

WHEN RECORDED RETURN TO:

Stan Morse, Esq.
PO Box 2128
Chelan, WA 98816

Skip Moore, Auditor, Chelan County, WA, AFN # 2569477
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VISTA DEL LAGO

DOCUMENT TITLE(S)

Amendment to Planned Development Declaration of "VISTA DEL LAGO RESORT, A
PLANNED DEVELOPMENT

REFERENCE NUMBER(S) OF DOCUMENTS ASSIGNED OR RELEASED:

GRANTOR(S): By a vote of the owners

GRANTEE(S): By a Vote of the Numbers

ABBREVIATED LEGAL DESCRIPTION:

Lots 1-83 and parcels A,B,C,D,E AND F, Vista Del Lago BSP 23, Chelan County

TAX PARCEL NUMBER(S):

28-21-36-920-010, 28-21-36-920-020, 28-21-36-920-030,
28-21-36-920-040, 28-21-36-920-050, 28-21-36-920-060,
28-21-36-920-070, 28-21-36-920-080, 28-21-36-920-090,
28-21-36-920-100, 28-21-36-920-110, 28-21-36-920-120,
28-21-36-920-130, 28-21-36-920-140, 28-21-36-920-150,
28-21-36-920-160, 28-21-36-920-170, 28-21-36-920-180,
28-21-36-920-190, 28-21-36-920-200, 28-21-36-920-210,
28-21-36-920-220, 28-21-36-920-230, 28-21-36-920-240,
28-21-36-920-250, 28-21-36-920-260, 28-21-36-920-270,
28-21-36-920-280, 28-21-36-920-290, 28-21-36-920-300,

28-21-36-920-310, 28-21-36-920-320, 28-21-36-920-330,
28-21-36-920-340, 28-21-36-920-350, 28-21-36-920-360,
28-21-36-920-370, 28-21-36-920-380, 28-21-36-920-390,
28-21-36-920-400, 28-21-36-920-410, 28-21-36-920-420,
28-21-36-920-430, 28-21-36-920-440, 28-21-36-920-450,
28-21-36-920-460, 28-21-36-920-470, 28-21-36-920-480,
28-21-36-920-490, 28-21-36-920-500, 28-21-36-920-510,
28-21-36-920-520, 28-21-36-920-530, 28-21-36-920-540,
28-21-36-920-550, 28-21-36-920-560, 28-21-36-920-570,
28-21-36-920-580, 28-21-36-920-590, 28-21-36-920-600,
28-21-36-920-610, 28-21-36-920-620, 28-21-36-920-630,
28-21-36-920-640, 28-21-36-920-650, 28-21-36-920-660,
28-21-36-920-670, 28-21-36-920-680, 28-21-36-920-690,
28-21-36-920-700, 28-21-36-920-710, 28-21-36-920-720,
28-21-36-920-730, 28-21-36-920-740, 28-21-36-920-750,
28-21-36-920-760, 28-21-36-920-770, 28-21-36-920-780,
28-21-36-920-790, 28-21-36-920-800, 28-21-36-920-810,
28-21-36-920-820, 28-21-36-920-830, 28-21-36-920-900,
28-21-36-920-910, 28-21-36-920-920, 28-21-36-920-930,
28-21-36-920-940, and 28-21-36-920-950

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Reference: Amended and Restated Declaration of CC&Rs at AFN# 2482390

Amendment to Planned Development Declaration of 'VISTA DEL LAGO RESORT, A
PLANNED DEVELOPMENT'

Pursuant to Article V, the following amendments are made to the Declaration of Covenants of Vista Del Lago, a Planned Development.

ARTICLE XVI – AGE RESTRICTIONS, 4. Exempt Occupants is entirely replaced with the following:

ARTICLE XVI – AGE RESTRICTIONS, 4. Exempt Occupants

- A. Regardless of any of the provisions in the paragraphs below, at no time shall it be allowed in the entire planned development for there to be less than 80% of the Occupied Parcels where at least one of the following described residents of each Occupied Parcel is at least fifty-five (55) years of age and occupies the Occupied Parcel: owner, co-dwelling spouse, registered domestic partner, other co-occupant.
- B. To comply with Federal law, the goal is to have at least one person aged 55 or older occupy each Occupied Parcel—at least 80% of all Occupied Parcels must fulfill this requirement. Exceptions to the 55-or-older age limit for up to an allowable 20% of all Occupied Parcels are set forth below.
- C. At no time shall a resident of an Occupied Parcel be under the age of thirty (30).
- D. The Board may grant to an Owner a one-time waiver of the requirement that at least one resident in each Occupied Parcel be 55+, if: i. The Owner was a co-owner of the Occupied Parcel with a 55+ spouse, registered domestic partner, or co-occupant prior to the event that caused the 55+ spouse, registered domestic partner, or co-occupant to no longer reside in such Occupied Parcel, and said Occupied Parcel was the Owner's residence prior to the event described in the foregoing paragraph and has been such Owner's residence at all times since, and said Owner is at least 30 years of age; OR ii. The Owner inherited the Occupied Parcel, is at least 30 years of age, certifies that such Owner's household does not and will not include any person under the age of 30 years.

- E. The Board may grant to an Owner an exemption to sell a Parcel to an individual who will be a resident and who is aged fifty (50) to fifty-four (54) years; provided, that the total number of parcels occupied by under-55 year old occupants is no more than 10% of all Occupied Parcels in the entire planned development.
- F. Living situations in existence at the time of adoption of this change in the CC&Rs, which otherwise met the preexisting conditions set in the CC&Rs, shall be considered a "grandfathered" exempt occupancy; provided that the addition or deletion of future occupants may not breach the rules set forth in this amendment to the CC&Rs; and provided further that if allowing the existing use would violate the 80% rule then there shall be no "grandfathering" and suitable steps may be brought by the HOA to remedy the violation.

Adopted by a vote of the Board with five (5) Board members voting in favor, and no Board members voting against, on June 4, 2022.

A paragraph "S" is added to Article VII Property Prohibitions as follows: Upon learning that a dangerously aggressive dog is being kept upon the premises of any Parcel, the Board shall give a seven-day written warning (by mail; by hand delivery to an Owner, renter or occupant; or by posting on the front door of the residence) requiring the Owner, renter or other occupant to keep the dog inside the residence and otherwise confined at all times to the Owner's property; or at the Owner's, renter's or other occupant's option to remove the dog from the Vista Del Lago Resort entirely and permanently. This requirement shall apply to any occupant, whether temporary or long-term, of the residence. If after a second such seven-day warning is issued the owner, renter or occupant fails to fully comply, the Board may call the Humane Society or the Dog Control authority for the County, and have the offending animal removed. The Board may also take legal action to enforce the permanent removal of the dog from the Vista Del Lago Resort.

Adopted by a vote of the Board with four (4) Board members voting in favor, and no Board members voting against, on May 7, 2022.

A new paragraph 13 is added to the end of Article XII:

Purchasers of a Parcel shall be required at the time of and as a requirement of closing the purchase to pay ½% of the purchase price as a non-refundable contribution to the reserve fund, currently designated as the Savings Account for Vista Del Lago Property Owners, at Cashmere Valley Bank (last 4 account digits 7670), or to such other account or bank as may be the successor to said account, as and for a "latecomer's" fee contribution to the reserve account.

Adopted by a vote of the Board with four (4) Board members voting in favor, and no Board members voting against, on May 7, 2022.

The definitional term on page 14 regarding RV storage lot is modified to read: "RV Storage Lot" means the designated common storage areas that are licensed by the Association for the storage of boats, personal water craft, trailers, motorhomes, trucks with campers, and campers."

Adopted by a vote of the Board with four (4) Board members voting in favor, and no Board members voting against, on May 7, 2022.

ARTICLE VII – PARCEL DEVELOPMENT AND USE, 7. Sheds and Storage Boxes A, on page 23, is modified to read: One shed with a footprint of two hundred (200) square feet or less may be placed on each parcel. Maximum external height of the shed shall be ten (10) feet and six(6) inches.

Adopted by a vote of the Board with four (4) Board members voting in favor, and no Board members voting against, on May 7, 2022.

ARTICLE VII – PARCEL DEVELOPMENT AND USE, 11. Property Prohibitions H, on page 27, is modified to read: Watercraft, trucks with campers, RVs, and trailers may be stored in a licensed space at one of the RV Storage lots. A limited number of storage spaces are annually licensed by the Association to Parcel Owners. All items placed in the RV Storage Lots are at the Owner's own risk and are subject to rules established by the Board.

Adopted by a vote of the Board with four (4) Board members voting in favor, and no Board members voting against, on May 7, 2022.

Passed on June 4, 2022 by a vote of attending and proxy owner-voters totaling 65 owners of which two thirds or greater of the votes cast voted in favor of each of the amendments.

Attest:

Rick Krell
Secretary

By:

Rick Krell
Rick Krell, Association President

Who declares that the amendment was properly
Adopted by the Board and by the Owners

State of Washington

ss.

County of Chelan

On this 25 day of June, 2022, before me personally appeared Rick Krell, to me known to be the outgoing president of the Vista Del Lago Homeowners' Association, who presided at the meeting referenced above, and who executed the within and foregoing document, and acknowledged said instrument to be the free and voluntary act and deed of said Association, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Robert S. Morse

Robert S. Morse
Notary Public – Washington State License #87208
My commission expires: November 7, 2022

