

FILED FOR RECORD AT THE REQUEST OF,
AND WHEN RECORDED RETURN TO:

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FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS & RESTRICTIONS

WHIPPLE CREEK PLACE, PHASE C

Declarant:	Helmes, Inc.
Beneficiary:	The Owners of Lots within Whipple Creek Phase C
Legal Description:	Lots 1-41, Whipple Creek Place Phase C, Book 311 of Plats, page 67
Assessor's Tax Parcels:	185422, 185423, 185540-005, 185541, & 185576 (portion)
Related Documents:	3644939

This *First Amendment*, dated as of July 30, 2003, amends that certain *Declaration of Covenants, Conditions and Restrictions* dated as of May 16, 2003 (the "Phase C Declaration"), filed for record at Clark County Auditor's File No. 3644939 by Helmes, Inc., a Washington corporation, dba New Tradition Homes (referred to herein as the "Declarant").

RECITALS

WHEREAS, the Phase C Declaration provides a common plan and scheme for development of Whipple Creek Place Phase C, and further provides that property described therein shall be held,

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**FIRST AMENDMENT TO
DECLARATION OF COVENANTS
CONDITIONS AND RESTRICTIONS - 1**

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sold and conveyed subject to covenants, conditions and restrictions, which shall run therewith and bind all parties having or acquiring any right, title or interest in said property or any Lot or part thereof, and shall inure to the benefit of each Owner; and

WHEREAS, the Declarant desires to correct certain scrivener's errors in the Phase C Declaration.

NOW THEREFORE, the Declarant hereby amends the Phase C Declaration as follows:

1. **Paragraph 2.11** of the Phase C Declaration is hereby amended to read, in its entirety, as follows:

2.11 Phase C Contribution. The term "Phase C Contribution" is described in paragraph 5.4 of this Declaration

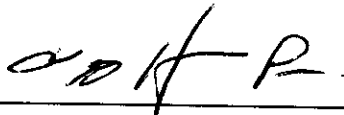
2. All references to the "Phase A Contribution" or the "Phase B Contribution" including, without limitation, those references in paragraphs 5.1, 5.4, 9.5 of the Phase C Declaration, shall be deemed to refer to the "Phase C Contribution."

Except as explicitly amended herein, all terms and provisions of the Phase C Declaration are hereby reaffirmed and incorporated by reference.

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

DECLARANT:
Helmes, Inc.

By:


Chris Helmes, President

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**FIRST AMENDMENT TO
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STATE OF WASHINGTON)

) ss.

County of Clark)

On this 30 day of July, 2003, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Chris Helmes, to me known to be the President of Helmes, Inc., that executed the foregoing instrument, and acknowledged said instrument to be the free and voluntary act of said corporation, for the uses and purposes therein mentioned, and on oath stated that he/she is authorized to execute said instrument by the Board of Directors of said corporation.

Date:

July 30, 2003

By:

Kerry F. Logsdon

Kerry F. Logsdon

NOTARY PUBLIC in and for the State of Washington, residing in Vancouver.

My commission expires October 15, 2004



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**FIRST AMENDMENT TO
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