

PREFACE

The Board of Directors of the Snohomish Cascade Homeowners Association (“HOA”) acknowledges that the HOA’s governing documents (i.e. Covenants, Conditions and Restrictions (“CC&R”), Articles of Incorporation (“AOI”) and Bylaws) contain conflicting provisions, causing confusion and uncertainty in application and enforcement.

The Board recommends that in due time a thorough and complete revision of the governing documents be undertaken; that revised governing documents be adopted which provide relevant direction to the HOA and which enhance the function, appearance and value of the community. The Board hopes to undertake such a venture.

The amendments, below, address only the method by which the Board of Directors gives notice of meetings and provides other information to the Members. The Board’s determination not to address other deficiencies in the governing documents at this time should not be construed as the Board’s approval of such deficiencies or any particular provision contained therein.

1. AMENDMENT TO COVENANTS, CONDITIONS AND RESTRICTIONS

FORMER CC&R, ARTICLE 9.4

9.4 Notices and other Documents

Any notices or other document [sic] permitted or required by these covenants may be delivered either personally or by mail. Delivery by mail shall be deemed made forty-eight (48) hours after having been deposited as certified or registered mail in the United States Mail, with postage prepaid, addressed as follows: if to the Declarant or the Architectural Control Committee, 301 116th Avenue S.E., Suite 570, Bellevue, Washington, 98004; if to an owner, at the address given by him at the time of his purchase of a lot, or at his lot within SNOHOMISH CASCADE DIVISIONS I, II & III. The address of a party may be changed by him at any time by notice in writing delivered as provided herein.

AMENDED CC&R, ARTICLE 9.4

9.4 Notices, Documents and Information

A. Definition. “Covenants” and “CC&R” shall mean all of the limitations, restrictions, covenants and conditions set forth in this Declaration with respect to SNOHOMISH CASCADE DIVISIONS I, II, III and IIIA as the same may be amended and supplemented from time to time hereafter in accordance with the provisions of the

Declaration. All other references in the CC&R to SNOHOMISH CASCADE DIVISIONS I, II and III are amended to SNOHOMISH CASCADE DIVISIONS I, II, III and IIIA.

B. Delivery of Notice and Other Information. The notices and documents listed below shall be delivered by any authorized Officer or member of the Board to the Members by hand-delivery, first class United States mail with postage prepaid or email (if the Member has given consent to receipt by email):

(1) Notice of annual meeting of the Members;

(2) Notice of special meetings of Members, provided that if a special meeting of Members is called by Members in accordance with the Association's governing documents and applicable law, the Members calling such meeting may give notice of such special meeting to Members, only by hand-delivery or first class United States mail with postage prepaid;

(3) Notice of regular meetings of the Board of Directors;

(4) Notice of special meetings of the Board of Directors;

(5) Notice of the annual assessment or any special assessment;

(6) Summary of the proposed annual budget;

(7) Other notices or documents required by the CC&R, the Articles of Incorporation, the Bylaws or applicable law; provided that notice of liens and fines shall not be delivered to Members by email.

C. Minutes of the meetings and proceedings of the Members and the Board of Directors shall be kept or caused to be kept by the Secretary who shall at all times during reasonable business hours make the minutes of meetings available for examination by the Members.

D. Information and other forms of Board communication not mandated by the governing documents, but shared at the Board's discretion, shall be delivered by email only to those Members who have consented to email notice.

E. Notices and documents identified in this Section 9.4(B) shall be effective and deemed delivered (a) if by mail, when deposited in the United States mail; and (b) if by email, when transmitted.

F. Notices and documents delivered to a Member by mail shall be addressed to the Member at his or her address as it appears on the records of the

Association. A Member may designate the address to which notices are to be sent by providing such address to the Association in writing.

G. Notices delivered by mail or email may include information appended or attached to such mail or email, which shall be considered part of the notice.

H. Notice of an annual or special meeting of Members shall be delivered not less than fourteen (14) and not more than fifty (50) days before the date of the meeting.

2. **AMENDMENT TO ARTICLES OF INCORPORATION**

FORMER AOI, ARTICLE XIV

MEETINGS FOR ACTIONS GOVERNED BY ARTICLES VIII THROUGH XIII

To take action under Articles VIII through XIII, there must be a duly held meeting. Written notice, setting forth the purpose of the meetings, shall be given to all Members not less than ten (10) days nor more than thirty (30) days in advance of the meeting. The presence of Members or of proxies entitled to cast sixty percent (60%) of all of the votes of each class of Membership shall constitute a quorum. If the required quorum is not forthcoming at any meeting, another meeting may be called, subject to the notice requirements set forth above, and the required quorum at such subsequent meetings shall be one half (1/2) of the required quorum of the preceding meeting. No such subsequent meeting shall be held more than sixty (60) days following the preceding meeting

AMENDED AOI, ARTICLE XIV

MEETINGS FOR ACTIONS GOVERNED BY ARTICLES VIII THROUGH XIII

Action taken pursuant to Articles VIII through XIII may occur only at a duly called meeting of the Members. Written notice of such meeting or subsequent meeting pursuant to this Article, shall set forth the purpose of the meeting and shall be delivered to Members not less than fourteen (14) days, nor more than fifty (50) days in advance of the meeting. Such notice shall be delivered to each Member by United States first class mail, postage prepaid, addressed to the Member at his or her address as it appears on the records of the Association. A Member may designate the address to which notices are to be sent by providing such address to the Association in writing. Notices by United States mail shall be effective when deposited in the United States mail. The presence of

Members or of proxies entitled to cast sixty percent (60%) of all the votes of each class of Membership shall constitute a quorum. If the required quorum is not forthcoming at any meeting, another meeting may be called, subject to the notice requirement set forth above, and the required quorum at such subsequent meeting shall be one-half (1/2) of the required quorum of the preceding meeting, unless a greater number is required by law. No such subsequent meeting shall be held more than sixty (60) days following the preceding meeting.

3. **AMENDMENTS TO BYLAWS**

FORMER BYLAWS, ARTICLE III.3

MEETINGS OF MEMBER

3. NOTICE OF MEETING: Written notice stating the place, day and hour of the meeting and, in the case of a special meeting the purpose or purposes for which the meeting is called, shall be delivered not less than seven (7) nor more than thirty (30) days before the date of the meeting, either personally or by mail, by or at the direction of the President, or this Secretary, or the persons calling the meeting, to each owner of an occupied plot in the ASSOCIATION. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail, with postage fully prepaid thereon, addressed to the member's address appearing on the books of the ASSOCIATION or supplied by such member to the ASSOCIATION for the purpose of notice.

AMENDED BYLAWS, ARTICLE III.3

MEMBER NOTICES

3. **DELIVERY OF NOTICE AND OTHER INFORMATION.**

A. The notices and documents listed below shall be delivered by any authorized Officer or member of the Board to the Members by hand-delivery, first class United States mail with postage prepaid or email (if the Member has given consent to receipt by email):

(1) Notice of annual meeting of the Members;

(2) Notice of special meetings of Members, provided that if a special meeting of Members is called by Members in accordance with the Association's governing documents and applicable law, the Members calling such meeting may give

notice of such special meeting to Members, only by hand-delivery or first class United States mail with postage prepaid;

- (3) Notice of regular meetings of the Board of Directors;
- (4) Notice of special meetings of the Board of Directors;
- (5) Notice of the annual assessment or any special assessment;
- (6) Summary of the proposed annual budget;

(7) Other notices or documents required by the CC&R, the Articles of Incorporation, the Bylaws or applicable law; provided that notice of liens and fines shall not be delivered to Members by email.

B. Minutes of the meetings and proceedings of the Members and the Board of Directors shall be kept or caused to be kept by the Secretary who shall at all times during reasonable business hours make the minutes of meetings available for examination by the Members.

C. Information and other forms of Board communication not mandated by the governing documents, but shared at the Board's discretion, shall be delivered by email only to those Members who have consented to email notice.

D. Notices and documents identified in this section shall be effective and deemed delivered (a) if by mail, when deposited in the United States mail; and (b) if by email, when transmitted.

E. Notices and documents delivered to a Member by mail shall be addressed to the Member at his or her address as it appears on the records of the Association. A Member may designate the address to which notices are to be sent by providing such address to the Association in writing.

F. Notices delivered by mail or email may include information appended or attached to such mail or email, which shall be considered part of the notice.

G. Notice of an annual or special meeting of Members shall be delivered not less than fourteen (14) and not more than fifty (50) days before the date of the meeting.

FORMER BYLAWS, ARTICLE V.1-2

MEETINGS OF THE BOARD OF DIRECTORS

1. MEETINGS: Within ten (10) days after each annual meeting of the members, the directors elected at such meeting, and those holding over, shall hold an organization meeting for the purpose of electing offices as hereinafter provided and for transaction of such other business as may come before the board. If all directors are present at the time and place of meeting, no prior notice of such meeting shall be required to be given to the directors. All other meetings of the board shall be held at such place and time as directed by the board.
2. SPECIAL MEETINGS: Special meetings of the Board of Directors may be called by the President, or by any two directors, after not less than three (3) days' notice to each director.

AMENDED BYLAWS ARTICLE V.1-2

MEETINGS OF THE BOARD OF DIRECTORS

1. ORGANIZATIONAL AND REGULAR MEETINGS: Within ten (10) days after each annual meeting of the Members, the Directors elected at such meeting, and those holding over, shall hold an organizational meeting for the purpose of electing Officers as hereinafter provided and for transaction of such other business as may come before the Board. If all Directors are present at the time and place of meeting, no prior notice of such meeting shall be required to be given to the Directors. All other meetings of the Board shall be held at such place and time as directed by the Board.
2. SPECIAL MEETINGS: Special meetings of the Board may be called by the President, or by any two Directors, after not less than three (3) days' notice to each Director.
3. NOTICE OF MEETINGS TO DIRECTORS AND MEMBERS: Notice of regular and special Board meetings may be given to Board Members and Members of the Association by hand-delivery, first class United States mail with postage prepaid, or email (if the Member has given consent to receipt by email). Any notices given or delivered pursuant to this section shall be effective and deemed delivered (a) if by mail, when deposited in the United States mail; and (b) if by email, when transmitted.

4. DELIVERY ADDRESS: Notices, information and documents given or delivered pursuant to this section shall be addressed to the Member at his or her address as it appears on the records of the Association. A Member may designate the address to which notices are to be sent by providing such address to the Association in writing. Any notice given by United States mail or email includes material, information or documents included, appended or attached to such mail or email.

FORMER BYLAWS, ARTICLE VI.2.B(3)

2. DUTIES: It shall be the duty of the Board of Directors to:
- B. As more fully provided in the Declaration, to:
- (3) Send written notice of each assessment to every Owner subject thereto at least thirty (30) days in advance of each assessment period.

AMENDED BYLAWS ARTICLE VI.2.B(3)

2. DUTIES: It shall be the duty of the Board of Directors to:
- B. As more fully provided in the Declaration, to:
- (3) Send written notice of each assessment to every Owner subject thereto at least thirty (30) days in advance of the date each assessment shall become first due in the manner provided in Article III.3 of the Bylaws.