

AMENDMENT TO DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS  
Auditor's File No. 6410947

THIS AMENDMENT TO DECLARATION, made this 17<sup>th</sup> day of September, 1968, by COVINGTON PROPERTIES, a joint venture consisting of UNITED HOMES CORPORATION and SHERWOOD DEVELOPMENT CO., both Washington corporations, hereinafter referred to as "Developer",

WITNESSETH:

WHEREAS, Developer has previously executed and filed a certain Declaration of Covenants, Conditions and Restrictions which is recorded in Volume 5138 of Deeds, Pages 369 through 406, records of King County;

And

WHEREAS, Article XI, Section 3, thereof permits amendments thereto by an instrument executed by the owners of not less than 90% of the property subject thereto; and

WHEREAS, Developer is the owner of 100% of the real property subject to said Declaration and desires to make certain amendments thereto;

NOW, THEREFORE, Developer hereby declares that Declaration of Covenants, Conditions and Restrictions recorded in Volume 5138 of Deeds, pages 369 through 406, records of King County, is amended as follows:

1. The first "whereas" clause appearing on page 1 of said Declaration is amended to read as follows:

"WHEREAS, Developer is the owner of certain real property described as Timberlane Estates Div. 1, as recorded in Vol. 86 of Plats, pages 90 through 93, records of King County, Washington; and"

2. ARTICLE I, Section 3, appearing on page 2 of said Declaration is amended to read as follows:

Section 3. "Trustee" shall mean the NATIONAL BANK OF WASHINGTON, or any successor Trustee."

3. ARTICLE I, Section 5, appearing on page 2 of said Declaration is amended to read as follows:

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Section 5. "Common Properties" shall mean all real property owned by the Trustee or the Association for the common use and enjoyment of the members of the Association and shall not include any streets or other areas dedicated to public use. The common properties for Timberlane Estates Div. I are particularly described as follows:

Tracts A, B, C, D, E, F, G, H and I of the plat of Timberlane Estates Div. 1, as recorded in Volume 86 of plats, pages 90 through 93, records of King County, Washington."

4. ARTICLE II entitled "PROPERTY SUBJECT TO THIS DECLARATION" and appearing on pages 3 and 4 of said Declaration is amended to read as follows:

"ARTICLE II PROPERTY SUBJECT TO THIS DELCARATION

The real property which is, and shall be, held, transferred, sold, conveyed and occupied subject to this declaration is located in King County, Washington, and is described as:

The plat of Timberlane Estates Div. I as per Plat recorded in Volume 86 of plats, pages 90 through 93, records of King County, Washington

All of which property shall hereinafter be referred to as the Existing Property."

5. ARTICLE X, Section 12, subparagraph (c), appearing on page 30 thereof is amended to read as follows:

“(c)” Side Yards. The minimum distance between the dwelling located on any lot and the side lot line of such lot abutting on a dedicated street shall be ten (10) feet. With respect to tan interior lot which has one side lot line adjacent to any common property (an “end of court” lot), the minimum distance between the dwelling on such lot and the side lot line abutting on the common property may zero (0) feet but only in the event that the distance between the opposite side lot line of such lot and the dwelling thereon shall be not less than ten (10) feet. The minimum side yard with respect to all other interior side lot lines shall be zero (z), five (5) or ten (10) feet provided that in any event a minimum distance of ten (10) feet shall be maintained at all times between dwellings on their common side lot lines. (For example, if a dwelling is constructed on or abutting the common side lot line between that lot and an adjacent lot, the minimum distance between the dwelling on such adjacent long and the common side lot line shall be ten (10) feet. If, however, the dwelling on that same lot is constructed within five (5) feet of the common side lot line between that lot and the adjacent lot, the minimum distance between the dwelling on such adjacent lot and the common side

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lot line shall also be five (5) feet. The foregoing requirements are intended to effect a ten (10) foot separation between the living area portions of dwellings. The garage or carport portions of dwellings located on adjacent lots may, however, be constructed that there is a common or party wall constructed on their common side lot line. In such event there is no minimum side yard requirement or minimum distance which must be maintained between them.”