


RETURN TO:
Jerry A. Creim
Williams, Kastner & Gibbs PLLC
P.O. Box 21926
Seattle, WA 98111-3926


199906110813 199906110813
06/11/1999 02:55 PM Snohomish
P.0007 RECORDED County

199906110813

**AMENDMENT NO. 3 TO DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS AND EASEMENTS FOR SECTOR 2A AT SNOHOMISH CASCADE**

- Grantors:**
1. Sector 2A Division I Partners, L.P.
 2. Sector 2A, Division II, LLC

- Grantees:**
1. Plat of Sector 2A at Snohomish Cascade, Phase I
 2. Plat of Sector 2A at Snohomish Cascade, Phase II
 3. Plat of Sector 2A at Snohomish Cascade, Phase III

Legal Description:

**PORTION OF SECTION 2/ TOWNSHIP 27 NORTH/
RANGE 5 EAST, W.M./ RECORDS OF SNOHOMISH
COUNTY, WASHINGTON.**

Assessors Tax Parcel Nos.:

022705-2-007-0001 and 022705-2-003-0005

Recording Nos. of Related Documents:

9707020090, 9708060339, 9708260002, 9811255003.

**AMENDMENT NO 3 TO DECLARATION
OF COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENTS
FOR SECTOR 2A AT SNOHOMISH CASCADE**

THIS AMENDMENT No 3 ("Amendment") to the Declaration of Covenants, Conditions, Restrictions, and Easements for Sector 2A at Snohomish Cascade, formerly known as Gold Creek Sector 2A at Snohomish Cascade, is made and executed this 21st day of May, 1999 by Sector 2A Division I Partners, L P , a Washington limited partnership (the "Declarant")

RECITALS

WHEREAS, the Declarant has recorded a Declaration of Covenants, Conditions, Restrictions and Easements recorded under Snohomish County Auditor Recording Number 9707020090 (the "Declaration") which Declaration covers real property commonly known as Sector 2A Snohomish Cascade Phases I and II and is legally described in Exhibit A to the Declaration which description is incorporated herein (the "Initial Property") The Declaration has been amended by a First Amendment to Declaration ("First Amendment") recorded under Snohomish Auditor Recording Number 9708060339, and by a Second Amendment to Declaration ("Second Amendment") recorded under Snohomish County Recording Number 9708260002 (the Declaration as amended by the First Amendment and Second Amendment hereinafter the "Declaration")

WHEREAS, the Declaration provides for the extension of the Declaration to certain additional real property described in the Declaration as the "Adjacent Property," which Adjacent Property (also commonly known as Sector 2A Snohomish Cascade Phase III) is legally described in Exhibit A attached hereto, and is depicted on the plat map recorded under Snohomish County Recording No. 9811255003, each of which are incorporated herein by reference

WHEREAS, the Declarant, with the consent of the owner of Adjacent Property, and pursuant to Article 10 of the Declaration, now desires to extend the Declaration and all of its terms, covenants, conditions, easements and restrictions to the Adjacent Property

NOW, THEREFORE, as the Declarant with the full authority and power to amend the Declaration as provided therein, the Declarant hereby amends the Declaration as follows.

- 1 The Declaration is amended to include the Adjacent Property such that all terms, covenants, conditions, restrictions and easements set forth in the Declaration are extended to, and shall bind, the Adjacent Property with the express intent that all such terms, covenants, conditions, restrictions and easements shall be covenants running with the land and shall be binding upon all persons owning, purchasing, leasing, subleasing or otherwise occupying or acquiring any interest in any portion of the Adjacent Property and their heirs, executors, administrators, successors, grantees and/or assigns

109906110813

2

The Declaration is further amended to provide that the term "Property" or "Gold Creek 2A" shall mean and refer to the Initial Property together with the Adjacent Property

3

Except as expressly set forth in this Amendment, all other terms, conditions, covenants, restrictions and easements set forth in the Declaration shall continue to apply and bind the Property (including the Initial Property and Adjacent Property) in full force and effect. In the event of a conflict between this Amendment and the Declaration, the terms of this Amendment shall control

4

The terms and provisions of this Amendment are intended to and shall run with the land and shall be binding upon all persons purchasing, leasing, subleasing or otherwise occupying or acquiring any interest in any portion in the Property (the Initial Property and the Adjacent Property) and their heirs, executors, administrators, successors, grantees and/or assigns

EXECUTED as of the date first written above

DECLARANT

Sector 2A Division I Partners, L P


By: 
Donald H. Leavitt

As President, Sector 2A Division I, Inc.,
the general partner of Sector 2A
Division I Partners, L P

OWNER CONSENT

Pursuant to Article 10 of the Declaration, the undersigned, as sole owner of the Adjacent Property, hereby consents to the extension of the Declaration to the Adjacent Property as provided in this Amendment above

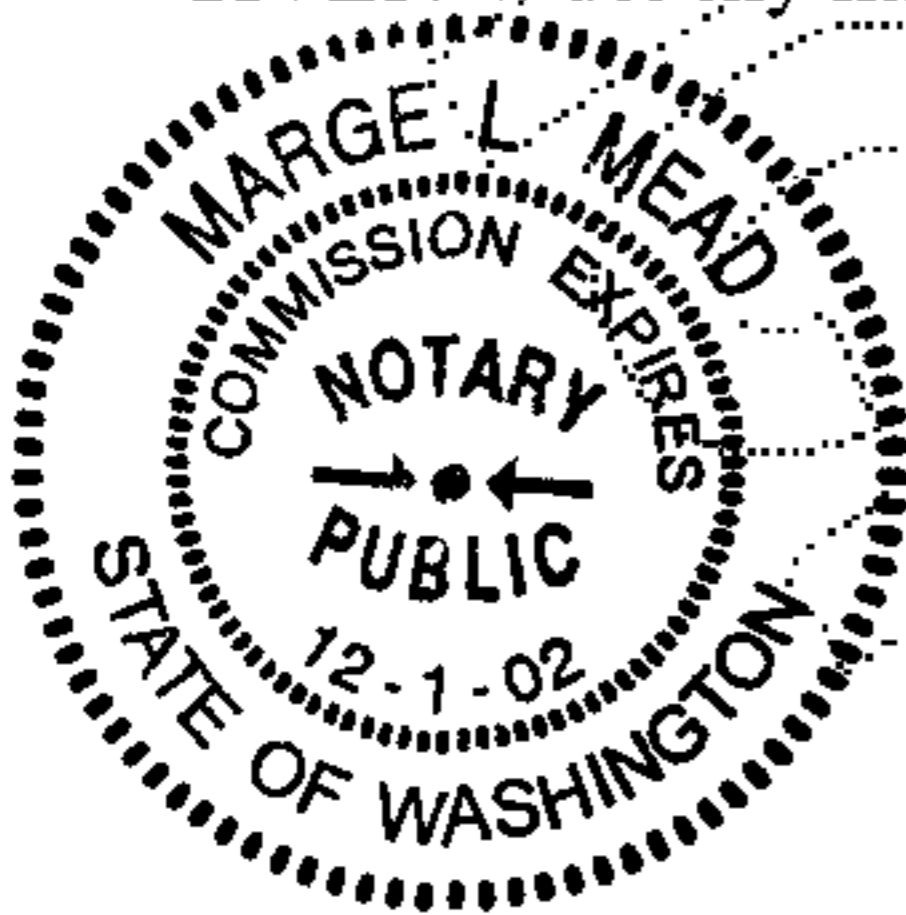
OWNER, Sector 2A, Division II, LLC

By: 
Its Manager

STATE OF WASHINGTON)
)
) SS
COUNTY OF KING)

On this day personally appeared before me Donald H Leavitt, to me known to be the President of Sector 2A Division I, Inc , the general partner of Sector 2A Division I Partners, L P , the limited partnership that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said limited partnership, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute the same instrument

GIVEN under my hand and official seal this 21 day of May, 1999



Marge L. Mead
(print notary's name)
Notary Public in and for the State of
Washington, residing at 301-116th Ave. S.E. Bellevue WA.
My commission expires 12-1-02

STATE OF WASHINGTON)
)
) SS
COUNTY OF KING)

On this day personally appeared before me Donald H Leavitt, to me known to be the Manager of Sector 2A, Division II, LLC, the limited liability company that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said company, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute the same instrument

GIVEN under my hand and official seal this 21 day of May,



Marge L. Mead
Marge L. Mead
(print notary's name)
Notary Public in and for the State of Washington,
residing at 301 - 116th Ave. S.E. Bellevue WA.
My commission expires 12-1-02

199906110813

EXHIBIT A

SNOHOMISH CASCADE
SECTOR 2A - PHASE 3

THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, THE SOUTH HALF OF GOVERNMENT LOTS 3 AND 4, AND THE PLAT OF CITY FARMS, AS RECORDED IN VOLUME 13 OF PLATS, PAGE 13, ALL LOCATED IN SECTION 2, TOWNSHIP 27 NORTH, RANGE 5 EAST, W M , MORE PARTICULARLY DESCRIBED AS FOLLOWS

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 2, A 4"X4" CONCRETE MONUMENT AND BRASS PIN, FOUND IN PLACE;
THENCE ALONG THE WEST LINE THEREOF SOUTH 00'04'00" WEST A DISTANCE OF 617 85 FEET TO THE POINT ON SAID LINE AND THE NORTHWEST CORNER OF SAID SOUTH HALF OF GOVERNMENT LOTS 3 AND 4, SAID POINT ALSO BEING ON THE EASTERLY MARGIN OF 67TH AVENUE S E ,
THENCE LEAVING SAID LINE ALONG THE NORTH LINE OF SAID HALF OF GOVERNMENT LOTS 3 AND 4 SOUTH 88'53'11" EAST A DISTANCE OF 448 27 FEET TO THE NORTHEAST CORNER OF LOT 15, BLOCK 1, "SNOHOMISH CASCADE—SECTOR 2A—PHASE 2", ACCORDING TO THE PLAT THEREOF RECORDED UNDER SNOHOMISH COUNTY AUDITOR'S FILE NO 9707025005, RECORDS OF SNOHOMISH COUNTY, WASHINGTON AND THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION,
THENCE LEAVING SAID LINE ALONG THE EASTERLY LINE OF SAID PLAT OF "SNOHOMISH CASCADE—SECTOR 2A—PHASE 2" SOUTH 10'30'00" EAST A DISTANCE OF 162 73 FEET TO A POINT ON A NON-RADIAL 140 00 FOOT RADIUS CURVE CONCAVE TO THE SOUTHEAST, THE RADIUS POINT THEREOF BEARS SOUTH 20'00'00" EAST,
THENCE SOUTHWESTERLY ALONG SAID CURVE AN ARC DISTANCE OF 9 05 FEET THROUGH A CENTRAL ANGLE OF 03'42'13" TO A POINT ON SAID CURVE,
THENCE LEAVING SAID CURVE ALONG A NON-RADIAL LINE SOUTH 21'13'10" EAST A DISTANCE OF 109.50 FEET,
THENCE SOUTH 28'48'30" WEST A DISTANCE OF 40 20 FEET,
THENCE SOUTH 13'21'35" EAST A DISTANCE OF 84 00 FEET,
THENCE SOUTH 24'01'23" EAST A DISTANCE OF 67 70 FEET,
THENCE SOUTH 52'57'47" EAST A DISTANCE OF 150.00 FEET,
THENCE SOUTH 47'57'47" EAST A DISTANCE OF 178 00 FEET,
THENCE SOUTH 66'38'40" EAST A DISTANCE OF 155 40 FEET,
THENCE SOUTH 23'20'26" WEST A DISTANCE OF 150 81 FEET;
THENCE SOUTH 19'23'34" WEST A DISTANCE OF 43 48 FEET,
THENCE SOUTH 38'02'29" WEST A DISTANCE OF 156 12 FEET TO THE MOST SOUTHERLY CORNER OF LOT 1, BLOCK 1, SAID PLAT OF "SNOHOMISH CASCADE—SECTOR 2A—PHASE 2", SAID POINT ALSO BEING THE MOST EASTERLY CORNER OF THAT CERTAIN PARCEL CONVEYED TO SILVER LAKE

199906110813

WATER DISTRICT BY INSTRUMENT RECORDED UNDER AUDITOR'S RECORDING NO. 9606060416,

THENCE CONTINUING SOUTH 38°02'29" WEST A DISTANCE OF 92.39 FEET TO THE BEGINNING OF A 790.00 FOOT RADIUS CURVE CONCAVE TO THE EAST, THENCE SOUTHERLY ALONG SAID CURVE AN ARC DISTANCE OF 121.91 FEET THROUGH A CENTRAL ANGLE OF 08°50'29" TO A POINT ON SAID CURVE AND THE MOST EASTERLY CORNER OF LOT 7, BLOCK 2, OF SAID PLAT OF "SNOHOMISH CASCADE—SECTOR 2A—PHASE 2";

THENCE CONTINUING SOUTHERLY ALONG SAID CURVE AND PLAT MARGIN AN ARC DISTANCE OF 275.64 FEET THROUGH A CENTRAL ANGLE OF 19°59'27" TO A POINT ON SAID CURVE, SAID POINT BEING THE MOST SOUTHERLY CORNER OF LOT 1, BLOCK 2, OF SAID PLAT OF "SNOHOMISH CASCADE—SECTOR 2A—PHASE 2" AND ALSO BEING THE NORTHEAST CORNER OF LOT 17, "SNOHOMISH CASCADE—SECTOR 2A—PHASE 1", ACCORDING TO THE PLAT THEREOF RECORDED UNDER SNOHOMISH COUNTY AUDITOR'S FILE NO. 9707025004, RECORDS OF SNOHOMISH COUNTY, WASHINGTON,

THENCE CONTINUING SOUTHERLY ALONG SAID CURVE AND PLAT MARGIN AN ARC DISTANCE OF 51.51 FEET THROUGH A CENTRAL ANGLE OF 03°44'10" TO THE POINT OF TANGENCY,

THENCE SOUTH 05°28'23" WEST A DISTANCE OF 227.56 FEET TO THE BEGINNING OF A 610.00 FOOT RADIUS CURVE CONCAVE TO THE WEST,

THENCE SOUTHERLY ALONG SAID CURVE AN ARC DISTANCE OF 161.43 FEET THROUGH A CENTRAL ANGLE OF 15°09'47" TO A POINT ON SAID CURVE AND THE NORTHERLY TERMINUS OF SNOHOMISH CASCADE DRIVE, AS DEDICATED BY SAID PLAT OF "SNOHOMISH CASCADE—SECTOR 2A—PHASE 1",

THENCE LEAVING SAID CURVE ALONG A RADIAL LINE ALONG THE MARGIN OF SAID PLAT OF "SNOHOMISH CASCADE—SECTOR 2A—PHASE 1", SOUTH 69°21'50" EAST A DISTANCE OF 80.00 FEET,

THENCE SOUTH 81°29'41" EAST A DISTANCE OF 196.60 FEET,

THENCE NORTH 81°04'43" EAST A DISTANCE OF 93.31 FEET;

THENCE NORTH 87°19'45" EAST A DISTANCE OF 104.67 FEET,

THENCE SOUTH 11°01'06" WEST A DISTANCE OF 323.00 FEET,

THENCE SOUTH 62°46'46" WEST A DISTANCE OF 82.89 FEET;

THENCE NORTH 88°39'40" WEST A DISTANCE OF 170.00 FEET;

THENCE SOUTH 85°50'23" WEST A DISTANCE OF 107.22 FEET,

THENCE SOUTH 61°59'17" WEST A DISTANCE OF 107.90 FEET,

THENCE SOUTH 42°18'43" WEST A DISTANCE OF 98.25 FEET,

THENCE SOUTH 47°41'28" EAST A DISTANCE OF 170.00 FEET;

THENCE SOUTH 42°18'32" WEST A DISTANCE OF 21.91 FEET,

THENCE SOUTH 40°04'50" EAST A DISTANCE OF 122.36 FEET;

THENCE NORTH 89°57'59" EAST A DISTANCE OF 97.00 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2,

THENCE LEAVING SAID PLAT MARGIN ALONG THE EAST LINE THEREOF NORTH 00°02'01" WEST A DISTANCE OF 24.79 FEET TO THE NORTHEAST CORNER THEREOF,

199906110813

THENCE SOUTH 88°39'40" EAST A DISTANCE OF 662.54 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 2,
THENCE ALONG THE EAST LINE THEREOF NORTH 00°01'00" WEST A DISTANCE OF 339.58 FEET,
THENCE NORTH 88°45'05" WEST A DISTANCE OF 1345.03 FEET,
THENCE NORTH 00°01'00" WEST A DISTANCE OF 140.03 FEET,
THENCE SOUTH 88°45'05" EAST A DISTANCE OF 135.03 FEET TO A POINT ON SAID EAST LINE;
THENCE CONTINUING ALONG SAID EAST LINE NORTH 00°01'00" WEST A DISTANCE OF 195.05 FEET TO THE NORTHEAST CORNER THEREOF,
THENCE ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 2, SAID LINE ALSO BEING THE WEST LINE OF THE SAID PLAT OF "CITY FARMS", NORTH 00°02'31" EAST A DISTANCE OF 1057.84 FEET TO A POINT ON SAID LINE, SAID POINT BEING THE NORTHWEST CORNER OF LOT 50, SAID PLAT OF "CITY FARMS";
THENCE, ALONG THE NORTH LINE THEREOF SOUTH 88°59'55" EAST A DISTANCE OF 316.21 FEET;
THENCE LEAVING SAID LINE NORTH 00°02'08" EAST A DISTANCE OF 257.30 FEET TO A POINT ON THE SOUTH LINE OF LOT 47, SAID PLAT OF "CITY FARMS",
THENCE ALONG THE SOUTH LINE THEREOF SOUTH 89°03'41" EAST A DISTANCE OF 346.18 FEET TO THE SOUTHEAST CORNER THEREOF;
THENCE ALONG THE EAST LINE THEREOF NORTH 00°01'46" EAST A DISTANCE OF 611.78 FEET TO THE NORTHEAST CORNER THEREOF AND A POINT ON THE NORTH LINE OF SAID SOUTH HALF OF GOVERNMENT LOTS 3 AND 4,
THENCE ALONG SAID LINE NORTH 88°53'11" WEST A DISTANCE OF 1538.54 FEET TO THE POINT OF BEGINNING,

EXCEPT THEREFROM ANY PORTION OF 156TH STREET S.E.

SITUATED IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON

199906110813