



KAREN ELLISON, RECORDER

APN# \_\_\_\_\_

**Recording Requested by/Mail to:**

Name: Mark Morosky

Address: P.O. Box 9

City/State/Zip: Zephyr Cove, NV 89448

**Mail Tax Statements to:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Proposed Bylaw Amendment, Article I, Meeting of Unit Owners, Section 3A

**Title of Document** (required) Article XVII - Annual Assessment

----- (Only use if applicable) -----

The undersigned hereby affirms that the document submitted for recording  
DOES contain personal information as required by law: (check applicable)

Affidavit of Death -- NRS 440.380(1)(A) & NRS 40.525(5)

Judgment -- NRS 17.150(4)

Military Discharge -- NRS 419.020(2)

M. J. Morosky  
Signature

Mark Morosky  
Printed Name

This document is being (re-)recorded to correct document # \_\_\_\_\_, and is correcting

\_\_\_\_\_  
\_\_\_\_\_

**Proposed Bylaw Amendment**

**Article I, Meeting of Unit Owners, Section 3a**

**Article XVII — Annual Assessment**

**PURPOSE**

The purpose of this Amendment is to incorporate into EPCC Bylaws, Article I and Article XVII, the decades-long practice of the Board/HOA in determining Unit Owners lots, assessments units and votes.

**Background**

The vast majority of unit's owners at Elk Point own one lot, pay one assessment and have one vote. It has been the practice of the Board over the decades to assess 1.5 assessments to those unit's owners that own more than one lot but less than two and receive 1.5 votes. Over the years, 18 Unit Owners that owned one lot plus a portion of an adjacent lot have recorded a "**DECLARATION OF COVENANTS, CONDITIONS BEING A DEED RESTRICTION FOR LOT CONSOLIDATION**" document with Douglas County combining and merging lots into one lot paying one assessment and having one vote. At this time, only two or three unit's owners have elected not to record a lot consolidation and continue to pay 1.5 assessments units and have 1.5 votes. Five unit's owners at EPCC own two lots with no lot consolidation recorded and therefore have been paying two assessment units and have two votes.

(Note: Bylaw Amendments require 2/3 voter approval)

(Note: Proposed Amendment has been reviewed by EPCC Legal Counsel)

**Proposed Amendment-** Proposed amendment text in bold.

WHEN RECORDED RETURN TO:

Elk Point Country Club  
Homeowners Association, Inc.

P.O. Box 9  
Zephyr Cove, NV. 89448

The party executing this document hereby affirms that this document submitted for recording does NOT contain the social security number of any person or person pursuant to NRS 239B.030

**ELK POINT COUNTRY CLUB HOMEOWNERS ASSOCIATION, INC.**

**Bylaws Amendment**

**July 4<sup>th</sup>, 2020**

The following Bylaws Amendments are made to the Bylaws of Elk Point Country Club Homeowners Association, Inc., recorded as Document 0653319, on August 26, 2005 in the Official Records as Douglas County, Nevada, and as previously amended by Amendment recorded as Document 0727411, on July 24, 2008, Official Records of Douglas County, Nevada, by Amendment recorded as Document 0758100, recorded on February 3, 2010, Official Records of Douglas County, Nevada, by Amendment recorded October 26, 2011, as Document 0791527, Official Records of Douglas

County, Nevada, by Amendment recorded November 10, 2011, as Document 0792378, Official Records of Douglas County, Nevada, by Amendment recorded August 26, 2013, as Document 0828991 Official Records of Douglas County, Nevada, by Amendment recorded September 9, 2016, as Document 2016-887335, Official Records of Douglas County, Nevada, by Amendment recorded September 12, 2016, as Document 2016-887439, Official Records of Douglas County, Nevada, by Amendment recorded January 19, 2018, as Document 2018-909415, Official Records of Douglas County, and by Amendment recorded August 7, 2018, as Document 2018-917776, Official Records of Douglas County, Nevada. The Bylaws of Elk Point Country Club Homeowners Association, Inc. recorded as Document 0653319, as amended, remain in full force and effect, subject to the following Bylaw Amendments:

**ARTICLE I, Meetings of Unit Owners, Section 3 (b) shall be amended to read:**

Section 3(b) At such annual meeting each Unit's Owner, as defined in NRS 116.095, in good standing shall be entitled to votes pursuant to the following:

1. Unit Owners owning one lot per Elks Subdivision Map will be entitled to one vote;
2. Unit Owners owning more than one lot but less than two lots per Elks Subdivision Map and by legal description will be entitled to one-and-a-half votes;
3. Unit Owners owning two or three lots and paying assessments for those lots are entitled to two or three votes, respectively;
4. If a Unit Owner elects to record a "DECLARATION OF COVENANTS, CONDITIONS BEING A DEED RESTRICTION FOR LOT CONSOLIDATION" document with Douglas County, EPCC HOA shall consider said recorded document as an irrevocable, legally binding and enforceable document that merges or combines Unit Owners ownership into a single lot (parcel) and shall be entitled to one vote.
5. Unit Owner lot(s) ownership equals Unit Owner weighted vote.

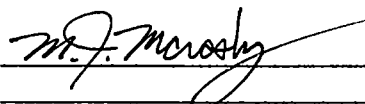
**ARTICLE XVII, Annual Assessments, Section 1 shall be amended to read:**

Section 1. Assessments shall be made against each Unit Owner. A Unit Owner is defined as the Owner of a lot as shown on the Elks Subdivision Map plat recorded in the Douglas County Assessor's Map Book originally on May 5, 1927, at Book 1 of Maps, as amended.

- A. Unit Owners owning one lot per Elks Subdivision Map shall pay one assessment unit.
- B. Unit Owners owning more than one lot but less than two lots per Map and by legal description shall pay 1.5 assessment units.
- C. Unit Owners owning two or three lots shall pay two or three assessment units.
- D. If a Unit Owner elects to record a "DECLARATION OF COVENANTS, CONDITIONS BEING A DEED RESTRICTION FOR LOT CONSOLIDATION" document with Douglas County, EPCC HOA shall consider said recorded document as an irrevocable, legally binding and enforceable document that merges or combines Unit Owners ownership into a single lot (parcel) with one assessment unit.
- E. Unit Owner lot(s) ownership equals assessment units.
- F. The annual assessment amount per Unit Owner shall be determined by dividing the approved Annual Budget plus Asset Reserve Fund Budget by the total number of Unit Owner assessments units.

Dated this 9<sup>th</sup> day of September, 2020.

ELK POINT COUNTRY CLUB HOMEOWNERS ASSOCIATION,  
INC., a Nevada non-profit corporation

By:   
Mark Morosky: Secretary