

R-AMD

Cnt=1 SHINGLJS

02/21/2018 11:16:11 AM

\$10.00 \$10.00 \$5.00 \$8.00 \$11.00

Total: \$68.00

\$20.00 \$4.00



01802366201800057010020021

I, Christine Walker, County Clerk for Jackson County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Christine Walker - County Clerk

AFTER RECORDING, RETURN TO:

Bella Vista Homes Homeowner's Association
PO Box 8550
Bend OR 97708

**THIRD AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
OF BELLA VISTA HEIGHTS SUBDIVISION PHASES 1 & 2 IN
MEDFORD, JACKSON COUNTY, OREGON**

THIS THIRD AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF BELLA VISTA HEIGHTS SUBDIVISION PHASES 1 & 2 IN MEDFORD, JACKSON COUNTY, OREGON ("**Amendment**") is made this 15th day of Feb., 2018 by the BELLA VISTA HOMES HOMEOWNER'S ASSOCIATION, an Oregon nonprofit corporation (the "**Association**").

RECITALS

A. The Declaration of Covenants, Conditions and Restrictions of Bella Vista Heights Subdivision Phases 1 & 2 in Medford, Jackson County, Oregon were recorded February 23, 2007, in the Records of Jackson County, Oregon as Document 2007-009000 as amended by the First Amendment to The Declaration of Covenants, Conditions and Restrictions of Bella Vista Heights Subdivision Phases 1 & 2 in Medford, Jackson County, Oregon, recorded April 8, 2013, in the Records of Jackson County, Oregon as Document 2013-011820, and the Second Amendment to The Declaration of Covenants, Conditions and Restrictions of Bella Vista Heights Subdivision Phases 1 & 2 in Medford, Jackson County, Oregon, recorded January 31, 2014, in the Records of Jackson County, Oregon as Document 2014-002468, (collectively the "**Declaration**"). Association is the association of owners established pursuant to the Declaration.

B. In accordance with Section 13.1 of the Declaration, by affirmative vote or written consent of members representing at least seventy-five percent (75%) of the total voting power of each class of membership of the Association, the members wish to amend the Declaration as set forth below.

C. The purpose of this Amendment is to change the start date for the 24-month construction completion window from "close of escrow" to "start of construction" in Sections 2.1.1 and 2.1.2 as set forth below.

AMENDMENT

The Declaration is hereby amended by replacing Section 2.1.1 and 2.1.2 with the following (underlining added only to highlight the change):


"**2.1.1** Owners shall be obligated to construct a Unit and obtain a Certificate of Occupancy from the City within twenty-four (24) months from start of construction. The ACC may extend this time in its sole discretion where an Owner has shown compelling circumstances justifying delay, and the Owner has taken reasonable steps to complete said construction."

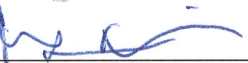
[signatures and certification on next page]

Certification

The undersigned President and Secretary of Bella Vista Homes Homeowner's Association hereby certify that the within Third Amendment to Declaration of Protective Covenants, Conditions, Restrictions of Bella Vista Heights Subdivision Phases 1 & 2 has been approved and adopted in accordance with Section 13.1 of the Declaration and the Oregon Planned Community Act, as applicable.

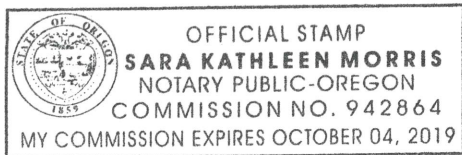
BELLA VISTA HOMES HOMEOWNER'S ASSOCIATION
an Oregon nonprofit corporation,

By 
Cory Bittner, President

By: 
Dan Pahlisch, Secretary

State of Oregon)
)ss.
County of Deschutes)

The foregoing was acknowledged before me this 1st day of February 2018 by Cory Bittner, President of Bella Vista Homes Homeowner's Association, on its behalf.




Notary Public

My Commission Expires: October 04, 2019