers, agents and employees, and to see that their duties are properly performed;
- 8.2.3 to designate the member of the Association board of directors reserved for the Harriman Place Units; and
- 8.2.4 to delegate its powers as may be in the best interest of the Harriman Owners' Association.

Shall be amended to read:

8. POWER AND DUTIES OF THE BOARD

8.1 Powers. The board shall have all powers conferred upon the Harriman Owners' Association as set forth herein and in the Declaration, excepting only those powers expressly reserved to the members.

8.1.1 Miscellaneous Services. The Association may obtain and pay for the services of any person or entity to manage its affairs, or any part thereof, to the extent it deems advisable, as well as such other personnel as the Association shall determine to be necessary or desirable for the proper operation of the Harriman Place Condominiums, whether such personnel are furnished or employed directly by the Association or by any person or entity with whom or which it contracts. The Association may obtain and pay for

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BLAINE CO. REQUEST
OF: *K. Ellen Blythe*

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legal and accounting services necessary or desirable in connection with the operation of the Harriman Place Condominiums or the enforcement of these Bylaws. The Association may arrange with others to furnish electrical, water, sewer, trash collection services and other common services to each Unit in the Harriman Place Condominiums.

8.1.2 Personal Property for Common Use. The Association may acquire and hold for the use and benefit of all of the Owners tangible and intangible personal property and may dispose of the same by sale or otherwise. The Owners shall own the beneficial interest in any such property in the same proportion as their respective interests in the Common Area of the Harriman Place Condominiums. Such interest shall not be transferable except with the transfer of a Condominium. A transfer of a Condominium shall transfer to the transferee ownership of the transferor's beneficial interest in such property without any reference thereto. Each Owner may use such property in accordance with the purpose for which it is intended, without hindering or encroaching upon the lawful rights of other Owners.

8.1.3 Rules and Regulations. The Association may make reasonable rules and regulations governing the use of the Units and of the Common Area of the Harriman Place Condominiums which rules and regulations shall be consistent with the rights and duties established in these Bylaws. The Association may suspend any Owner's voting rights in the Association during any period or periods during which such Owner fails to comply with such rules and regulations, or with any other obligations of such Owner under these Bylaws. The Association may also take judicial action against any Owner to enforce compliance with such rules, regulations or other obligations or to obtain damages for non-compliance, all to the extent permitted by law.

8.1.4 Implied Rights. The Association may exercise any other right or privilege given to it expressly by these Bylaws, the Declaration or by Law, and every other right or privilege reasonably to be implied from the existence of any right or privilege given to it herein or reasonably necessary to effectuate any such right or privilege

8.2 Duties. It shall be the duty of the board:

8.2.1 to cause to be kept a complete record of all of its acts and doings and to present a statement thereof to the members at each annual meeting of the members;

8.2.2 to supervise all officers, agents and employees, and to see that their duties are properly performed;

- 8.2.3 to designate the member of the Association board of directors reserved for the Harriman Place Units;
- 8.2.4 to delegate its powers as may be in the best interest of the Harriman Owners' Association, and
- 8.2.5 to be responsible for the exclusive management and control of the Common Area of the Harriman Place Condominiums and all improvements thereon (including furnishings and equipment related thereto), and to keep the same in good, clean, attractive and sanitary condition, order and repair; however, each Owner of a Condominium shall keep the Limited Common Area of the Harriman Place Condominiums designated for use in connection with his Unit in a clean, sanitary and attractive condition, and shall maintain and repair the heating equipment and water heater servicing his Unit exclusively. The Association shall be responsible for the maintenance and repair of exterior surfaces of buildings and improvements located on or in the Harriman Place Condominiums Project. This shall include, without limitation: the painting of the same as often as necessary, the replacement of trim and caulking, the maintenance and repair of roofs, the maintenance and repair of other Common Area of the Harriman Place Condominiums, (including utility lines, areas for access to any automobile parking structures constituting part of the condominiums) and all other improvements or materials located within or used in connection with the Common Area of the Harriman Place Condominiums. However, this shall be with the exception of broken glass and/or glazing in windows to a particular Unit the replacement of which shall be the responsibility of the Owner of such Unit. The Association shall maintain in a proper, first class manner all landscaping and natural vegetation constituting part of the Common Area of the Harriman Place Condominiums, including assuring the preservation of good visual continuity between landscaped areas and natural vegetation. The specification of duties of the Association with respect to particular Common Area of the Harriman Place Condominiums shall not be construed to limit its duties with respect to other Common Area of the Harriman Place Condominiums as set forth in the first sentence of this subparagraph. The cost of such management, maintenance and repair by the Association shall be borne as provide in paragraph 11 of these Bylaws.

The Association shall have the right to grant easements for utility purposes over, upon, across, under or through any portion of the Common Area of the Harriman Place Condominium Association and each owner hereby irrevocably appoints this

Association as attorney in fact for such purpose.

Executed this 23rd day of March, 1998.

Michael D. Ripley

Michael Ripley, Secretary/Treasurer
Representing an Aggregate Ownership Interest
Of 51% or More of the Harriman Place Condominium
Association.

STATE OF IDAHO)
) ss.
County of Blaine.)

On this 23rd day of March, 1998, before me, the undersigned, a Notary Public for the State of Idaho, personally appeared MICHAEL RIPLEY, Secretary/Treasurer of the HARRIMAN PLACE CONDOMINIUM OWNERS', Representing an Aggregate Ownership Interest of 51% or More of the Harriman Place Condominium Owners' Association, known or identified to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same.

IT WITNESS WHEREOF, I have hereunto set my hand and affixed by official seal the day and year in this Amendment first above written.

K. Ellen Saxa
Notary Public
Residing at: Ywira Falls
My Commission Expires: 2002-12-31

