

WHEN RECORDED RETURN TO:
WM. Buchan Inc.
11555 Northup Way
Bellevue, WA 98004

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

THIS SECOND AMENDMENT to covenants, running with the land, made this 23 day of Sept., 1996, by Declarant WILLIAM E. BUCHAN, INC. (DECLARANT).

RECITALS

WHEREAS, William E. Buchan, Inc. filed the First Amendment to a Declaration of Covenants, Conditions and Restrictions of the Amesbury Homeowners' Association ("Declaration") on December 31, 1993, under King County Recording No. 9401130618. The Declaration is filed under King County Recording No. 9111051207.

WHEREAS, Article XVI of Section 2 provides that during the Development Period, this Declaration may be amended by any instrument signed by both the Declarant and the owners of at least 51% of the lots, including those owned by the Declarant.

WHEREAS, the Development Period has not yet expired and 51% of the Homeowners have ratified the Amendment of the Declaration.

WHEREAS, the Declarant finds it necessary to amend this Declaration as follows:

Article I, Section 3 is amended as follows:

Section 3. "Properties" shall mean real property described with particularity in Exhibit A, including the Lot created by a boundary line adjustment filed and described under King County Recording No. 9406029003.

Article I, Section 6 is amended as follows:

Section 6. "Lot" shall mean plots of land shown upon the recorded subdivision map under King County Recording No. 911051207, as well as the new lot created and described in the documents showing a new lot created by boundary line adjustment filed under King County Recording No. 9406029003, except that other areas of the Plat designated as tracts are not lots.

Article IV is amended to add the following new section which shall be known as Section 5:

Section 5. "Abolition of Easement". An easement was shown on the face of the plat which encumbered Lots 31 and 32. This easement was intended to serve Lots 11 and 12. Because this easement is not necessary, this easement is abolished.

Article V, is amended to add the following sections which will be known as Sections 6 through Sections 10:

Section 6. "Park and Playground Area". Tract G, as augmented and reconfigured by boundary line adjustment filed under King County Recording No. 9406029003, which has been developed as a park and playground area with playground facilities is hereby conveyed by Declarant to the Homeowners' Association, which shall own and maintain Tract G.

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Section 7. The playground facilities are owned by the Homeowners' Association and can be used only by owners, their guests, invitees and tenants. Members of the public shall not be allowed to use such facilities. The playground facility shall be used in accord with rules and regulations developed by the Amesbury Board of Directors. If owners, their guests and tenants do not comply with rules governing use of such facilities, they will lose their privilege to use such facilities.

Section 8. Each member of the Homeowners' Association covenants and agrees that the Homeowners' Association shall assume all risks associated with the playground facilities, including, but not limited to the risk of property damage or personal injuries resulting from the use of playground facilities and shall indemnify and hold harmless the Declarant from any liability, claims or expenses, including attorneys' fees arising from property damage or personal injuries resulting from the use of playground facilities.

Section 9. "Use of Tracts". Owners, their guests and invitees, when accompanied by owners, and the tenants of owners, shall be allowed to use Tract G, as reconfigured and augmented by the adjustment filed under King County Recording No. 9406029003, and the private trail easement between Lots 11 and 12 and 31 and 32. Any improvement made to this Tract or to the private trail must be approved by the Association. All other access is limited only to those uses for which easements have been granted.

Section 10. "Tract F". Declarant conveys Tract F to the Homeowners' Association which shall be a common area.

All other items and provisions of the Declaration of Covenants, Conditions and Restrictions recorded under King County Recording No. 9111051207 shall remain the same, as recorded, unless otherwise amended by recorded document.

IN WITNESS WHEREOF, the undersigned has affixed his signature.

WILLIAM E. BUCHAN, INC.

By William E. Buchan

William E. Buchan, Chairman and CEO

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STATE OF WASHINGTON)
)
COUNTY OF KING)

On this 23 day of July, 1996, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared WILLIAM E. BUCHAN, to me known to be the Chairman of William E. Buchan, Inc., the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument and that the seal affixed (if any) is the corporate seal of said corporation.

WITNESS my hand and official seal hereto affixed the day and year first above written.



[Signature]
Signature of Notary

Aron H. Golden
Printed Name of Notary

NOTARY PUBLIC in and for the State of Washington.
My commission expires 5/24/00

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Document

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AMESBURRY

A PORTION OF THE SE 1/4 SE 1/4 SEC. 23 AND THE SW 1/4 SEC. 24, T.25N., R.6E., W.M. KING COUNTY, WASHINGTON

RESTRICTIONS AND NOTES

- 1 No lot or portion of a lot in this plat shall be divided and sold or conveyed or ownership changed or transferred away from the ownership of any portion of the plat and no less than the area required for the use specified in which located.
- 2 BUILDING SETBACKS AND MAINT. GROUNDS PROTECTIVE EASEMENTS, STRUCTURES, AND UTILITIES (including but not limited to power, water, sewer, gas, telephone, or other utility lines) shall be maintained in accordance with the building setback line, and within specified front yards (if applicable), and within the height growth protection easement(s) as shown.
- 3 The location of a utility Growth Protection Easement (GPE) shown on this plat is a beneficial interest in the land within the easement. The holder of a beneficial interest in the land within the easement has the right to require the preservation of native vegetation for all purposes herein. The preservation of native vegetation for all purposes herein shall include the preservation of native vegetation, including control of brush, snags, and other vegetation, and the maintenance of the native vegetation in a healthy state. The preservation of native vegetation shall include the preservation of native vegetation, including control of brush, snags, and other vegetation, and the maintenance of the native vegetation in a healthy state. The preservation of native vegetation shall include the preservation of native vegetation, including control of brush, snags, and other vegetation, and the maintenance of the native vegetation in a healthy state.
- 4 Public Drainage Easement (PDE) easements, including, but not limited to, easements for the installation, maintenance, and repair of public drainage systems, shall be maintained in accordance with the applicable laws and regulations of the State of Washington. The holder of a beneficial interest in the land within the easement has the right to require the preservation of the easement for all purposes herein. The preservation of the easement shall include the preservation of the easement, including control of brush, snags, and other vegetation, and the maintenance of the easement in a healthy state.
- 5 No lot or portion of a lot in this plat shall be divided and sold or conveyed or ownership changed or transferred away from the ownership of any portion of the plat and no less than the area required for the use specified in which located.
- 6 No lot or portion of a lot in this plat shall be divided and sold or conveyed or ownership changed or transferred away from the ownership of any portion of the plat and no less than the area required for the use specified in which located.
- 7 No lot or portion of a lot in this plat shall be divided and sold or conveyed or ownership changed or transferred away from the ownership of any portion of the plat and no less than the area required for the use specified in which located.
- 8 No lot or portion of a lot in this plat shall be divided and sold or conveyed or ownership changed or transferred away from the ownership of any portion of the plat and no less than the area required for the use specified in which located.
- 9 No lot or portion of a lot in this plat shall be divided and sold or conveyed or ownership changed or transferred away from the ownership of any portion of the plat and no less than the area required for the use specified in which located.
- 10 No lot or portion of a lot in this plat shall be divided and sold or conveyed or ownership changed or transferred away from the ownership of any portion of the plat and no less than the area required for the use specified in which located.
- 11 No lot or portion of a lot in this plat shall be divided and sold or conveyed or ownership changed or transferred away from the ownership of any portion of the plat and no less than the area required for the use specified in which located.
- 12 No lot or portion of a lot in this plat shall be divided and sold or conveyed or ownership changed or transferred away from the ownership of any portion of the plat and no less than the area required for the use specified in which located.
- 13 No lot or portion of a lot in this plat shall be divided and sold or conveyed or ownership changed or transferred away from the ownership of any portion of the plat and no less than the area required for the use specified in which located.

ADD FILE NO. 888-2



DAVID EVANS AND ASSOCIATES, INC.
415-11th Avenue, S.E.
BELLEVUE, WASHINGTON 98005-3531
(206) 455-3571

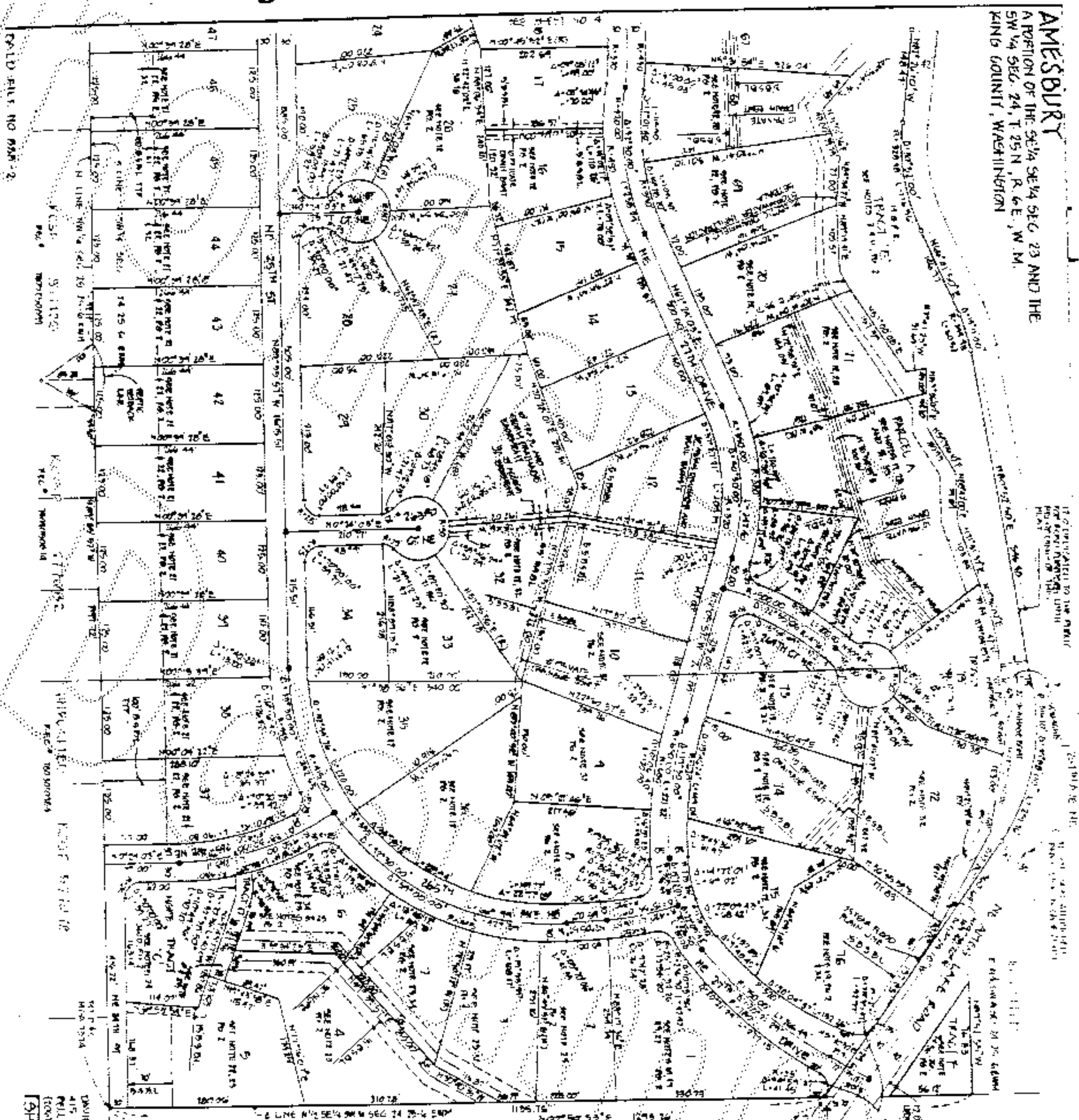
SHEET 2 OF 4 SHEETS

911051028
158/58-61

VOL/P

9609240698

AMESBURY
A PORTION OF THE SW 1/4 SEC 24 AND THE
SW 1/4 SEC. 24, T. 25 N., R. 6 E., W. 1 M.
KING COUNTY, WASHINGTON



CALD FILE NO 85M-2

DAVID EVANS AND ASSOCIATES, INC.
415 WEST AVENUE SE
MILL BUREAU, MINNETONKA, MN 55369
TEL: 952-835-5611

SHEET 3 OF 4 SHEETS

VOL 166



LEGEND
● PD MORA AS PLOTTED
○ SET CORNER MARK - 4" x 4" W.
○ SET CORNER MARK - 1" x 1" W.
○ SET W/ITER W/ICHP FOR SURVEY
○ ALL LOT CORNERS ARE MARKED WITH
○ 1" x 1" W. W/ICHP OR 4" x 4" W.
○ MARKED
○ BUILDING SETBACK LINE
○ P.L.C. RECORDED AND NOTED ON
○ SURVEY DOCUMENT PROTECTION
○ BACKSHEET

UNPLATTED

911051028
ISR/SR-61

BOUND OF PLATTING, REFERENCE TO THE
ALONG THE SOUTH LINE OF THE SW 1/4
SEC. 24, T. 25 N. & BETWEEN BOUNDARIES
FOUNDED IN PLACE FOR THE SW COR. AND
SW COR. OF SAID SECTION
MERIDIAN & 64'S
(SEE NOTE 4, PG. 2)

NORTH
SCALE 1" = 100'
1" = 100'
1" = 100'



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AMESBURY
 A PORTION OF THE SE 1/4 SE 1/4 SEC 23 AND THE
 SW 1/4 SEC 24, T. 25N., R. 6E., W.M.
 KING COUNTY, WASHINGTON

- 1/4" = 100'
- 1/8" = 50'
- 1/16" = 25'
- 1/32" = 12.5'
- 1/64" = 6.25'
- 1/128" = 3.125'
- 1/256" = 1.5625'
- 1/512" = 0.78125'
- 1/1024" = 0.390625'
- 1/2048" = 0.1953125'
- 1/4096" = 0.09765625'
- 1/8192" = 0.048828125'
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