



2002-045779  
Pg: 1 of 10  
11/21/2002 03:18P  
Benton County

AFTER RECORDING RETURN TO:  
James L. Watts  
873 View Drive  
Richland, WA 99352

**AMENDMENT #1 TO THE  
DECLARATION OF COVENANTS, CONDITIONS,  
RESTRICTIONS AND EASEMENTS AND HOMEOWNERS  
ASSOCIATION DESCRIPTION FOR CANDY MOUNTAIN ESTATES**

**GRANTOR;  
CANDY MOUNTAIN ESTATES – ALL PHASES**

**GRANTEE:  
THE PUBLIC**

**LEGAL DESCRIPTION:  
LOTS 1-29 INCLUSIVE OF CANDY MOUNTAIN ESTATES, PHASE I, RECORDED AUGUST 5,  
1999, IN VOLUME 15 OF PLATS PAGE 95, RECORDS OF BENTON COUNTY, WASHINGTON AND  
THOSE PROPERTIES IDENTIFIED BY THEIR PARCEL NUMBERS BELOW AND THEIR LEGAL  
DESCRIPTION IN THE REVISED EXHIBIT 'A'**

**PARCEL NUMBERS:  
PHASE I  
1-1898-300-0005-002(ptn)  
1-1898-401-1433-003  
1-1898-401-1433-004  
1-1898-401-1433-005**

**ADDITIONAL PARCELS  
1-1898-402-0001-000  
1-1898-402-0002-000  
1-1998-100-0001-001  
1-1998-100-0001-002  
1-1898-300-0005-003  
1-1898-300-0005-004  
1-1898-300-0005-005  
1-1898-300-0008-000  
1-1898-400-0009-000  
1-1998-200-0001-000**

AS RECORDED UNDER DOCUMENT  
# 1999-025932

WHEREAS, the Declaration of Covenants, Conditions, Restrictions and Easements for Candy Mountain Estates, Phase I, inclusive of Lots 1 thru 29, was adopted and recorded under Benton County Auditor's File No. 1999-025932, on August 11, 1999; and,

WHEREAS, said Covenants, Conditions, Restrictions and Easements were originally intended to encumber and bind the owners of real property within Candy Mountain Estates, Phase I; and,

WHEREAS, said Covenants, Conditions, Restrictions and Easements provide for 'Amendments' to said Covenants, Conditions, Restrictions and Easements; and,

WHEREAS, said Covenants, Conditions, Restrictions and Easements provide for 'Annexation of Additional Properties', which annexed properties shall be encumbered and bound by a revised version of those same Covenants, Conditions, Restrictions and Easements described above,

NOW THEREFORE, the following amendments, to the Covenants, Conditions, Restrictions and Easements for Candy Mountain Estates, Phase I and all future properties which may be annexed into Candy Mountain Estates, were approved by the Declarants and by unanimous consent of the members of the Candy Mountain Estates Homeowners Association at a meeting duly called for this purpose on October 25, 2002. The undersigned are hereby directed by the membership of the Candy Mountain Estates Homeowners Association to sign and record these amendments.

**AMENDMENTS**

**THE FOLLOWING AMENDMENTS SHALL BECOME EFFECTIVE UPON  
THEIR RECORDING WITH THE BENTON COUNTY AUDIOTR'S OFFICE**

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**CHANGES**

**ARTICLE 1 - DEFINITIONS**

**Section 1.5 Candy Mountain Estates**

Candy Mountain Estates shall mean Candy Mountain Estates, Phase I and all subsequent phases and properties annexed in accordance with the provisions of Article 8.

**Section 1.6 Developers/Declarants**

Delete - William A. Cramer and Geraldina Cramer

**ARTICLE 5 - ARCHITECTURAL CONTROL COMMITTEE**

**Section 5.2 Architectural Control Committee Address**

The address of the Candy Mountain Estates Architectural Control Committee shall be:

Candy Mountain Estates  
Architectural Control Committee  
68 Canyon Street  
Richland, WA 99352

**LANGUAGE ADDED**

**ARTICLE 7- GENERAL PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS**

**Section 7.12 Storage of Automobiles, Boats, Trailers and Campers**

..... Exempt from the foregoing are boats, campers, and recreational vehicles which may be stored **beside a garage behind a six (6) foot screening fence at any time and** in driveways or along side garages from Memorial Day through Labor Day. ....

**NEW SECTION ADDED**

**ARTICLE 9 – GENERAL PROVISIONS**

**Section 9.6 Prior Rights**

Be it understood that these Covenants, Conditions, Restrictions and Easements pertain to all phases of Candy Mountain Estates and any future properties annexed into Candy Mountain Estates. However, any changes to these Covenants, Conditions, Restrictions and Easements which will affect the Owner of a home, or their home, within Phase I Lots 1 thru 29, whether it be financially, materially or structurally, shall require a 66% affirmative vote of the current Owners of Lots 1 thru 29, Phase I. Any changes to the dollar amounts of assessments paid by Owners of Lots 1 thru 29, Phase I, shall be determined by current Phase I Owners only and shall require a 66% affirmative vote of the current Owners of Lots 1 thru 29, Phase I. Phase I Owners shall have all of the same rights and privileges as those afforded to Owners within all future phases of Candy Mountain Estates.

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**THE FOLLOWING CHANGES TO THE COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS SHALL BIND AND ENCUMBER ALL PROPERTIES WITHIN CANDY MOUNTAIN ESTATES EXCEPT THOSE WITHIN PHASE I**

**LANGUAGE ADDED**

**ARTICLE 3 – ASSOCIATION BUDGET, ASSESSMENTS AND LIENS**

**Section 3.9 Commencement of Assessments**

..... The amount of the initial assessment shall be five hundred dollars and no cents (\$500.00). This initial one time assessment, to the Buyer(s) of a new home, shall be due and collected at the signing of closing documents by the escrow/closing agent. The escrow/closing agent shall transfer the initial one time assessment directly to the Candy Mountain Estates Homeowners Association, Secretary/Treasurer or such other individual as directed by The Board. The annual assessment there after shall be one hundred twenty dollars and no cents (\$120.00) ~~annually~~ or ten dollars and no cents (\$10.00) monthly, ~~shall be~~ prorated for the remaining portion of the calendar year. Thereafter, the annual assessment shall be due and payable on January 1,.....





**REVISED EXHIBIT "A"**

**THE FOLLOWING PARCELS ARE INCLUDED IN THE PLAT OF  
CANDY MOUNTAIN ESTATES - PHASE I**

**PARCEL NUMBER: 1-1898-300-0005-002**

**LEGAL:**

SECTION 18 TOWNSHIP 9 NORTH RANGE 28 EAST: THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 18 LYING SOUTHERLY OF THE SOUTHERLY RIGHT OF WAY OF STATE HIGHWAY NO. 3 (ALSO KNOWN AS HIGHWAY 410), EXCEPT ANY PORTION OF SAID PREMISES LYING WITHIN BADGER EAST LATERAL CANAL RIGHT OF WAY; AND THAT PORTION OF THE WEST HALF OF THE SOUTHEAST QUARTER LYING SOUTHERLY OF THE KENNEWICK IRRIGATION BADGER EAST LATERAL AND NORTHERLY AND WESTERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 18: THENCE NORTH 01 DEGREE 16'30" EAST, ALONG THE WEST LINE THEREOF FOR 124.79 FEET TO THE TRUE POINT OF BEGINNING OF SAID DESCRIBED LINE; THENCE SOUTH 50 DEGREES 49'59" EAST FOR 111.52 FEET; THENCE SOUTH 43 DEGREES 45'16" EAST FOR 413.81 FEET; THENCE SOUTH 56 DEGREES 56'16" EAST FOR 328.99 FEET; THENCE NORTH 33 DEGREES 03'44" EAST FOR 350.00 FEET TO THE CENTERLINE OF SAID KENNEWICK IRRIGATION DISTRICT BADGER EAST LATERAL AND THE TERMINUS OF SAID DESCRIBED LINE; AND THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 18, LYING SOUTHERLY OF THE KENNEWICK IRRIGATION DISTRICT BADGER EAST LATERAL AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 18: THENCE NORTH 01 DEGREE 16'30" EAST, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 18, FOR 124.79 FEET; THENCE SOUTH 50 DEGREES 49'59" EAST FOR 111.52 FEET; THENCE SOUTH 43 DEGREES 45' 16" EAST FOR 413.83 FEET; THENCE SOUTH 56 DEGREES 56'16" EAST FOR 328.99 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 44 DEGREES 53'52" EAST FOR 304.65 FEET; THENCE SOUTH 34 DEGREES 34'08" EAST FOR 614.93 FEET; THENCE NORTH 00 DEGREES 08'37" EAST FOR 569.11 FEET TO THE CENTERLINE OF SAID KENNEWICK IRRIGATION DISTRICT BADGER EAST LATERAL; THENCE NORTHWESTERLY, ALONG SAID CANAL CENTERLINE, 590 FEET, MORE OR LESS, TO A POINT THAT BEARS NORTH 33 DEGREES 03'44" EAST FROM THE POINT OF BEGINNING; THENCE SOUTH 33 DEGREES 03'44" WEST FOR 350.00 FEET TO THE TRUE POINT OF BEGINNING; AND THAT PORTION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 18, LYING NORTHERLY OF THE KENNEWICK IRRIGATION DISTRICT BADGER EAST LATERAL AND SOUTHERLY OF THE FORMER STATE HIGHWAY NO. 12 RIGHT OF WAY AND WESTERLY OF SHORT PLAT 1433 ACCORDING TO THE SURVEY THEREOF RECORDED UNDER AUDITOR'S FILE NO 84-4583 RECORDS OF BENTON COUNTY, WASHINGTON AND THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 18, LYING SOUTHWESTERLY OF THE KENNEWICK IRRIGATION DISTRICT BADGER EAST LATERAL; EXCEPT ANY PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER LYING SOUTHERLY OF THE KENNEWICK IRRIGATION DISTRICT BADGER EAST LATERAL; AND EXCEPT THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 18; AND EXCEPT THAT PORTION LYING NORTHERLY AND WESTERLY OF THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 18: THENCE NORTH 01 DEGREE 16'30" EAST, ALONG THE WEST LINE THEREOF, FOR 124.79 FEET TO THE TRUE POINT OF BEGINNING OF SAID DESCRIBED LINE; THENCE SOUTH 50 DEGREES 49'59" EAST FOR 111.52 FEET; THENCE SOUTH 43 DEGREES 45'16" EAST FOR 413.93 FEET; THENCE SOUTH 56 DEGREES 56'16" EAST FOR 328.99 FEET; THENCE SOUTH 44 DEGREES 53'52" EAST FOR 304.65 FEET; THENCE SOUTH 34 DEGREES 34'08" EAST FOR 614.93 FEET; THENCE NORTH 00 DEGREES 08'37" EAST FOR 569.11 FEET TO THE CENTERLINE OF SAID KENNEWICK IRRIGATION DISTRICT BADGER EAST LATERAL AND THE TERMINUS OF SAID DESCRIBED LINE, RECORDS OF BENTON COUNTY, WASHINGTON. (QCD 8/11/93)

**PARCEL NUMBER: 1-1898-401-1433-003**

**LEGAL:**

SHORT PLAT #1433 LOT 3

**PARCEL NUMBER: 1-1898-401-1433-004**

**LEGAL:**

SHORT PLAT #1433 LOT 4

**PARCEL NUMBER: 1-1898-401-1433-005**

**LEGAL:**

SHORT PLAT #1433 LOT 2 TGW LOT 1 (2/12/92)



PARCEL NUMBER: 1-1898-402-0001-000

LEGAL:  
SECTION 18 TOWNSHIP 9 RANGE 28 PLAT CANDY MOUNTAIN ESTATES, PHASE 1, TRACT A, 8/5/99 (AF #99-025636)

PARCEL NUMBER: 1-1898-402-0002-000

LEGAL:  
SECTION 18 TOWNSHIP 9 RANGE 28 PLAT CANDY MOUNTAIN ESTATES, PHASE 1, TRACT B, 8/5/99 (AF #99-025636)

**THE FOLLOWING PARCELS ARE PROPERTIES ALLOWED AS  
FUTURE ANNEXATIONS INTO CANDY MOUNTAIN ESTATES**

PARCEL NUMBER: 1-1998-100-0001-001

LEGAL:  
SECTION 19 TOWNSHIP 9 NORTH RANGE 28 EAST: THE NORTH ONE/HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 19. (SWD 11/10/94 AF# 94-36412)

PARCEL NUMBER: 1-1998-100-0001-002

LEGAL:  
SECTION 19 TOWNSHIP 9 NORTH RANGE 28 EAST: THE WEST ONE/HALF OF THE NORTHEAST QUARTER; LESS THE NORTH ONE/HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER; ALSO LESS THE SOUTH ONE/HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER. SUBJECT TO AND TOGETHER WITH EASEMENTS (AF #94-36412)

PARCEL NUMBER: 1-1898-300-0005-003

LEGAL:  
SECTION 18 TOWNSHIP 9 RANGE 28 EAST: THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 18 LYING SOUTHERLY OF THE SOUTHERLY RIGHT OF WAY OF STATE HIGHWAY NO. 3 (ALSO KNOWN AS HIGHWAY 410), EXCEPT ANY PORTION OF SAID PREMISES LYING WITHIN BADGER EAST LATERAL CANAL RIGHT OF WAY; AND THAT PORTION OF THE WEST HALF OF THE SOUTHEAST QUARTER LYING SOUTHERLY OF THE KENNEWICK IRRIGATION BADGER EAST LATERAL AND NORTHERLY AND WESTERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 18; THENCE NORTH 01 DEGREE 16'30" EAST, ALONG THE WEST LINE THEREOF FOR 124.79 FEET TO THE TRUE POINT OF BEGINNING OF SAID DESCRIBED LINE; THENCE SOUTH 50 DEGREES 49'59" EAST FOR 111.52 FEET; THENCE SOUTH 43 DEGREES 45'16" EAST FOR 413.91 FEET; THENCE SOUTH 56 DEGREES 56'16" EAST FOR 328.99 FEET; THENCE; NORTH 33 DEGREES 03'44" EAST FOR 350.00 FEET TO THE CENTERLINE OF SAID KENNEWICK IRRIGATION DISTRICT BADGER EAST LATERAL AND THE TERMINUS OF SAID DESCRIBED LINE AND THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 18, LYING SOUTHERLY OF THE KENNEWICK IRRIGATION DISTRICT BADGER EAST LATERAL AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 18: THENCE NORTH 01 DEGREE 16'30" EAST, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 18, FOR 124.79 FEET; THENCE SOUTH 50 DEGREES 49'59" EAST FOR 111.52 FEET; THENCE SOUTH 43 DEGREES 45'16" EAST FOR 413.93 FEET; THENCE SOUTH 56 DEGREES 56'16" EAST FOR 328.99 FEET TO THE TRUE POINT OF BEGINNING: THENCE SOUTH 44 DEGREES 53'52" EAST FOR 304.65 FEET; THENCE SOUTH 34 DEGREES 34'08" EAST FOR 614.93 FEET; THENCE NORTH 00 DEGREES 08'37" EAST FOR 569.11 FEET TO THE CENTERLINE OF SAID KENNEWICK IRRIGATION DISTRICT BADGER EAST LATERAL; THENCE NORTHWESTERLY, ALONG SAID CANAL CENTERLINE, 590 FEET, MORE OR LESS, TO A POINT THAT BEARS NORTH 33 DEGREES 03'44" EAST FROM THE POINT OF BEGINNING; THENCE SOUTH 33 DEGREES 03'44" WEST FOR 350.00 FEET TO THE TRUE POINT OF BEGINNING; AND THAT PORTION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 18, LYING NORTHERLY OF THE KENNEWICK IRRIGATION DISTRICT BADGER EAST LATERAL AND SOUTHERLY OF THE FORMER STATE HIGHWAY NO. 12 RIGHT OF WAY AND WESTERLY OF SHORT PLAT 1433 ACCORDING TO THE SURVEY THEREOF RECORDED UNDER AUDITOR'S FILE NO 84-4583 RECORDS OF BENTON COUNTY, WASHINGTON AND THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 18, LYING SOUTHWESTERLY OF THE KENNEWICK IRRIGATION DISTRICT BADGER EAST LATERAL; EXCEPT ANY PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER LYING SOUTHERLY OF THE KENNEWICK IRRIGATION DISTRICT BADGER EAST LATERAL; AND EXCEPT THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 18; AND EXCEPT THAT PORTION LYING NORTHERLY AND WESTERLY OF THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 18: THENCE NORTH 01 DEGREE 16'30" EAST, ALONG THE WEST LINE THEREOF, FOR 124.79 FEET TO THE TRUE POINT OF BEGINNING OF SAID DESCRIBED LINE: THENCE SOUTH 50 DEGREES 49'59" EAST FOR 111.52 FEET; THENCE SOUTH 43 DEGREES 45'16" EAST FOR 413.93

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PARCEL NUMBER: 1-1898-300-0005-004

LEGAL:

SECTION 18 TOWNSHIP 9 RANGE 28 QUARTER SW: THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 18 LYING SOUTHERLY OF THE SOUTHERLY RIGHT OF WAY OF STATE HIGHWAY NO. 3 (ALSO KNOWN AS HIGHWAY 410), EXCEPT ANY PORTION OF SAID PREMISES LYING WITHIN BADGER EAST LATERAL CANAL RIGHT OF WAY; AND THAT PORTION OF THE WEST HALF OF THE SOUTHEAST QUARTER LYING SOUTHERLY OF THE KENNEWICK IRRIGATION DISTRICT BADGER EAST LATERAL AND NORTHERLY OF THE FOLLOWING DESCRIBED LINE:

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11/21/2002 03:19P  
Benton County

WAY; THENCE SOUTH 58 DEGREES 12'19" EAST, ALONG SAID CANAL CENTERLINE, FOR 245.05 FEET TO THE POINT OF CURVATURE WITH A 382.05 FOOT RADIUS CURVE CONCAVE TO THE SOUTHWEST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 08 DEGREES 56'00", FOR AN ARC DISTANCE OF 59.57 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 49 DEGREES 16'19" EAST, ALONG SAID CANAL CENTERLINE, FOR 150.90 FEET TO THE POINT OF CURVATURE WITH A 1146.05 FOOT RADIUS CURVE CONCAVE TO THE SOUTHWEST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 05 DEGREES 33'00", FOR AN ARC DISTANCE OF 111.01 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 43 DEGREES 43'19" EAST, ALONG SAID CANAL CENTERLINE, FOR 329.34 FEET TO THE POINT OF CURVATURE WITH A 382.05 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 13 DEGREES 11'00", FOR AN ARC DISTANCE OF 87.91 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 66 DEGREES 54'19" EAST, ALONG SAID CANAL CENTERLINE, FOR 309.84 FEET TO THE POINT OF CURVATURE WITH A 382.05 FOOT RADIUS CURVE CONCAVE TO THE SOUTHWEST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 15 DEGREES 34'00", FOR AN ARC DISTANCE OF 103.80 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 41 DEGREES 20'19" EAST, ALONG SAID CANAL CENTERLINE, FOR 232.43 FEET TO THE POINT OF CURVATURE WITH A 286.54 FOOT RADIUS CURVE CONCAVE TO THE SOUTHWEST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 18 DEGREES 14'00". FOR AN ARC DISTANCE OF 91.19 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 23 DEGREES 06'19" EAST, ALONG SAID CANAL CENTERLINE, FOR 105.51 FEET TO THE POINT OF CURVATURE WITH A 143.22 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 30 DEGREES 48'59", FOR AN ARC DISTANCE OF 77.03 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 53 DEGREES 55'18" EAST FOR 95.31 FEET TO THE POINT OF CURVATURE WITH A 114.62 FOOT RADIUS CURVE CONCAVE TO THE SOUTHWEST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 48 DEGREES 48'59", FOR AN ARC DISTANCE OF 97.65 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 05 DEGREES 06'22" EAST, ALONG SAID CANAL CENTERLINE, FOR 56.61 FEET TO THE POINT OF CURVATURE WITH A 81.91 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 03 DEGREES 09'14", FOR AN ARC DISTANCE OF 133.17 FEET TO THE POINT OF TANGENCY; THENCE NORTH 81 DEGREES 44'20" EAST, ALONG SAID CANAL CENTERLINE, FOR 99.30 FEET TO THE POINT OF CURVATURE WITH A 81.90 FOOT RADIUS CURVE CONCAVE TO THE SOUTHEAST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 05 DEGREES 01'00", FOR AN ARC DISTANCE OF 135.82 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 03 DEGREES 14'40" EAST, ALONG SAID CANAL CENTERLINE, FOR 166.20 FEET TO THE POINT OF CURVATURE WITH A 95.50 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 58 DEGREES 08'00" FOR AN ARC DISTANCE OF 113.56 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 71 DEGREES 22'40" EAST, ALONG SAID CANAL CENTERLINE, FOR 310.30 FEET TO THE POINT OF CURVATURE WITH A 143.20 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 17 DEGREES 49'09", FOR AN ARC DISTANCE OF 44.54 FEET; THENCE, LEAVING SAID CURVE AND SAID CANAL CENTERLINE, SOUTH 00 DEGREES 48'11" WEST FOR 18.63 FEET TO THE SOUTH LINE OF SAID SECTION 18; THENCE NORTH 39 DEGREES 11'49" WEST; ALONG SAID SOUTH LINE, FOR 881.86 FEET TO THE TRUE POINT OF BEGINNING. (Per QCD, AF#2002-024790, 6/26/02)

PARCEL NUMBER: 1-1899-300-0005-005

LEGAL:

SECTION 18 TOWNSHIP 9 RANGE 28 QUARTER SW: THAT PORTION OF THE SOUTH HALF OF SECTION 18. TOWNSHIP 9 NORTH. RANGE 28 EAST. W.M. WEST RICHLAND. BENTON COUNTY. WASHINGTON. LYING SOUTHWESTERLY OF THE KENNEWICK IRRIGATION DISTRICT CANAL AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 18, THENCE SOUTH 89 DEGREES 11'49" EAST, ALONG THE SOUTH LINE OF SAID SECTION 18, FOR 1172.86 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 48'11" EAST FOR 149.00 FEET; THENCE NORTH 89 DEGREES 11'49" WEST FOR 41.85 FEET; THENCE NORTH 00 DEGREES 48'11" EAST FOR 118.17 FEET; THENCE NORTH 34 DEGREES 57'17" WEST FOR 724.52 FEET; THENCE NORTH 56 DEGREES 54'19" WEST FOR 403.34 FEET; THENCE NORTH 43 DEGREES 43'19" WEST FOR 452.20 FEET; THENCE NORTH 56 DEGREES 16'19" WEST FOR 187.23 FEET; THENCE NORTH 60 DEGREES 16'28" WEST FOR 296.74 FEET; THENCE NORTH 29 DEGREES 43'32" EAST FOR 200.00 FEET; THENCE SOUTH 60 DEGREES 16'28" EAST FOR 63.27 FEET; THENCE NORTH 29 DEGREES 43'32" EAST FOR 183.93 FEET TO THE CENTERLINE OF SAID CANAL RIGHT OF WAY; THENCE SOUTH 58 DEGREES 12'19" EAST, ALONG SAID CANAL CENTERLINE, FOR 245.05 FEET TO THE POINT OF CURVATURE WITH A 382.05 FOOT RADIUS CURVE CONCAVE TO THE SOUTHWEST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 08 DEGREES 56'00", FOR AN ARC DISTANCE OF 59.57 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 49 DEGREES 16'19" EAST, ALONG SAID CANAL CENTERLINE, FOR 150.90 FEET TO THE POINT OF CURVATURE WITH A 1146.05 FOOT RADIUS CURVE CONCAVE TO THE SOUTHWEST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 05 DEGREES 33'00", FOR AN ARC DISTANCE OF 111.01 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 43 DEGREES 43'19" EAST, ALONG SAID CANAL CENTERLINE, FOR 329.34 FEET TO THE POINT OF CURVATURE WITH A 382.05 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 13 DEGREES 11'00", FOR AN ARC DISTANCE OF 87.91 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 66 DEGREES 54'19" EAST, ALONG SAID CANAL CENTERLINE, FOR 309.84 FEET TO THE POINT OF CURVATURE WITH A 382.05 FOOT RADIUS CURVE CONCAVE TO THE SOUTHWEST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 15 DEGREES 34'00", FOR AN ARC DISTANCE OF 103.80 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 41

DEGREES 20'19" EAST, ALONG SAID CANAL CENTERLINE, FOR 232.43 FEET TO THE POINT OF CURVATURE WITH A 286.54 FOOT RADIUS CURVE CONCAVE TO THE SOUTHWEST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 18 DEGREES 14'00". FOR AN ARC DISTANCE OF 91.19 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 23 DEGREES 06'19" EAST, ALONG SAID CANAL CENTERLINE, FOR 105.51 FEET TO THE POINT OF CURVATURE WITH A 143.22 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 30 DEGREES 48'59". FOR AN ARC DISTANCE OF 77.03 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 53 DEGREES 55'18" EAST FOR 95.31 FEET TO THE POINT OF CURVATURE WITH A 114.62 FOOT RADIUS CURVE CONCAVE TO THE SOUTHWEST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 48 DEGREES 48'59", FOR AN ARC DISTANCE OF 97.65 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 05 DEGREES 06'22" EAST, ALONG SAID CANAL CENTERLINE, FOR 56.61 FEET TO THE POINT OF CURVATURE WITH A 81.91 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 93 DEGREES-09'14", FOR AN ARC DISTANCE OF 133.17 FEET TO THE POINT OF TANGENCY; THENCE NORTH 81 DEGREES 44'20" EAST, ALONG SAID CANAL CENTERLINE, FOR 39.30 FEET TO THE POINT OF CURVATURE WITH A 81.80 FOOT RADIUS CURVE CONCAVE TO THE SOUTHEAST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 85 DEGREES 01'00", FOR AN ARC DISTANCE OF 135.82 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 03 DEGREES 14'40" EAST, ALONG SAID CANAL CENTERLINE, FOR 166.20 FEET TO THE POINT OF CURVATURE WITH A 95.50 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 68 DEGREES 08'00" FOR AN ARC DISTANCE OF 113.56 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 71 DEGREES 22'40" EAST, ALONG SAID CANAL CENTERLINE, FOR 310.30 FEET TO THE POINT OF CURVATURE WITH A 143.20 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 17 DEGREES 49'09", FOR AN ARC DISTANCE OF 44.54 FEET; THENCE, LEAVING SAID CURVE AND SAID CANAL CENTERLINE, SOUTH 00 DEGREES 48'11" WEST FOR 18.63 FEET TO THE SOUTH LINE OF SAID SECTION 18; THENCE NORTH 89 DEGREES 11'49" WEST; ALONG SAID SOUTH LINE, FOR 881.86 FEET TO THE TRUE POINT OF BEGINNING.(PER QCD, AP#2002-024790, 6/26/02)

**PARCEL NUMBER: 1-1898-300-0008-000**

**LEGAL:**

THE EAST 25 ACRES OF THE FOLLOWING DESCRIBED PARCEL: THE PORTION OF THE SOUTH HALF OF THE SOUTHEAST QUARTER DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SUBDIVISION, THENCE EAST ALONG THE SOUTH LINE THEREOF 2,640 FEET MORE OR LESS TO THE SOUTHEAST CORNER OF SAID SUBDIVISION. THENCE NORTH ALONG THE EAST LINE OF SAID SUBDIVISION 1,320 FEET MORE OR LESS TO THE NORTHEAST CORNER OF SAID SUBDIVISION. THENCE WEST ALONG THE NORTH LINE OF SAID SUBDIVISION 2,640 FEET MORE OR LESS TO THE NORTHWEST CORNER OF SAID SUBDIVISION. THENCE SOUTH ALONG THE WEST LINE OF SAID SUBDIVISION 1,320 FEET MORE OR LESS TO THE POINT OF BEGINNING.

**PARCEL NUMBER: 1-1898-400-0009-000**

**LEGAL:**

SOUTHWEST-SOUTHWEST-SOUTHEAST

**PARCEL NUMBER: 1-1898-200-0001-000**

**LEGAL:**

THE EAST 25 ACRES OF THE PORTION OF NORTH HALF NORTHWEST QUARTER DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SUBDIVISION, THENCE EAST ALONG THE NORTH LINE THEREOF 2,640 FEET, MORE OR LESS, TO THE NORTHEAST CORNER. THENCE SOUTH ALONG THE EAST LINE OF SAID SUBDIVISION 1,320 FEET MORE OR LESS TO THE SOUTHEAST CORNER OF SAID SUBDIVISION. THENCE WESTERLY ALONG THE SOUTH LINE OF SAID SUBDIVISION, 2,640 FEET MORE OR LESS, TO THE WEST LINE OF (SOUTHWEST CORNER) OF SAID SUBDIVISION. THENCE NORTH ALONG SAID WEST LINE 1,320 FEET MORE OR LESS TO THE TRUE POINT OF BEGINNING.

DATED this 21<sup>st</sup> day of November, 2002

By: James L. Watts  
James L. Watts

Sharon D. T. Watts  
Sharon D. T. Watts

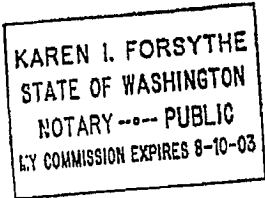
STATE OF WASHINGTON )  
County of Benton )ss.

On this 21<sup>st</sup> day of November, 2002, before me, the undersigned Notary Public in and for said County and State, personally appeared James L. Watts  
Sharon D. T. Watts, and \_\_\_\_\_

known to me to be the persons whose names are subscribed to the foregoing instrument, under oath stated that they are authorized to execute this instrument and acknowledged that they are the owners of certain real property known as Candy Mountain Estates, who acknowledged to me that they signed same as for the uses and purposes therein mentioned.

WITNESS MY SEAL.

Karen I. Forsythe  
Notary Public for Washington



Residing at Burbank WA  
Walla Walla County  
Commission Expires: 8-10-03