

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

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FIRST AMENDMENT TO DECLARATIONS OF COVENANTS, CONDITIONS & RESTRICTIONS

WHIPPLE CREEK PLACE, PHASES D-1, D-2 & E

Declarant:	Helmes, Inc.
Beneficiary:	The Owners of Lots within Whipple Creek Phases D-1, D-2 & E
Legal Description:	Lots 1 through 37, Whipple Creek Place, Phase D-1, Book 311, p. 188 Lots 1 through 34, Whipple Creek Place, Phase D-2, Book 311, p. 192 Lots 1 through 35, Whipple Creek Place, Phase E, Book 311, p. 208
Assessor's Tax Parcels:	
Related Documents:	3863618, 3874873, 3908251 & 3505343 at 45 through 64;

This *First Amendment*, dated as of March 3, 2005, amends that certain *Declaration of Covenants, Conditions and Restrictions* dated as of December 19, 2003, filed for record at Clark County Auditor's File No. 3863618 (the "Phase D-1 Declaration"); that certain *Declaration of Covenants, Conditions and Restrictions* dated as of July 26, 2004, filed for record at Clark County Auditor's File No. 3874873 (the "Phase D-2 Declaration"); and that certain *Declaration of Covenants, Conditions and Restrictions* dated as of June 9, 2004, filed for record at Clark County Auditor's File No. 3908251 (the "Phase E Declaration"); (the foregoing documents are referred to, collectively, as the "Revised Declarations").

CLAR0227.CCR16.wpd

**FIRST AMENDMENT TO
DECLARATIONS OF COVENANTS
CONDITIONS AND RESTRICTIONS (D-1, D-2 & E) - 1**

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WHEREAS, Helmes, Inc., a Washington corporation, dba New Tradition Homes, has succeeded to the status of "Declarant" under paragraph 4.3(b) of the Revised Declarations.

NOW THEREFORE, the Declarant hereby amends the Revised Declarations as follows:

1. **Paragraph 7.3** of each of the Revised Declarations is hereby amended to read, in their entirety, as follows:

7.3 Temporary Structures. No unfinished or temporary structure (including without limitation uncovered foundations, garages, outbuildings, shacks, or tents) shall be used for habitation, either temporary or permanent, on any Lot.

2. **Paragraph 7.9** of each of the Revised Declarations is hereby amended to read, in their entirety, as follows:

7.9 Parking. No vehicle may be parked on any road for more than twenty four (24) hours. No Owner shall permit any vehicle which is in any state of disrepair to be abandoned or to remain parked upon any Lot for a period in excess of twenty four (24) hours. The following vehicles may not be parked on any Lot, street or road overnight, except within the confines of an enclosed garage: heavy equipment, vehicles of greater than one ton capacity and mobile homes. Nothing contained in this paragraph shall be deemed to prohibit the storage on any Lot of a trailer, boat, camper-truck or recreational vehicle (referred to, collectively, as "Recreational Equipment"); provided, however: (i) Recreational Equipment shall *not* be parked nor stored closer than ten (10) feet to any street or road, nor closer to the street or road frontage than the front of the residence constructed thereon; (ii) all recreational equipment must be shielded from public view by sight obscuring fence or building approved by the Architectural Control Committee as provided in Section 8 of this Declaration; and (iii) Recreational Equipment shall *not* be parked nor stored on any street, road or Common Area for any length of time.

Except as explicitly amended herein, all terms and provisions of the Revised Declarations are hereby reaffirmed and incorporated by reference.

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03/03/2005 04:14P

21.00 Clark County, WA

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

DECLARANT:

Helmes, Inc.

By:

Chris Helmes, President

STATE OF WASHINGTON)

) ss.


County of Clark

On this ____ day of March, 2005, 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:

3/3/05

By:


Laura L. Longee

Laura L. Longee

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

My commission expires May 15, 2008



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FIRST AMENDMENT TO

DECLARATIONS OF COVENANTS

CONDITIONS AND RESTRICTIONS (D-1, D-2 & E) - 3

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