

CAPITOL CITY GOLF CLUB ESTATES
BOARD OF DIRECTORS RESOLUTION RE:
AMENDED & RESTATED DECLARATION & BYLAWS

At a regular / special meeting of the Board of Directors (“Board”) of Capitol City Golf Club Estates, held on October 15, 2020, Via Electronic Zoom meeting, at the time of 6:00p.m., the Board states as follows:

WHEREAS, the Covenants Applicable to Capitol City Golf Club Estates (the “Declaration”) was recorded on December 26, 1962 at Thurston County Recording No. 670745, and was amended and restated three times, culminating in the Third Amended & Restated Declaration, recorded at Thurston County Recording No. 3795417 (collectively, the “Original Declaration”); and

WHEREAS, the Board has, for some time, been working with Association counsel to draft amendments to the Original Declaration and Bylaws for a number of purposes, including elimination of language referring to the Declarant, consolidation of the numerous amendments to the Original Declaration, elimination of language that is inconsistent with state or federal laws or that conflicts with other provisions of the same or other governing documents, to better describe common elements and Association obligations with respect to maintenance of areas outside Capitol City Golf Club Estates, to include reference to lots created by subdivision but not reflected in the Plat Map, to correct the character of various lots, to reinstate provisions relating to collection of assessments, to reinstate provisions separately applicable to residential and commercial lots, and to conform certain procedures to the Washington Common Interest Ownership Act (RCW Chapter 64.90), effective on July 1, 2018 and applicable to Capitol City Golf Club Estates in certain respects; and

WHEREAS, the Board finds that it is in the Association’s best interests to approve the Amended & Restated Declaration and the Amended and Restated Bylaws for Capitol City Golf Club Estates in substantially the form as attached hereto; and

WHEREAS, Article VIII of the Original Declaration requires approval of Lot Owners holding the majority of the votes in the Association (expressed as 51%) to approve amendments to the Declaration in writing; and

WHEREAS, because the Amended & Restated Declaration clarifies or changes the residential or commercial character of certain Units, Owners of those Units were provided drafts of the Amended & Restated Declaration and participated in drafting relevant provisions, and out of an abundance of caution, the Association will obtain the approval of all such Owners for this Amended & Restated Declaration by written consent;

WHEREAS, to ensure the adoption of Bylaws consistent with the Amended & Restated Declaration of Capitol City Golf Club Estates, the Amended & Restated Declaration provides that the Board can adopt the initial Amended & Restated Bylaws subsequent to

the effective date of the Amended & Restated Declaration, after which, an amendment of the Bylaws shall require approval of the Owners as provided in the Amended & Restated Declaration; and

WHEREAS, in response to the state of emergency relating to the COVID-19 health pandemic, the Washington State Governor has issued Proclamation 20-51 under his executive powers that allows community associations subject to RCW 24.03 like the Association here, to hold meetings by electronic means without a designated physical location and to vote on matters affecting the community by email or electronically notwithstanding any prohibition or conflict contained in the governing documents; and

NOW THEREFORE, the Board, after consideration and deliberation regarding the matters set forth herein, **RESOLVES** as follows:

1. The Amended & Restated Declaration for Capitol City Golf Club Estates, in substantially the form as attached hereto, is approved by the Board.
2. The Amended & Restated Bylaws for Capitol City Golf Club Estates Association, in substantially the form as attached hereto, are approved by the Board.
3. The initial deadline for approval of the Amended & Restated Declaration shall be July 1, 2021.
4. Unless and until the Association receives the required Owner approval, the initial deadline may be extended by the Board by resolution prior to the expiration of the initial deadline.

IT IS FURTHER RESOLVED, the Board shall seek the required approval of the Amended & Restated Declaration through a Written Consent process, consistent with the Governing Documents and the Governor's Proclamation, whereby the following materials will be mailed to all Owners:


1. A notice advising Owners that the Association seeks Owner approval of the Amended & Restated Declaration for Capitol City Golf Club Estates consistent with the enclosed proposed documents;
2. A copy of the proposed Amended & Restated Declaration for Capitol City Golf Club Estates;
3. A copy of the proposed Amended & Restated Bylaws for Capitol City Golf Club Estates;
4. A Written Consent Form (ballot) which shall state the deadline for return of Written Consents no earlier than twenty (20) days from the date of mailing and the methods for returning the Written Consent forms; and
5. A copy of this Resolution, executed and attested as provided for below.

[signatures on next page]

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Dated this 26th day of October, 2020.

CAPITOL CITY GOLF CLUB ESTATES ASSOCIATION

By: 

Its President

ATTEST: The above resolution was properly adopted.

By: *Pamela J. Bittloff*

Its Secretary