

RECORDED AT THE REQUEST OF AND
AFTER RECORDING MAIL TO:

Kathryn R. McKinley
Paine Hamblen LLP
717 W. Sprague Ave, Ste 1200
SPOKANE, WA 99201

Re-Recording to Make Corrections to Pages 1 through 8

SECOND AMENDMENT TO RESTATED DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS OF THE VILLAGES OF GARRISON CREEK

Indexing Data

Grantor: The Villages of Garrison Creek Master Property Management Association

Grantees: The Villages of Garrison Creek

Abbreviated Legal: Phase I, II, and V through X of The Villages at Garrison Creek Planned Unit
Full Legal on Developments and Ptn Lot D of Short Plat recorded in Volume 2 of Short Plats
Exhibits A and B at Page 163

Tax Parcel Numbers: 35-07-36-79-0001 through 35-07-36-79-0019
35-07-36-82-0001 through 35-07-36-82-0024
35-07-36-92-0001 through 35-07-36-92-0027
35-07-36-96-0001 through 35-07-36-96-0047
35-07-36-88-0001 through 35-07-36-88-0045
35-07-36-04-0001 through 35-07-36-04-0031
35-07-36-68-0001 through 35-07-36-68-0039
35-07-36-49-0001 through 35-07-36-49-0019

Second Amendment
This ~~First Amendment~~ **Second Amendment** to Restated Declaration of Covenants, Conditions, and Restrictions of The Villages of Garrison Creek (this ~~First Amendment~~ **Second Amendment**) amends that certain Restated Declaration of Covenants, Conditions, and Restrictions of The Villages of Garrison Creek recorded on September 18, 2002 in the records of Walla Walla County, Washington as Instrument No. 2002-10482 (the "Declaration"), affecting the real property located within the planned unit development known as The Villages at Garrison Creek.

Pursuant to Section 11 of the Declaration, the Declaration is hereby amended to remove the following real property from the Declaration and, thereby, from The Villages of Garrison Creek Master Property Management Association (the "Association"):

The real property owned by Phase Five Development, Inc. within The Villages of Garrison Creek P.U.D, commonly known as Phase 14 and legally described on Exhibit A attached hereto. (the "De-annexed Property")

Second Amendment
The undersigned hereby certifies that this ~~First Amendment~~ **Second Amendment** was duly approved on December 10, 2017, by an affirmative vote in favor of the Amendment in accordance with the Declaration, subject to all of the following conditions being met:

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~~FIRST AMENDMENT~~ TO RESTATED DECLARATION - PAGE 1

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1. Negotiation and execution by the Board of Directors of the Association and Phase Five Development, LLC, the owner of the De-annexed Property, of a Road Easement and Maintenance Agreement. The Road Easement and Maintenance Agreement shall be recorded concurrently with the recording of this ~~First Amendment~~ Second Amendment.

2. Negotiation and execution by the Board of Directors of the Association and Phase Five Development, LLC, the owner of the De-annexed Property, of an Open Space and Walking Trail Easement Agreement. The Open Space and Walking Trail Easement and Maintenance Agreement shall be recorded concurrently with the recording of this ~~First Amendment~~ Second Amendment.

3. Execution and recording of a Waiver of Declarant Rights whereby Declarants, Phase Five Development, LLC and Walla Walla Valley Development, LLC, waive and relinquish all rights each may have under the Declaration, Articles of Incorporation of the Association, and the Bylaws of the Association. The waiver shall be recorded concurrently with the recording of this ~~First Amendment~~ Second Amendment and the Road Easement and Maintenance Agreement referenced herein.

4. Appointment by Doug Botimer of Tom Emmerson as his successor on the Architectural Review Committee.

5. Written agreement by PFD to adopt the same Land Use Standards currently used by the MPMA.

The legal description for the real property remaining in The Villages of Garrison Creek Master Property Management Association is set forth in Exhibit B attached hereto.

The undersigned hereby further certifies that the foregoing conditions have been met. Except as expressly stated in this ~~First Amendment~~ Second Amendment the Declaration remains in full force and effect.

DONE as of 9-17, 2018.

THE VILLAGES OF GARRISON CREEK MASTER PROPERTY MANAGEMENT ASSOCIATION, a Washington nonprofit corporation

Dick Cook
By: Dick Cook
Its: President

THOMAS EMMERSON
By: THOMAS EMMERSON
Its: Member, Architectural Committee

JAMES MURPHY
By: JAMES MURPHY
Its: Member, Architectural Committee

ATTESTED:
Marie Evans
By: Marie Evans, Secretary

STATE OF WASHINGTON)

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County of Walla Walla) : ss.

I certify that I know or have satisfactory evidence that Dick Cook is the person who appeared before me and acknowledged that he signed the instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the President of The Villages of Garrison Creek Master Property Management Association, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 9-17, 2018.

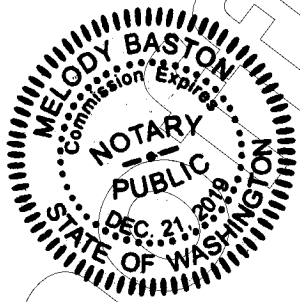


Melody Baston
Print Name: MELODY BASTON
NOTARY PUBLIC in and for the State
of Washington, residing at BAKER BOYER
My commission expires: 12/21/2019

STATE OF WASHINGTON)
County of Walla Walla) : ss.

I certify that I know or have satisfactory evidence that THOMAS EMERSON is the person who appeared before me and acknowledged that he/she signed the instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as a Member of the Architectural Committee of The Villages of Garrison Creek Master Property Management Association, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 9/17, 2018.



Melody Baston
Print Name: MELODY BASTON
NOTARY PUBLIC in and for the State
of Washington, residing at BAKER BOYER
My commission expires: 12/21/2019

STATE OF WASHINGTON)

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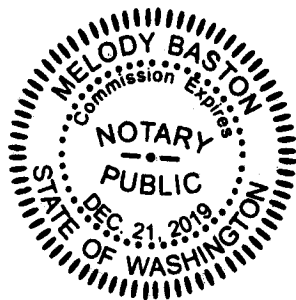
County of Walla Walla) : ss.

I certify that I know or have satisfactory evidence that JAMES MURPHY is the person who appeared before me and acknowledged that he/she signed the instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as a Member of the Architectural Committee of The Villages of Garrison Creek Master Property Management Association, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 9/17, 2018.

Melody Baston

Print Name: MELODY BASTON
NOTARY PUBLIC in and for the State
of Washington, residing at BASELOR
My commission expires: 12/31/2019



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**EXHIBIT A
LEGAL DESCRIPTION OF THE DE-ANNEXED PROPERTY**

Segregation Lots 4 and 5 according to the survey recorded for segregation purposes on September 13, 2006, in Book 10 at Page 56 under Auditor's File No. 2006-11053, records of Walla Walla County, State of Washington.

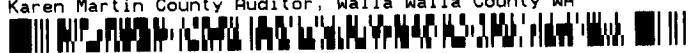
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**EXHIBIT B
LEGAL DESCRIPTIONS OF REMAINING MPMA PROPERTY**

Lots 1 through 19 of Phase I of the Villages of Garrison Creek Planned Unit Development, according to the official plat thereof recorded ON March 11, 1997, in Volume 6 of Roll Files at Page B-28 under Auditor's File No. 9702094, records of Walla Walla County, Washington; and

Lots 20 through 43 of Phase II of the final plat of the Villages of Garrison Creek Planned Unit Development, according to the official plat thereof recorded on August 21, 1998, in Volume 6 of Roll Files at Page B-45 under Auditor's File No. 9809534, records of Walla Walla County, Washington; and

Lots 47 through 73 of Phase V of the final plat of the Villages of Garrison Creek Planned Unit Development, according to the official plat thereof recorded on August 13, 1999, in Volume 6 of Roll Files at Page B-57 under Auditor's File No. 9909525, records of Walla Walla County, Washington; and

Lots 74 through 114 of Phase VI of the final plat of the Villages of Garrison Creek Planned Unit Development, according to the official plat thereof recorded on October 17, 2000, in Volume 6 of Roll Files at Page C-5 under Auditor's File No. 0009959, records of Walla Walla County, Washington; and

Lots 114 through 156 of Phase VII of the Villages of Garrison Creek Planned Unit Development, according to the official plat thereof recorded on March 27, 2003 in Book 6 of Plats at Page 29 under Auditor's File No. 2003-04172, records of Walla Walla County, State of Washington; and

Lots 174 through 204 of Phase VIII of the Villages of Garrison Creek Planned Unit Development, according to the official plat thereof recorded on August 10, 2010, in Book 7 of Plats at Page 54 under Auditor's File No. 2010-06177, records of Walla Walla County, State of Washington; and

Lots 1 through 39 of Phase IX of the Villages of Garrison Creek Planned Unit Development, according to the official plat thereof recorded on September 2, 2015, in Book 7 of Plats at Page 81 under Auditor's File No. 2015-07745, records of Walla Walla County, State of Washington; and

Lots 255 through 273 of Phase X of the Villages of Garrison Creek Planned Unit Development, according to the official plat thereof recorded on March 22, 2005, in Book 7 of Plats at Page 6 under Auditor's File No. 2005-03242, records of Walla Walla County, State of Washington; and

Lot D of Short Plat recorded on October 31, 1991 in Volume 2 of Short Plats at Page 163 under Auditor's File No. 9107738, records of Walla Walla County, Washington; EXCEPTING THEREFROM the following described property:

- 1) Lots 1 through 19 of Villages of Garrison Creek Planned Unit Development, Amended Final Plat, Phase I, according to the official plat thereof recorded in Volume 6 of Roll Files at Page B-28 as Auditor's File No. 9702094, records of Walla Walla County, State of Washington; and
- 2) Lots 20 through 43 of the Villages of Garrison Creek Planned Unit Development Phase II Final Plat according to the official plat thereof recorded in Volume 6 of Roll Files at Page B-45 as Auditor's File No. 9809534, records of Walla Walla County, State of Washington; and
- 3) Villages of Garrison Creek Planned Unit Development Phase III, according to the official plat thereof recorded in Volume 6 of Roll Files at Page B-43 as Auditor's File No. 9809534, records of Walla Walla County, State of Washington; and
- 4) Phase IV of Villages of Garrison Creek Planned Unit Development recorded November 4, 1999 in Volume 6 of Roll Files at Page B-60 as Auditor's File No. 9912668, records of Walla Walla County, State of Washington; and
- 5) Lots 47 through 73 of the Villages of Garrison Creek Planned Unit Development Phase V Final Plat according to the official plat thereof recorded in Volume 6 of Roll Files at Page B-

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57 as Auditor's File No. 9909525, official records of Walla Walla County, State of Washington; and

- 6) Lots 74 through 114 of the Villages of Garrison Creek Planned Unit Development Phase VI, according to the official plat thereof recorded October 17, 2000 in Volume 6 of Roll Files at Page C-5 as Auditor's File No. 0009959, records of Walla Walla County, State of Washington; and
- 7) Lots 114 through 156 of Phase VII of The Villages of Garrison Creek Planned Unit Development, according to the official plat thereof recorded on March 27, 2003 in Book 6 of Plats at Page 29 under Auditor's File No. 2003-04172, records of Walla Walla County, State of Washington; and
- 8) Lots 174 through 204 of Phase VIII of The Villages of Garrison Creek Planned Unit Development, according to the official plat thereof recorded on August 10, 2010, in Book 7 of Plats at Page 54 under Auditor's File No. 2010-06177, records of Walla Walla County, State of Washington; and
- 9) Lots 1 through 39 of Phase IX of The Villages of Garrison Creek Planned Unit Development, according to the official plat thereof recorded on September 2, 2015, in Book 7 of Plats at Page 81 under Auditor's File No. 2015-07745, records of Walla Walla County, State of Washington; and
- 10) Lots 255 through 273 of Phase X of The Villages of Garrison Creek Planned Unit Development, according to the official plat thereof recorded on March 22, 2005, in Book 7 of Plats at Page 6 under Auditor's File No. 2005-03242, records of Walla Walla County, State of Washington; and
- 11) Segregation Lots 4 and 5 according to the survey recorded for segregation purposes on September 13, 2006, in Book 10 of Plats at Page 56 under Auditor's File No. 2006-11053, records of Walla Walla County, State of Washington.
- 12) Segregation Lot 3 according to the survey recorded for segregation purposes on September 13, 2006, in Book 10 at Page 56 under Auditor's File No. 2006-10053, records of Walla Walla County, State of Washington.

EXCEPT the following:

Lots 1 through 39 of Phase IX of the Villages of Garrison Creek Planned Unit Development according to the official plat thereof recorded on September 2, 2015, in Book 7 of Plats at Page 81 under auditor's File No. 2015-07745, records of Walla Walla County, State of Washington.

- 13) That portion of Segregation Lot 2, according to the survey recorded for segregation purposes on September 13, 2006, in Book 10 at Page 56 under Auditor's File No. 2006-11053, records of Walla Walla County, State of Washington, lying in Taxing District 78 and in Section 31, Township 7 North, Range 36 East W.M., in the City of College Place, Walla Walla County, State of Washington;

EXCEPT the following:

Commencing at the Southwest corner of the United States Military Reserve; thence S 21°24'33" E to the brass cap marking the intersection of Myra Road with the Dalles Military Road, City of Walla Walla, WA; then N 70°02'11" W a distance of 45.63' to the intersection of the North right of way line of S.E. 12th Street with the West right of way line of Myra Road, in the City of College Place, WA, and the True Point of Beginning; thence S 59°42'56" W along the North right of way line of S.E. 12th Street a distance of 512.34';
thence N 30°17'04" W a distance of 6.00';

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thence N 59°42'56" E a distance of 463.17';
thence N 15°18'02" E a distance of 48.99';
thence N 29°06'51" W a distance of 52.89';
thence N 60°53'09"; E a distance of 5.00';
thence N 29°06'51" W a distance of 96.69';
thence N 60°53'09" E a distance of 5.00';
thence N 29°06'51" W a distance of 135.90';
thence N 60°53'09" E a distance of 5.00' to a point on the Southwesterly right of way
line of Myra Road;
thence S 29°06'51" E along said Myra Road right of way a distance of 325.46' to the
true point of beginning having an area of 6614 square feet, 0.152 acres.

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