

September 22, 2024

Dear Riverbank Neighbors,

We have certainly had some challenges this year getting a Board of Directors assembled for the Riverbank Home Owners Association. As we started this fiscal year our intentions were to seat a full board (5 members), to codify and distribute collection rules for the HOA, develop a budget for '24-'25 fiscal year, maintain the clubhouse, grounds and newly refreshed courts and propose a pathway for new members in the RRWD (Riverbank-Riverbend Water District) to participate in our Riverbank community.

This is where we have made progress :

- The courts are secure, rules are posted and only members have access to the courts.
- An address was secured for the HOA, 31165 SW River lane Rd West Linn, OR 97068 and a mailbox has been installed
- An insurance carrier was able to write a policy on the HOA assets (clubhouse and courts) and the HOA Board of Directors (BOD) insurance. Both coverages are in place for this fiscal year.
- A full BOD was voted in: Steve Houseworth and John Carnathan by the HOA members and Liz Hammack, Phil Rouse and Sue Barton-Venner by the BOD during a Board meeting. Thinking we had a full BOD, we proceeded to prepare and approve a budget and agenda for the fiscal year.
- A draft Collections process has been prepared, but not approved.
- New Membership structures have been researched (informal HOA and Neighborhood Association), but nothing has progressed on this research.
- We have a social committee that has hosted monthly Happy Hours and the Summer picnic so that the community has opportunities to socialize, meet new neighbors and share great stories.
- All Board Meetings have been communicated and documented and published on the HOA website Myriverbank.org for your reference.

This is where we have had challenges:

- The By-Laws and Declarations were not followed when voting in the full BOD; so now we are in the process of assembling a FULL (5) candidates for the ballot we will vote on in the October 14, Special Meeting (or by proxy)
- The BOD got ahead of ourselves thinking we had a full BOD, and voted in a new budget which did not raise the HOA dues this year. There are several assumptions made in the budget which are turning out to be incorrect.
- At one of the Collections process meetings, a homeowner challenged their membership in the HOA. This was easily researched with the Clackamas County. Two departments declared they could find no documents placing this property as part of Riverbank HOA. The "overdue" dues and assessments cannot be collected for this property and this was communicated to the homeowner.
 - HOA membership "runs with the land". HOA mandatory membership only occurs when the title (deed) for the property in question is Subject to the Covenants, Conditions, Restrictions and Easements set forth in the Riverbank HOA documents filed with

Clackamas County. Specifically for Riverbank HOA, these would be the following: **Recording Date: December 3, 1973 Recording No. 73-037271 and the following amendment(s)/Modification(s) : February 6, 1976 76-003960 and June 27, 1984 84-021739 and Transfer to Riverbank HOA June 3, 1996 96-039884 (if you purchased after this date).** These documents are on the HOA website at Myriverbank.org for your reference. These CC&Rs should not be confused with the RRWD CC&Rs which are also in your title (deed) but were separated from each other in 1984.

- The BOD continued to research the membership for Riverbank HOA and was prepared to discuss this at a special meeting and distribute a complete summary to the 41 homeowners currently on the HOA list. However, due to several issues, this membership information has only been informally shared with some HOA members. Many members have also done their own research with their title companies. Here is the outcome of the research:
 - Only Riverbank (Lots 1-10 and the Condos) are legal (mandatory) members of the Riverbank Home Owners Association. Lot 11 appears to have been included in the Platting of Riverbank No.3 and the conservation easements across the Riverbank lots.
 - All Riverbank No. 2 are legal (mandatory) members of the Riverbank Home Owners Association.
 - Presently there is no recorded documentation that has added the following properties to the Declarations : Riverbank No3, Lot 11 Riverbank, one lot on Hebb Rd and lots inside Riverbank No.2 not in the Plat. Until we can find the documentation that supports their inclusion in the HOA they are not legal (mandatory) members of the Riverbank Home Owners Association. These are noted as “Informal” Members on the attached list.
 - We know of 3 owners in Riverbank No. 3 who have looked at their Title (Deed) and there is no reference to the Riverbank HOA, just a Peach Cove HOA. A Title Company has declared, “We find no recorded documents placing your property in the Riverbank Homeowners Association”
 - One Lot in Riverbank No.3 has a document in their title filed in 1996-039884 Agreement for Transfer where the Hebb Family Management Trust agreed to transfer the rights and powers to the HOA. In handwriting on the document it refers to Plats: Riverbank and Riverbank No.2 only, recorded as 73-37271. There is no reference to the documents for the HOA listed above in their deed.
- There has been no mechanism for the current 2 Board Members to formally bring up membership Questions to the HOA (1) Which homes are mandatory (legal) members of the HOA (2) Which are informal members of the HOA (3) Determine if there is a reasonable path forward to add members to the HOA? (4) How to document the OPT Out of any Informal members?
- And without a full BOD, no HOA decisions can be made about membership. Instead, accept this letter as a substitute for an informational meeting. Please email any questions or comments to. THEBOARD@RIVERBANK.ORG

Where the HOA stands:

- **Both of our current Board Member homes are not Mandatory HOA Members and seek a transition from these roles to others who live in Riverbank and Riverbank No.2 at the next Special Meeting on October 14, 2024.**
- Only 2 of the volunteers for the Board are Homeowners in Riverbank and Riverbank No.2, Liz Hammack and Sue Barton-Venner. We need to have at least 3 more volunteers from Riverbank and Riverbank No.2 step forward so the HOA Members can vote.
- HOA Members on the “Mandatory” HOA Membership list are attached for your reference. Please attend the October 14 Special meeting at 7:00pm at the Clubhouse or return your proxy. We will send out both paper and Adobe e-signature proxies to all these addresses.
- HOA Members on the “Informal” HOA member list can help us by reviewing and filling out the “OPT OUT FORM” attached. This form is ONLY for the addresses listed. We will send out email and e-signature proxies to any informal member who does not OPT OUT of voting or OPT out of the HOA as an informal member.
- **Technically, the HOA does not have an “official” approved budget. Once the Board is installed a new budget will be created and communicated to HOA members and anyone not Opting Out of the HOA.**

Thank you for the opportunity to serve the HOA these past months both as Formal and informal Board Members.

Steve Houseworth, current Chair

John Carnathan, current Treasurer/Secretary

Liz Hammack

Phil Roach

Sue Barton-Venner

Mandatory Members of the Riverbank Home Owners Association

Riverbank (Plat 1944) and Riverbank No 2 (Plat 1945) Addresses:

Address	Street	Legal Description
30950	River Lane Road	1944 Riverbank - Lot 1
31000	River Lane Road	1944 Riverbank - Lot 2
31010	River Lane Road	1944 Riverbank - Lot 3
31030	River Lane Road	1944 Riverbank - Lot 4
31050	River Lane Road	1944 Riverbank - Lot 5
31070	River Lane Road	1944 Riverbank - Lot 6
31110	River Lane Road	1944 Riverbank - Lot 7
31138	River Lane Road	1944 Riverbank - Lot 8
31170	River Lane Road	1945 Riverbank - Lot 9/Rocky Crest Condo
31180	River Lane Road	1946 Riverbank - Lot 9/Rocky Crest Condo
31160	River Lane Road	1947 Riverbank - Lot 9/Rocky Crest Condo
31190	River Lane Road	1944 Riverbank - Lot 10
30951	River Lane Road	1945 Riverbank 2 - Blk 2 - Lot 1
30991	River Lane Road	1945 Riverbank 2 - Blk 2 - Lot 2
30841	River Lane Road	1945 Riverbank 2 - Blk 2 - Lot 3
30811	River Lane Road	1945 Riverbank 2 - Blk 2 - Lot 4
31031	River Lane Road	1945 Riverbank 2 - Blk 2 - Lot 5
31075	River Lane Road	1945 Riverbank 2 - Blk 2 - Portion of Lot 6
30880	River Lane Road	1946 Riverbank 2 - Blk 2 - Portion of Lot 6
31135	River Lane Road	1945 Riverbank 2 - Blk 2 - Tract A
483	Riverbend Drive	1945 Riverbank 2 - Blk 3 - Lot 1
471	Riverbend Drive	1945 Riverbank 2 - Blk 3 - Lot 2
30940	River Lane Road	1945 Riverbank 2 - Blk 3 - Lot 3
30930	River Lane Road	1945 Riverbank 2 - Blk 3 - Lot 4
30920	River Lane Road	1945 Riverbank 2 - Blk 3 - Lot 5
31015	Riverwood Drive	1945 Riverbank 2 - Blk 3 - Lot 7
30925	Riverwood Drive	2587 Riverbank 3 - Lot 7
30946	River Lane Road	1945 Riverbank 2 - Blk 3 - Tract B
30796	River Lane Road	1945 Riverbank 2 - Blk 4 - Portion of Lot 1
30810	River Lane Road	1945 Riverbank 2 - Blk 4 - Portion of Lot 1

Please Volunteer for one of the five open Board of Director roles with the Riverbank HOA.

Send your name to Theboard@riverbank.org by September 27, 2024

Informal Members

At this time, since there is not a fully seated Board, we cannot make any decisions about the “informal” current membership for owners of the following properties, **but you can!**

Only these Addresses can “OPT OUT” of voting for BOD and/or “OPT OUT” of Riverbank HOA based on Title (deed) evidence that no Riverbank HOA Declarations or CCRs are listed on your Title (Deed).

Address	Street	Legal Description
31204	River Lane Road	2587 Riverbank 3
30801	River Lane Road	Survey PS15544 Parcel A
30830	River Lane Road	Survey PS8188 Parcel A
448	Hebb Park Road	Survey PS15544 Parcel B
484	Hebb Park Road	2587 Riverbank 3 - Lot 1
476	Hebb Park Road	2587 Riverbank 3 - Lot 2
466	Hebb Park Road	2587 Riverbank 3 - Lot 3
454	Hebb Park Road	2587 Riverbank 3 - Lot 4
31220	River Lane Road	2587 Riverbank 3 - Lot 5
446	Hebb Park Road	2587 Riverbank 3 - Lot 6
31195	River Lane Road	2587 Riverbank 3 - Lot 7

Riverbank Home Owners Association “OPT OUT” Form

I/We, _____, owner(s) of

Notify the Riverbank Home Owners Association that I/We “OPT OUT” (check all that apply)

_____ OPT OUT of Voting for the Board Of Directors for the 2024-2025 Fiscal year.

_____ OPT OUT of the Riverbank HOA permanently, because I have evidence that my lot does not have the Documents listed below on my Title (Deed)

Recording Date: December 3, 1973 Recording No. 73-037271 and the following amendment(s)/Modification(s) : February 6, 1976 76-003960 and June 27, 1984 84-021739 and Transfer to Riverbank HOA June 3, 1996 96-039884 (only if you bought after June 3, 1996)

_____ I/we would like to be involved in understanding our options for continued membership in the Riverbank HOA. Keep us informed!

_____ I/we have evidence that our lot is covered by the HOA Declarations and CC&Rs.

Signature(s) _____

Date _____

Email back to THEBOARD@RIVERBANK.ORG by September 30, 2024

How to find a copy of your Plat or Survey either look at your Title Report or access one through Clackamas County Website.

For a readable copy of the plat or survey for your address open your internet browser and type in:



<https://www.clackamas.us/cmap>

then type in your address in the top right corner search bar. Once it returns your information, scroll down the right to the Documents section and you will find a Plat Map (1944, 1945, 2587) or Surveys (PS). All the lands in Riverbank were originally platted or surveyed from Peach Cove Lands. You can see that chronological history in your Records tab.

