



After recording, return to:
Vial Fotheringham LLP
17355 SW Boones Ferry Rd, Ste A
Lake Oswego, OR 97035
503-684-4111

Grantor: Bella Beach Homeowners'
Association

Grantee: Public

Lincoln County, Oregon	2023-04685
07/12/2023 11:29:01 AM	
DOC-AM/CR	Cnt=1 Pgs=7 Stn=9
\$35.00 \$11.00 \$10.00 \$60.00 \$7.00	\$123.00
I, Amy A Southwell, County Clerk, do hereby certify that the within instrument was recorded in the Lincoln County Book of Records on the above date and time. WITNESS my hand and seal of said office affixed.	
	
Amy A Southwell, Lincoln County Clerk	

**FOURTH AMENDMENT TO
DECLARATION OF PROTECTIVE COVENANTS,
CONDITIONS, RESTRICTIONS AND EASEMENTS
FOR LOTS 1 THROUGH 55, BELLA BEACH**

This Fourth Amendment to Declaration of Protective Covenants, Conditions, Restrictions and Easements for Lots 1 through 55, Bella Beach (“Amendment”) is made by Bella Beach Homeowners’ Association, an Oregon nonprofit corporation (“Association”).

RECITALS

A. Bella Beach (the “Community”) is a planned community located in Lincoln County, Oregon. The Community was established pursuant to the Oregon Planned Community Act, ORS 94.550 to 94.873, by the following documents recorded in the Records of Lincoln County, Oregon:

Declaration of Protective Covenants, Conditions, Restrictions and Easements for Lots 1 through 55, Bella Beach, recorded on November 2, 2000 as Document No. 6235084 in Book 410, Page 1360 (the “Declaration”).

Bylaws of Bella Beach Homeowners’ Association, recorded on December 7, 2001 as Document No. 6253221 in Book 436, Page 1938 (the “Bylaws”).

Plat of Bella Beach, Phase 1, recorded on August 29, 2000 in Book 16, Page 44, Plat records.

Plat of Bella Beach, Phase 2, recorded on November 2, 2000 in Book 16, Page 46, Plat records.

B. Bella Beach Homeowners’ Association is the association of owners formed pursuant to the Declaration and Bylaws and incorporated under the Oregon Nonprofit Corporation Act by Articles of Incorporation filed September 21, 2000, in the office of the Oregon Secretary of State, Corporation Division.

C. The following documents were recorded in the Records of Lincoln County, Oregon:

Declaration of Protective Covenants, Conditions, Restrictions and Easements for Lots 56 through 75, Bella Beach Phase 3 and Phase 4, recorded on September 18, 2003 as Document No. 200315607, and re-recorded on October 22, 2003 as Document No. 200317987 (“Phase 3 and 4 Declaration”).

Declaration of Protective Covenants, Conditions, Restrictions and Easements for Lots 76 through 80, Bella Beach Phase 5 and Lots 81 through 88, Bella Beach Phase 6 in Lincoln County, Oregon, recorded on September 9, 2004 as Document No. 200413755 (“Phase 5 and 6 Declaration”).

D. By the following documents recorded in the Records of Lincoln County, Oregon, the Declaration was amended, and the Phase 3 and 4 Declaration and the Phase 5 and 6 Declaration as set forth in Recital C, above, were repealed:

Declaration of Annexation to Bella Beach and First Amendment of the Declaration of Protective Covenants, Conditions, Restrictions and Easements for Bella Beach, recorded on October 4, 2004 as Document No. 200415078.

Declaration of Annexation to Bella Beach and Second Amendment of the Declaration of Protective Covenants, Conditions, Restrictions and Easements for Bella Beach, recorded on April 4, 2006 as Document No. 200605118.

E. The Declaration was further amended by the 2022 Amendment to Declaration, Bylaws, and Declarations of Annexation to Bella Beach, recorded on December 27, 2022 as Document No. 2022-11677 in the Records of Lincoln County, Oregon.

F. The property currently subject to the Declaration, Bylaws and the jurisdiction of the Association is set forth in the Declaration, as amended.

G. The owners and Association wish to amend the Declaration in the manner set forth below to allow for newer building materials to be used for home exteriors.

NOW, THEREFORE, pursuant to Article 11, Section 11.6 of the Declaration and ORS 94.590, with the approval of at least seventy-five percent (75%) of the owners eligible to vote, the Association hereby amends the Declaration in the manner set forth below.

I. Article 4, Section 4.17 of the Declaration is amended to read as follows:

4.17 Home Exteriors. All exteriors of residences shall be constructed using materials which preserve the overall aesthetics and harmony of Bella Beach. All exteriors of residences shall be constructed of natural cedar shingles, board and batten, cedar beveled lap siding, or ARC approved material such as fiber cement siding, either painted, stained, or with

respect to Cedar, left natural. The list of approved exterior materials may change, from time to time, as approved by the ARC. Complete plans, including landscape plans, grade elevations and exterior color, trim color, and exterior lighting selection must be submitted to ARC for approval prior to the start of construction, reconstruction, or significant repair. It is suggested that preliminary plans be submitted to ARC for preliminary approval prior to commencing working drawings.

II. Except as otherwise indicated, all other provisions of the Declaration remain unchanged.

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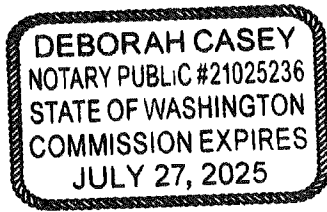
Dated this 30 day of June, 2023.

Linda Fender President

Linda Fender, President
Bella Beach Homeowners' Association,
an Oregon nonprofit corporation

STATE OF Washington)
~~OREGON~~) ss.
County of Whitman)

The foregoing instrument was acknowledged before me this 30 day of June, 2023, by Linda Fender, President of Bella Beach Homeowners' Association, an Oregon nonprofit corporation, on its behalf.



Deborah J Casey
Notary Public for ~~Oregon~~ WASHINGTON

Charles Craig, Secretary
Bella Beach Homeowners' Association,
an Oregon nonprofit corporation

STATE OF OREGON)
) ss.
County of _____)

The foregoing instrument was acknowledged before me this ___ day of _____, 2023, by Charles Craig, Secretary of Bella Beach Homeowners' Association, an Oregon nonprofit corporation, on its behalf.

Notary Public for Oregon

Dated this ____ day of _____, 2023.

Linda Fender, President
Bella Beach Homeowners' Association,
an Oregon nonprofit corporation

STATE OF OREGON)
) ss.
County of _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 2023, by Linda Fender, President of Bella Beach Homeowners' Association, an Oregon nonprofit corporation, on its behalf.

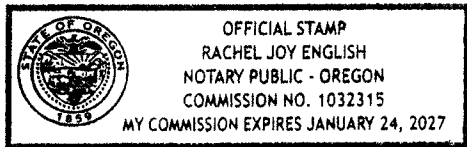
Notary Public for Oregon

Charles Craig

Charles Craig, Secretary
Bella Beach Homeowners' Association,
an Oregon nonprofit corporation

STATE OF OREGON)
County of Polk) ss.

The foregoing instrument was acknowledged before me this 20th day of June, 2023 2023, by Charles Craig, Secretary of Bella Beach Homeowners' Association, an Oregon nonprofit corporation, on its behalf.



Rachel Joy English

Notary Public for Oregon

CERTIFICATION

The undersigned President and Secretary of Bella Beach Homeowners' Association, an Oregon nonprofit corporation, hereby certify that this Fourth Amendment to Declaration of Protective Covenants, Conditions, Restrictions and Easements for Lots 1 through 55, Bella Beach has been adopted in accordance with Article 11, Section 11.6 of the Declaration and ORS 94.590.

Linda Fender, President
**Bella Beach Homeowners' Association,
an Oregon nonprofit corporation**

STATE OF OREGON)
) ss.
County of _____)

This Certification was acknowledged before me this ____ day of _____, 2023, by Linda Fender, President of Bella Beach Homeowners' Association, an Oregon nonprofit corporation, on its behalf.

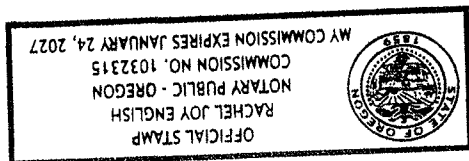
Notary Public for Oregon

Charles Craig

Charles Craig, Secretary
**Bella Beach Homeowners' Association,
an Oregon nonprofit corporation**

STATE OF OREGON)
) ss.
County of Polk _____)

This Certification was acknowledged before me this 20th day of June, 2023, by Charles Craig, Secretary of Bella Beach Homeowners' Association, an Oregon nonprofit corporation, on its behalf.



Rachel Joy English

Notary Public for Oregon