

**RECORDING REQUESTED BY  
AND WHEN RECORDED RETURN TO:**

**MATTESON CONSTRUCTION, LLC  
15319 3<sup>RD</sup> DRIVE, S.E.  
MILLCREEK, WA 98012**

**AMENDMENT OF DISCLOSURES AND DECLARATION  
OF  
COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR  
MORNING STAR WEST**

*THIS AMENDMENT TO PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS RUNNING WITH THE LAND IN AND FOR MORNING STAR WEST* (hereinafter the "Amendment") is made and entered into on the date set forth below by Matteson Construction, LLC, a Washington limited liability company.

*WHEREAS*, Matteson Construction, LLC, is the grantee and lawful owner of Morning Star West, and all lots located within the plat. Morning Star West is also legally described as follows:

Lots 1 - 23, Paradise South Division 9 of PARADISE SOUTH DIVISIONS 9 AND 10-B and Lots 1 - 17, Paradise South Division 10-B of PARADISE SOUTH DIVISIONS 9 AND 10-B, according to the Plat thereof recorded in Volume 15 of plats, Page 179, records of Benton County, Washington, and in these, and in those certain Covenants, Conditions and Restrictions relating to such lots recorded with the Benton County Auditor on August 7<sup>th</sup>, 2002 under Auditor's File No. 2002-030512, which recorded Covenants, Conditions, and Restrictions relating thereto are hereby incorporated herein by this reference.

DECLARATION - Page1

WHEREAS, Matteson Construction, LLC, presently continues to own 100% of the Lots in Morning Star West.

WHEREAS, the above-described Covenants, Conditions and Restrictions expressly contemplated and provided that they could be amended by affirmative vote of fifty one (51%) of the owners of the Morning Star West.

WHEREAS, Matteson Construction, LLC, as owner of more than fifty one percent (51%) of the Morning Star West Lots, desires to amend and supplement the above-described Covenants, Conditions and Restrictions in certain respects.

NOW, THEREFORE, the Protective Covenants, Conditions and Restrictions Running With the Land in and for Morning Star West (hereinafter the "CCRs") are hereby amended and supplemented as follow:

1. Paragraph 13 of the CCRs in amended to now read as follows:

13. Quality of Construction. Only one Singe Family home shall be permitted on each lot. Two story or split level homes shall include no less than 1,400 gross square feet of living space, exclusive of one-story open porches and garages. One-story homes shall include no less than 900 gross square feet of living space, exclusive of one-story open porches and garages.

Matteson Construction shall approve all plans and specifications prior to start of construction on any lot. All roofs on dwellings and garage shall be of composition, tile , or meet West Richland code and shall have a minimum pitch of four/twelve.

*EXCEPT AS EXPRESSLY AMENDED AND SUPPLEMENTED HEREINABOVE, ALL OTHER TERMS AND PROVISIONS OF THE PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS RUNNING WITH THE LAND IN AND FOR MORNING STAR WEST SHALL REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.*

