

When Recorded, Return to:

John M. Riley III
Witherspoon, Kelley, Davenport & Toole, P.S.
1100 U.S. Bank Bldg.
422 W. Riverside
Spokane, WA 99201
(509) 624-5265



5303458
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11/10/2005 02:30P
Spokane Co, WA

COURTESY RECORDING

**FIRST AMENDMENT TO DECLARATION
OF
COVENANTS, CONDITIONS AND RESTRICTIONS
AND RESERVATION OF EASEMENT
FOR WANDERMERE ESTATES
HOUSING FOR PERSONS 55 YEARS OF AGE AND OLDER**

Grantor: Wandermere Estates, LLC, a Washington Limited Liability Company
Grantee: Owners of Land in Wandermere Estates
Tax Parcel Number(s): 5008154

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G:\G\Granite Investments 32389\Wandermere Estates\Docs\1st amend.wpd

R. E. Excise Tax Exempt
Date Nov 10 2005
Spokane County Treas.
By H. I. I. I.



FIRST, AMERICAN TITLE INS

AMEND \$37.00

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Spokane Co, WA

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36055.1001, 36055.9161

Abbreviated Legal Description: Portion of Section 5, Township 26 North, Range 43 East.
Additional Legal Description on Page: See Exhibit "A" and "B" attached hereto.

WHEREAS, on December 29, 2003, the Declaration of Covenants, Conditions and Restrictions and reservation of Easements for Wandermere Estates Housing for Persons 55 years of age and older ("Declaration") was recorded with the Spokane County Auditor, under Auditor's File No. 5008154; and

WHEREAS, a Declaration of Annexation regarding the property subject to the Declaration was recorded under Spokane County Auditor's File No. 5210526 on April, 29, 2005.

WHEREAS, Declarant, holder of in excess of Seventy-Five Percent (75%) of the member voting power pursuant to Articles 10 and 3 of the Declaration desires to amend the Declaration.

NOW, THEREFORE, the Declarant does hereby amend the prior Declaration in the following particulars:

1. Paragraph 8.6 is amended to read as follows:

8.6 Commencement of Construction. There is no deadline for commencement of construction of the permanent Dwelling on each Lot.

2. Paragraph 8.23 is amended to read as follows:

8.23 Rental Units. Except as may be limited or prohibited by an Owner, the Leasing or Renting of a Unit by its Owner is allowed.

3. All other terms and conditions of the Declaration, and any prior Amendments thereto, shall remain in full force and effect, except as modified and as added to by this Amendment.

DATED this ____ day of _____, 2005.



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DECLARANT:

WANDERMERE ESTATES, L.L.C.

By:

Lowell McKee

Its:

member.

State of Washington)
)ss.
County of Spokane)

I certify that I know or have satisfactory evidence that Lowell McKee is the person who appeared before me, and said person acknowledged that he was authorized to sign this instrument as the Manager of Wandermere Estates, L.L.C., and acknowledged it to be the free and voluntary act of such entity, for the uses and purposes mentioned in the instrument.

DATED: November 10, 2005.



Marcia L. Kosteletzky
Print Name: Marcia L. Kosteletzky
Notary Public in and for the State of
Washington, residing at Spokane
My appointment expires: May 7, 2008



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EXHIBIT A
WANDERMERE ESTATES PUD
Legal Description

Lots 1-29, Blk 1; Lots 1-2, Blk 2; Lot 1 & W18.50 FT of Lot 2, Blk 3; Lot 2, Blk 3 & PTN of Lot 3, Blk 3; Lot 3 & 4, Blk 3 EXC PTN DAF; Lot 5 & W 19.30 FT of Lot 6, Blk 3; Lot 6 & W 39.80 FT of Lot 7, Blk 3; Lot 7 & 8, Blk 3 EXC W 39.80 FT of Lot 7; Lot 9-14, Blk 3; Lot 1-3, Blk 4; Tract A Common Open Space; Tract B Common Open Space; Tract C Common Open Space; Tract D Common Open Spaces; Tract E Private Roads, Wandermere Estates PUD, as per plat recorded in Volume 29, pages 53 and 54, in Spokane County, Washington.



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EXHIBIT B

WANDERMERE ESTATES PHASE II

Legal Description

Lot 1-13, Blk 1; Lot 1-4, Blk 2; Lot 1-4, Blk 3; Lot 1-4, Blk 4; Lot 1-16, Blk 5; Lot 1, Blk 6; Lot 1-8, Blk 7; Lot 1-7, Blk 8; Lot 1-19, Blk 9; Lot 1-5, Blk 10; Tract A; Tract B; Tract C; Tract D; Tract E; Tract F; Tract G; Tract H; Tract I; Tract J; Tract K; Tract L; Tract N Private Roads, Wandermere Estates Phase 2, according to plat recorded in Volume 30 of plats, pages 3, 4 and 5, in Spokane County, Washington.



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FIRST, AMERICAN TITLE INS

AMEND \$37.00

EXHIBIT C
WANDERMERE ESTATES PHASE III
Legal Description

Lot 1-29, Blk 1; Lot 1-12, Blk 2; Lot 1-5, Blk 3; Lot 1-9, Blk 4; Lot 1-4, Blk 5; Tract A; Tract B; Tract C; Tract D; Tract E; Tract F; Tract G; Wandermere Estates Phase 3, according to plat recorded in Volume 31, pages 5, 6 and 7, in Spokane County, Washington.

05-29-43: PTN OF FOLDES PARCELLYING SLY OF WANDERMERE ESTATES PUD FT OF SE 1/4 OF SE 1/4 OF NW 1/4 LYG ELY SR395; & TOG W/ PTN OF GOVT LOT 1 & S FT, TH S 35°30'56" E 204.35 FT, TH S 22°08'37" E 262.57 FT, TH 34°00'42" W 161.3 BEG OF CUR CONCAVE TO E & HAVING A RAD OF 374.00 FT, TH SLY ALG SD CUR 206.02 FT. TH S 64°54'54" W 62.96 FT, TH S 77°50'02" W 62.69 FT, TH N 89°14'51" W FT, TH S 67°49'28" W 319.18 FT, TH S 20°34'57" W 148.61 FT, TH S 87°04'44" W 183.3 TO PT ON W LN OF SW 1/4 OF NE OF SD SEC NLY 600.00 FT FROM SW COR OF S.