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08/10/1999 08:48
KING COUNTY, WA

**THIRD AMENDMENT
TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR THE PLAT OF
AMESBURY**

Reference No. of Related Documents: 9111051207, 9401130618, 9609240698

Grantor: Amesbury Homeowners' Association

Grantee: The Public

Legal Description (abbr.): Ptn. of SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 23 and SW $\frac{1}{4}$ Sec. 24, Twp. 25 N., Range 6 E.
Full legal description on Exhibit "A"

Assessor's Tax Parcel No.: 020500-0010-01, 020500-0020-09, 020500-0030-07, 020500-0040-05, 020500-0050-02, 020500-0060-00, 020500-0070-08, 020500-0080-06, 020500-0090-04, 020500-0100-02, 020500-0110-00, 020500-0120-08, 020500-0130-06, 020500-0140-04, 020500-0150-01, 020500-0160-09, 020500-0170-07, 020500-0180-05, 020500-0190-03, 020500-0200-01, 020500-0210-09, 020500-0220-07, 020500-0230-05, 020500-0240-03, 020500-0250-00, 020500-0260-08, 020500-0270-06, 020500-0280-04, 020500-0290-02, 020500-0300-00, 020500-0310-08, 020500-0320-06, 020500-0330-04, 020500-0340-02, 020500-0350-09, 020500-0360-07, 020500-0370-05, 020500-0380-03, 020500-0390-01, 020500-0400-09, 020500-0410-07, 020500-0420-05, 020500-0430-03, 020500-0440-01, 020500-0450-08, 020500-0460-06, 020500-0470-04, 020500-0480-02, 020500-0490-00, 020500-0500-08, 020500-0510-06, 020500-0520-04, 020500-0530-02, 020500-0540-00, 020500-0550-07, 020500-0560-05, 020500-0570-03, 020500-0580-01, 010500-0590-09, 020500-0600-07, 020500-0610-05, 020500-0620-03, 020500-0630-01, 020500-0640-09, 020500-0650-06, 020500-0660-04, 020500-0670-02, 020500-0680-00, 020500-0690-08, 020500-0700-06, 020500-0710-04, 020500-0720-02, 020500-0730-00, 020500-0740-08, 020500-0750-05, 020500-0760-03, 020500-0770-01

INTRODUCTION

This Third Amendment to the Declaration of Covenants, Conditions and Restrictions for the Plat of Amesbury ("Third Amendment") is dated effective the 12 day of JANUARY, 1999 by the Amesbury Homeowners' Association, a Washington non-profit corporation, ("Association"), and amends that certain Declaration executed on November 5, 1991 and recorded under King County Auditor's File No. 9111051207, as amended by First Amendment dated December 31, 1993 and recorded under King County Auditor's File No. 9401130618, and Second Amendment dated September 23, 1996 and

recorded under King County Auditor's File No. 9609240698 (collectively the "Declaration").

RECITALS

A. Article XVI, Section 2, provides that the Declaration may be amended at any time if 75 percent of the members of the Association vote to amend a particular provision of the Declaration.

B. At least 75 percent of the members of the Association have voted to amend the Declaration as set forth herein to clarify the guidelines for satellite dish placement on lots within the Plat of Amesbury.

NOW THEREFORE, the Board of Directors of the Association does hereby amend the Declaration as follows:

1. Article XV, Section 1, is hereby amended to read as follows:

Section 2. Antennae and Transmitters.

2.1 **Non-DBS Satellite Dishes.** Other than "DBS satellite dishes", as defined below, no radio or television antennae or transmitters shall be permitted on any Lot unless such antennae or transmitters comply with the following requirements:

- a. The antennae or transmitter has been approved by the Committee in accordance with Article XV of the Declaration; and
- b. The antennae or transmitter, and its installation, complies with all applicable federal, state and local governmental laws, statutes, ordinances and regulations.

2.2 **DBS Satellite Dishes.** For the purposes of this Section, a "DBS satellite dish" shall be defined as a satellite dish that is one meter in diameter or smaller, that is used by DBS programming service providers (e.g., AlphaStar, DIRECTV, EchoStar, PrimeStar and USSB) and that complies with FCC guidelines. Up to two (2) DBS satellite dishes may be installed on a Lot subject to the following restrictions:

- a. All dishes are to be placed out of visible sight to any street and neighboring Lot unless there is no such placement available that does not adversely affect the satellite signal.
- b. In the event there is no placement available under the preceding paragraph that does not adversely affect the satellite signal the dish may be placed such that it is reasonably screened from view by any adjacent street or lot. This may require painting the dish a color that blends with the surroundings or house, and/or the planting of appropriate shrubbery to assist screening it from view, provided that no undue expense is incurred beyond that which would otherwise be required for a similar structure. If an Owner desires to place a dish



pursuant to the provisions of this paragraph, the proposed screening must be approved by the Committee in accordance with Article XV of the Declaration. In deciding whether to grant approval, the Committee shall be authorized to determine if no placement is available on the subject Lot that does not adversely affect the satellite signal.

c. Notwithstanding the foregoing, roof top mounting (above the gutter) is strictly prohibited, and the Committee is not authorized to grant approval for such mounting.

2. In all other respects, except as set forth above, the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, the Board of Directors of the Association certifies that at least 75% of the members of the Association have voted in favor of the above Amendment. The Board of Directors has executed this Third Amendment to Declaration as of the day first above written.

Greg A. Failla

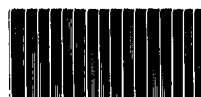
Greg Failla

Monique Elfman

Monique Elfman

Mike Trustdorf

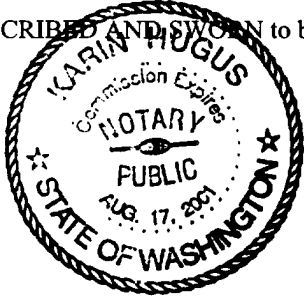
Mike Trustdorf



STATE OF WASHINGTON)
)ss.
COUNTY OF KING)

I certify that I know or have satisfactory evidence that **Greg Failla** is the person who appeared before me, and that said person acknowledged signing this instrument as his free and voluntary act for the uses and purposes mentioned in the instrument.

SUBSCRIBED AND SWORN to before me this 29th day of July, 1999.



KARIN HUGUS Karin Hugus
(printed name):

NOTARY PUBLIC in and for the State of Washington, residing at Issaquah

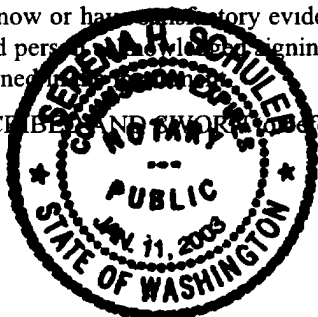
My Commission expires: 8/17/2001

Unofficial Copy

STATE OF WASHINGTON)
)ss.
COUNTY OF KING)

I certify that I know or have satisfactory evidence that **Monique Elfman** is the person who appeared before me, and that said person acknowledged signing this instrument as her free and voluntary act for the uses and purposes mentioned in the instrument.

SUBSCRIBED AND SWORN to before me this 15th day of July, 1999.



SERENA SCHULER / Serena H Schuler
(printed name):

NOTARY PUBLIC in and for the State of Washington, residing at Guardwell

My Commission expires: 01/11/03

STATE OF WASHINGTON)
)ss.
COUNTY OF KING)

I certify that I know or have satisfactory evidence that **Mike Trustdorf** is the person who appeared before me, and that said person acknowledged signing this instrument as his free and voluntary act for the uses and purposes mentioned in the instrument.

SUBSCRIBED AND SWORN to before me this 16th day of July, 1999.



SERENA H SCHULER / Serena Schuler
(printed name):

NOTARY PUBLIC in and for the State of Washington, residing at Guardwell

My Commission expires: 01/11/03



EXHIBIT A

Lots 1 - 76, Amesbury, according to the plat thereof, recorded in Volume 158 of Plats, Pages 58 through 61, in King County, Washington.

and

Parcel A, Amesbury, according to the plat thereof recorded in Volume 158 of Plats, Pages 58 through 61, inclusive, in King County, Washington

EXCEPT that portion lying southerly of a line described as follows:

Beginning at the Northwest corner of Tract G, said Plat of Amesbury; thence North 60°57'23" West a distance of 38.00 feet; thence South 78°21'58" West a distance of 133.43 feet to the terminus of said line, said terminus being a point on the Westerly line of said Parcel A, South 12°03'38" East a distance of 125.00 feet from the Northwest corner thereof;

(Also known as Parcel C of King County Lot Line Adjustment #L94L0029 recorded as Recording Number 9406029003).

Subject to rights, reservations, and restrictions of record.

