

9311160758

When Recorded Return To:
Sundquist Homes, Inc.
PO Box 958
Lynnwood, WA. 98046

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93 NOV 16 P4:38

BOB [unclear] [unclear]
SNOHOMISH COUNTY [unclear]

*CH 219310P
(DA)*

**FAIRE HARBOUR AT POSSESSION BAY
AMENDMENT TO DECLARATION**

THIS AMENDMENT to Declaration made as of this 10th day of November, 1993, by the undersigned Declarant.

RECITALS

WHEREAS, that certain Declaration of Covenants, Conditions, Restrictions ("Declaration") was recorded under Snohomish County Recorder's No. 9301080661 and;

WHEREAS, the Declarant desires to amend the Declaration pursuant to Article 16.1 in order to annex Lots 1 through 3 of Snohomish County Short Plat No. 9106226 and Lots 1 through 4 of City of Mukilteo Short Plat No. SP93-01 to the Property.

NOW, THEREFORE, to accomplish the foregoing purposes, the undersigned hereby publishes and declares this Amendment to the Declaration as follows:

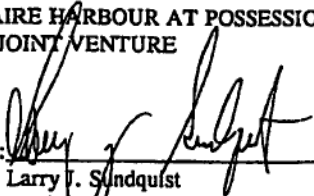
1. LEGAL DESCRIPTION OF THE PROPERTY. Exhibit A to the Declaration is entirely amended and superseded by the Amended Exhibit A attached hereto, so that the Property includes all of the land within what is commonly known as Faire Harbour at Possession Bay; Lots 1 through 3 of Snohomish County Short Plat No. 9106226; and Lots 1 through 4 of City of Mukilteo Short Plat No. SP93-01.
2. PLAT MAP. Section 1.5.13 of the Declaration is hereby amended to include within the meaning of "Plat Map" the short plat map of Lots 1 through 3 of Snohomish County Short Plat No. 9106226 as recorded on March 30, 1993, in Volume 1 of Short Plats, pages 97 through 98, Auditor's File No. 9303305001, records of Snohomish County, Washington; and the short plat map of Lots 1 through 4 of City of Mukilteo Short Plat No. SP93-01 as recorded on November 9, 1993, in Volume 41 of Surveys, pages 158 through 159, Auditor's File No. 9311095004.
3. COMMON AREA. The Common Areas within the Property, as defined and referred to in the Declaration (including Section 1.5.3 and Article 2 thereof), shall include without limitation that area labeled on the short plat map for Lots 1 through 4 of City of Mukilteo Short Plat No. SP93-01, Tract 999 (Native Growth Protection Area).
4. EFFECTIVE DATE. This Amendment shall take effect upon recording.

5. OTHER PROVISIONS. Except as modified specifically herein, all other provisions of the Declaration shall remain in effect.

IN WITNESS WHEREOF, the undersigned has executed this Amendment to the Declaration as of the date first above written.

DECLARANT:

FAIRE HARBOUR AT POSSESSION BAY
A JOINT VENTURE

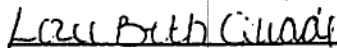
By: 
Larry J. Sundquist
President, Sundquist Homes, Inc.
Manager, Faire Harbour at Possession Bay, A Joint Venture

STATE OF WASHINGTON)
COUNTY OF SNOHOMISH) ss

On this 10th day of November, 1993, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Larry J. Sundquist, to me known to be the President of Sundquist Homes, Inc., the Washington corporation that executed the foregoing instrument, as Manager of Faire Harbour at Possession Bay, a Washington Joint Venture, 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 on the day and year first above written.




Notary Public in and for the State of Washington,
residing at Everett
My commission expires July 1, 1995

AMENDED EXHIBIT A
TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
FAIRE HARBOUR AT POSSESSION BAY

Legal Descriptions

Lots 1 through 101 plat of Faire Harbour at Possession Bay, recorded under Auditor's File No. 9211235001, in Volume 54 of Plats, pages 108 through 114, records of Snohomish County, Washington.

Lots 1 through 3 of Snohomish County Short Plat No. 9106226, recorded under Auditor's File No. 9303305001, in Volume 1 of Short Plats, pages 97 through 98, records of Snohomish County, Washington.

Lots 1 through 4 of City of Mukilteo Short Plat No. SP93-01, recorded under Auditor's File No. 9311095004, in Volume 41 of Surveys, pages 158 through 159, records of Snohomish County, Washington.

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When Recorded, Return to:
JAMES C. MIDDLEBROOKS
ATTORNEY AT LAW
2313 Viewmont Way West
Seattle, WA 98199
(206) 286-1355

RECORDED

'94 APR 13 A957

BOB TERPUG, CLERK AUDITOR
SNOHOMISH COUNTY

9404130042

AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
OF
FAIRE HARBOUR AT POSSESSION BAY

THIS AMENDMENT to the DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS OF FAIRE HARBOUR AT POSSESSION BAY is made as of this
11th day of APRIL, 1994.

RECITALS

WHEREAS, the undersigned Declarant heretofore executed and recorded the above
mentioned Declaration under Snohomish County Recording No(). 9301080661 upon the real
property more particularly described in said Declaration.

WHEREAS, it is desired to amend the Declaration to clarify the use of a Common Area
Tract.

NOW, THEREFORE, to accomplish the foregoing purposes, Declarant hereby publishes
and declares this Amendment to the Declaration as follows.

1. Reference is made to Lot 101 and to the adjacent Common Area Tract 995, on
which Tract 995 is located the Project's entry sign and related landscaping. An exclusive
easement is hereby established for the benefit of Lot 101 on and over such portion of Tract 995
as is not being used for the Project's entry sign and related landscaping. Pursuant to said
easement, said Lot 101 and the owner thereof may, subject to the provisions of the Declaration,
use the easement area as an extension of said Lot's yard and may, at said Lot owner's sole
expense, landscape said area and construct and maintain a privacy fence.

2. The easement established hereby may be terminated by the Association, upon a
vote of Owners having a majority of the voting power, so long as the Association reasonably
determines that the easement area is needed for an alternative use by the Association; provided,
that upon such termination, the Association shall at its expense install a fence along said Lot's
boundary adjacent to Tract 995.

Said document(s) were filed for
record by Stewart Title as accommodation
only. It has not been examined as to
proper execution or as to its effect
upon title.

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3. This Amendment shall take effect upon recording.

4. Except as modified specifically herein, all other provisions of the Declaration shall remain in effect.

IN WITNESS WHEREOF, the undersigned have executed this Amendment to the Declaration as of the date first above given.

DECLARANT:

FAIRE HARBOUR AT POSSESSION BAY
A Joint Venture
By Its Manager
SUNDQUIST HOMES, INC.

By: [Signature]
Its: President,
Larry J. Sundquist

STATE OF WASHINGTON)
) ss.
COUNTY OF Skamish)

On this 11 day of April, 1994, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Larry J. Sundquist, to me personally known (or proven on the basis of satisfactory evidence) to be the President of Sundquist Homes, Inc., the corporation that executed the within and foregoing instrument, and acknowledged 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 was authorized to execute said instrument and that the seal affixed, if any, is the corporate seal of said corporation.

WITNESS my hand and seal hereto affixed the day and year in this certificate above written.



[Signature]
NOTARY PUBLIC in and for the State of
Washington, residing in Everett
My commission expires: 7-1-96
Print Notary Name: Karen J. Wood

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