

Jackson County Official Records **2024-004327**
R-ABL
Stn=3 SIMPSOHP **03/05/2024 03:37:01 PM**
\$20.00 \$10.00 \$13.00 \$13.00 \$11.00 **\$131.00**
\$60.00 \$4.00
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:

Patrick T. Foran
Wyse Kadish LLP
900 SW Fifth Avenue, Suite 2000
Portland, OR 97204

**SECOND AMENDMENT TO THE BYLAWS OF
BELLA VISTA HOMES HOMEOWNER'S ASSOCIATION
AN OREGON NONPROFIT CORPORATION**

RECITALS

A. Bella Vista Homes Homeowner's Association, an Oregon nonprofit corporation, ("**Association**"), is governed, in part, by the following documents recorded in Jackson County, Oregon:

- Declaration of Covenants, Conditions and Restrictions of Bella Vista Heights Subdivision Phases 1 & 2 in Medford, Jackson County, Oregon, recorded on February 23, 2007, as Document No. 2007-009000 ("**Original Declaration**"); First Amendment to Declaration of Covenants, Conditions and Restrictions of Bella Vista Heights Subdivision Phases 1 & 2 in Medford, Jackson County, Oregon, recorded on April 8, 2013, as Document No. 2013-011820 ("**First Amendment**"); Second Amendment to Declaration of Covenants, Conditions and Restrictions of Bella Vista Heights Subdivision Phases 1 & 2 in Medford, Jackson County, Oregon, recorded on January 31, 2014, as Document No. 2014-002468; Third Amendment to Declaration of Covenants, Conditions and Restrictions of Bella Vista Heights Subdivision Phases 1 & 2 in Medford, Jackson County, Oregon, recorded on February 21, 2018, as Document No. 2018-005701; and Fourth Amendment to Declaration of Covenants, Conditions and Restrictions of Bella Vista Heights Subdivision Phases 1 & 2 in Medford, Jackson

County, Oregon, recorded on July 5, 2018, as Document No. 2018-021048 (collectively, "**Declaration**").

- Bylaws of Bella Vista Homes Homeowner's Association, as attached to the Original Declaration, recorded on February 23, 2007, as Document No. 2007-009000, as amended by the First Amendment ("**Bylaws**").
- Plat of Bella Vista Heights Phases 1 and 2, recorded on February 8, 2007, in Volume 33 of Plats at Page 10.

B. ORS 94.625 authorizes a majority of the Board of Directors ("**Board**") to propose amendments to the Bylaws. Under Article VI, Section 6.6(b) of the Bylaws, a majority of the Association's voting rights must vote in favor of any amendment to the Bylaws.

C. The Association's Board has reviewed the Bylaws and determined that the Bylaws should be amended to permit plurality voting for any election of Directors.

D. A majority of the Association's voting rights has voted in favor of amending Article 3, Sections 3.2 of the Bylaws as follows:

AMENDMENT

1. Article 3, Sections 3.2 of the Bylaws is deleted in its entirety and replaced with the following:

"3.2 Election of Directors and Terms of Office. Notwithstanding anything herein to the contrary, the initial Board of Directors shall serve as the Board of Directors and govern all affairs of the Association until such time as all of the lots have been sold or voluntarily elects to do so sooner, and until the Turnover Meeting as provided in Article III hereof. At turnover, the Board of Directors shall consist of five (5) Members. Each Director shall be elected to a term of three years except that for the initial election, the terms shall be as follows: two (2) Directors shall serve until the first annual meeting following their election; two (2) Directors shall serve until the second annual meeting following their election; one (1) Director shall serve until the third annual meeting following her/her election. At the expiration of the term of each Director at the respective annual meetings, the lot owners shall elect a successor (which may be the Director whose term is expiring) to serve until the third annual meeting following his/her election or until a successor is elected and qualified. All elected officers must be Owners. All elections of Directors will be by plurality.

2. This Second Amendment to the Bylaws is effective upon recording this Amendment in the deed records of Jackson County, Oregon.

3. Except as otherwise amended in this Second Amendment to the Bylaws, the Bylaws remain in full force and effect.

4. Any conflict between this Second Amendment to the Bylaws and the Bylaws will be controlled by this Second Amendment.

(Signatures to follow on page 4)

The Association's President and Secretary certify that this Second Amendment to the Bylaws has been approved and duly adopted by a majority of the total votes in the Association as required by Article VI, Section 6.6(b) of the Bylaws and ORS 94.625.

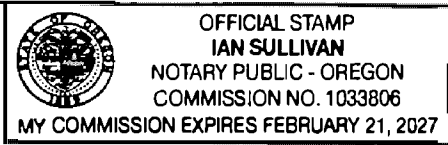
BELLA VISTA HOMES HOMEOWNERS' ASSOCIATION, an Oregon nonprofit corporation

By: [Signature]
President

By: [Signature]
Secretary

STATE OF OREGON)
) ss.
County of Jackson)

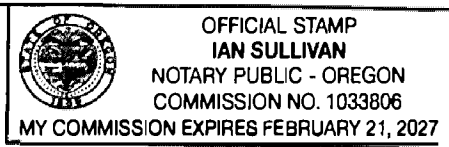
This instrument and certification were acknowledged before me on March 5th, 2024, by Aaron Felder, President of Bella Vista Homes Homeowners' Association, an Oregon nonprofit corporation, who voluntarily signed this instrument on behalf of the Association by authority of its Board of Directors.



[Signature]
Notary Public for Oregon

STATE OF OREGON)
) ss.
County of Jackson)

This instrument and certification were acknowledged before me on March 5th, 2024, by Janna Lower, Secretary of Bella Vista Homes Homeowners' Association, an Oregon nonprofit corporation, who voluntarily signed this instrument on behalf of the Association by authority of its Board of Directors.



[Signature]
Notary Public for Oregon

Final voting report for Bella Vista Homes Homeowners Association

March 5, 2024
2024 Directors Election

Votes Received
74

Imported Accounts
106

Percent Voted
69.81%

Candidate	Votes
Joy Wright	51
Edward Leon Guerrero	48
Mark Wilson	44
Douglas Dollard	43
Craig Hansen	41
Scott Ashpole	34
Judith Henderson	29
Rebecca Hicks	29

Quorum Only	8
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Vote HOA Now hereby certifies that the above and attached reports are an accurate copy of the results from the voting database.

Final voting report for Bella Vista Homes Homeowners Association

March 5, 2024

2024 Amendments

Votes Received
78

Imported Accounts
106

Percent Voted
73.58%

Issue

Response

Amendment for Plurality Voting

“Yes- A vote of of "YES" changes will modify paragraph...”

61 votes

“No- A vote of "No" leaves the Bylaws as they...”

17 votes



Vote HOA Now hereby certifies that the above and attached reports are an accurate copy of the results from the voting database.

**RESIGNATION OF DIRECTORS AND OFFICERS OF
BELLA VISTA HOMES HOMEOWNER'S ASSOCIATION**

I, Aaron Fedora, resign as a Director and President of Bella Vista Homes Homeowner's Association effective immediately following the Turnover Meeting on March 5, 2024.

A.G. Fedora

Aaron Fedora

I, Joshua Lommer, resign as a Director and Secretary of Bella Vista Homes Homeowner's Association effective immediately following the Turnover Meeting on March 5, 2024.

Josh Lommer

Josh Lommer (Mar 5, 2024 17:28 PST)

Joshua Lommer

I, Wes Bews, resign as a Director and Treasurer of Bella Vista Homes Homeowner's Association effective immediately following the Turnover Meeting on March 5, 2024.

Wes Bews

Wes Bews











Resignation of Directors and Officers (3.5.2024)1

Final Audit Report

2024-03-06

Created:	2024-03-06
By:	Aaron Fedora (aaron.fedora@cedarcoast.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAMZF9rdjJNFUhG8Wldd8vUH6QJFYvxrwO

"Resignation of Directors and Officers (3.5.2024)1" History

-  Document created by Aaron Fedora (aaron.fedora@cedarcoast.com)
2024-03-06 - 1:26:53 AM GMT
-  Document e-signed by Aaron Fedora (aaron.fedora@cedarcoast.com)
Signature Date: 2024-03-06 - 1:27:37 AM GMT - Time Source: server
-  Document emailed to josh.lommer@cedarcoast.com for signature
2024-03-06 - 1:27:38 AM GMT
-  Email viewed by josh.lommer@cedarcoast.com
2024-03-06 - 1:28:12 AM GMT
-  Signer josh.lommer@cedarcoast.com entered name at signing as Josh Lommer
2024-03-06 - 1:28:52 AM GMT
-  Document e-signed by Josh Lommer (josh.lommer@cedarcoast.com)
Signature Date: 2024-03-06 - 1:28:54 AM GMT - Time Source: server
-  Document emailed to Wes Bews (wes.bews@cedarcoast.com) for signature
2024-03-06 - 1:28:55 AM GMT
-  Email viewed by Wes Bews (wes.bews@cedarcoast.com)
2024-03-06 - 1:29:20 AM GMT
-  Document e-signed by Wes Bews (wes.bews@cedarcoast.com)
Signature Date: 2024-03-06 - 1:29:34 AM GMT - Time Source: server
-  Agreement completed.
2024-03-06 - 1:29:34 AM GMT

Tuesday March 5th, 2024
Bethel Church
6:30 – 7:15 p.m. PST

Minutes

Present: Joy Wright President
Craig Hansen Secretary
Mark Wilson (by Phone) Treasurer
Board Members at large
Douglas Dollard Edward Leon Guerrero

Robert Rood Community Manager

Guests:

Charles Kief, Dana & Judy Henderson, Bruce and Rebecca Nelson, Laura Wilson, Joanne Van Kampen, Michelle Johannes, Zac Driskell, Danielle Craig, Curtis Craig, Mandy Hurley, Steve Bingham, Scott Ashpole, Doug Dollard, Richard Lemke, M Lemke, John Forsyth, Lynee Forsyth, Andrea Tary, Russ Wetherell, Ria Cordiero, Janet Swearingen, Joy Wright, David Kalams, Linda Herzberg, Cynthia Makamatsu, Mark Lamensdorf, Jessica Varney, Diane Major, Kirsten Damgaard, Craig Hansen, Steve and Valerie McArthur, Tim Rossiter, Rebecca Hicks

1. Call to Order

Meeting called to order by newly elected Board at 6:30 p.m. PST

2. Open Forum

3. Voted to go into Executive Session at 6:40PM

a. Closed Executive Session at 6:55PM

4. Motion on the Floor to Elect the following officers. Mr. Hansen 2nd- All in Favor- Motion passed unanimously

a. President Joy Wright

b. Secretary Craig Hansen

c. Treasurer Mark Wilson

d. Directors at large: Edward Leon Guerrero and Doug Dollard

5. Meeting Adjourned at 7:15PM