

RESOLUTION OF THE BOARD OF DIRECTORS  
THE CAPES HOMEOWNERS' ASSOCIATION  
Electronic Communications

At the March 21, 2020 Board of Directors meeting (the "Board") of The Capes Homeowners' Association (the "Association") the Board adopted the following Resolution:

WHEREAS, the Association is organized and empowered to exercise all of the powers and privileges conferred to it by the Amended and Restated Declaration of Covenants, Conditions, and Restrictions for The Capes and the Oregon Planned Community Act to administer, manage and operate the Association for the benefit of the members;

WHEREAS, Oregon Revised Statute ("ORS") Section 94.630(1)(a) and Article XIV of the Association Bylaws, the Board has authority to adopt and amend rules and regulations for the Association;

WHEREAS, ORS 94.652 permits the Board to adopt a resolution authorizing the Association to provide notice, information or other written material required to be given to a homeowner or director under the Declaration, Bylaws or the Planned Community Act by electronic mail, facsimile, or other electronic communication, with the exception of notices relating to a homeowner's failure to pay an assessment, the commencement of a foreclosure action, or other action against a member; and,

WHEREAS, the Board believes it is in the best interests of the Association to provide electronic communications to members who have provided email addresses and to post notice to the Association's website for all notice for which electronic notice is legal in order to reduce expenses;

NOW, THEREFORE, BE IT RESOLVED, that the Association may send required notices by electronic mail and by posting notices to the Association's community website [www.thecapeshoa.org](http://www.thecapeshoa.org).

BE IT FURTHER RESOLVED, that the Association will not use electronic notification for notices of failure to pay assessments, notice of intent to foreclose a lien, or notice of an action the Association intends to take against a member.

BE IT FURTHER RESOLVED, that any member may opt out of receiving electronic notifications by submitted an "opt out" form to the Association. Homeowners who have requested to opt out will have notices sent by United States Postal Service ("USPS") first class mail.

BE IT FURTHER RESOLVED, that it is the responsibility of members to provide current email information to the Association if they prefer to receive email notices. Members may update their email address at the Association's website – [www.thecapeshoa.org](http://www.thecapeshoa.org).

BE IT FURTHER RESOLVED, that exceptions may be made by the Board on a case by case basis to provide certain notices via USPS first class mail.

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be provided to all homeowners at their last known address and this Resolution shall become effective 10 days after the date adopted.

THE CAPES HOMEOWNERS' ASSOCIATION

By: \_\_\_/Claude Zeller/\_\_\_\_\_

Claude Zeller

Association Secretary

OPT OUT FORM  
ELECTRONIC COMMUNICATIONS

I, \_\_\_\_\_, the owner of Lot \_\_ at The Capes Homeowners' Association, hereby opt out of receiving electronic communications from the Association and hereby request that all communications from the Association be delivered to me by the United States Postal Service.

\_\_\_\_\_  
Homeowners Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Mailing Address

Please return to this form to the Association by one of the following manners:

Deliver the completed form to the Association's onsite office, 605 Capes Drive, Oceanside, Oregon.

Mail the form to: The Capes Homeowners' Association, PO Box 404, Oceanside, OR 97134.

E-mail the form to: [Manager@TheCapesHOA.org](mailto:Manager@TheCapesHOA.org).