

REAL ESTATE AGENCY
STATE OF OREGON

NON-RESIDENTIAL CONDOMINIUM FILING
REQUIRED DOCUMENTS LIST

RETURN THIS FORM WITH THE CONDOMINIUM FILING FORM. PLEASE INDICATE IN THE SPACE TO THE LEFT WHICH DOCUMENTS ARE BEING SUBMITTED, WHICH WILL BE SUBMITTED AND WHICH ARE NOT APPLICABLE.

DECLARATION AND BYLAWS

- _____ 1. Declaration of Condominium ownership in final draft form (ORS 100.105).
 - _____ A. If this is a second or subsequent annexation or reclassification in a staged/flexible project, submit the Supplemental Declaration. (ORS 100.120).
 - _____ B. If the Declarant is a corporation, submit a copy of a properly executed resolution of the Board of Directors (or applicable Bylaws) evidencing the authority of the officer or officers who are executing the Declaration.

Note: The authority must be comparable to the authority to grant deeds on behalf of the corporation. This requirement is not the same as item 7B, but the two may be combined into the same resolution if desired.

 - _____ C. If the Declarant is a partnership (other than a limited partnership), limited liability company or a joint venture, and all members are not executing the Declaration, submit evidence of authority of the member or members signing. If one of the members is a corporation, "B" above must be complied with.
- _____ 2. Bylaws in final draft form (ORS 100.415).
 - _____ 3. Declarant's Check List for Declaration and Bylaws.
 - _____ 4. A blue-line copy of the Plat (full size) (ORS 100.115 (2)). Note: **A copy of the final plat must be submitted for review prior to final approval of the declaration.**
 - _____ 5. A statement from the County Assessor that the name for the Condominium is acceptable under ORS 100.105 (5) and (6).

DECLARANT

- _____ 6. If all parties of interest in the Condominium designated as the Declarant have not executed the Non-Residential Condominium Filing Form, submit one of the following or a combination thereof:
 - _____ A. For individuals, a statement signed by all parties of interest authorizing the Declarant to sign the Non-Residential Condominium Filing Form. (Forms available upon request)
 - _____ B. If the Declarant is a corporation, and the officer signing is other than the president, a copy of a properly executed resolution of the Board of Directors (or applicable By-Laws) authorizing the signature for the corporation.

- _____ C. If the Declarant is a partnership, limited liability company or a joint venture, evidence of authority of the member or members signing the Non-Residential Condominium Filing Form.
- _____ 7. If the Declarant has designated an agent for the purpose of filing the Non-Residential Condominium Filing Form, written authorization to act as agent.
- _____ 8. If the Declarant is a nonresident (including corporation organized under the laws of another state) a consent to service form as required under ORS 100.650. (Form available upon request)

Out of state developers should be aware that their legal rights to enforce business transactions with Oregon purchasers under the Oregon court system may be limited if they have not properly filed under the foreign corporation statutes or the assumed business name statutes and they should consult with their attorney regarding their legal rights in those areas. Additional information can be obtained from the Corporation Division of the Oregon Secretary of State, 255 Capitol Street NE, Salem, Oregon 97310.

CONDITION OF TITLE

- _____ 9. Current title report or condominium guarantee which has been issued within the preceding 30 days. Include a map showing the location of property described in title report or condominium guarantee. Title must be vested in the Declarant unless:
 - _____ A. A leasehold Condominium (submit copy of lease drafted in accordance with ORS 100.100 and 100.445); or
 - _____ B. Declarant is vendee under the terms of a land sale contract. The fee owner must also execute the Declaration for the purpose of consenting to the submission of the property to unit ownership (**submit copy of contract**) (See ORS 100.100 (2)).
- _____ 10. Copies of all recorded (bearing public record book and page numbers) and unrecorded encumbrances which secure or evidence the payment of money (including, but not limited to, mortgages, trust deeds, leases, and contracts.)
- _____ 11. Copies of all restrictive covenants, reservations or other documents which may create an encumbrance on or limit the use of the property other than those restrictions contained in the Declaration or Bylaws.

MISCELLANEOUS

- _____ 12. Affidavit of conversion is required if any portion was previously used for residential purposes.
- _____ 13. A copy of the HUD report and any foreign state reports if issued at time of filing.
- _____ 14. Any other information, pictures or documents you may wish to present.

Upon receipt in this office of the condominium filing form, accompanied by the required information and documentation and the proper deposit, the filing will be inventoried within 5 days. You will be notified of any documents or other information which are required before your filing can be acknowledged as complete. Within 45 days after acknowledgment that your filing is complete, a review of the filing will be made to determine whether the filing conforms to ORS 100.005 to 100.910. Upon such a determination, your declaration will be approved.