

WHEN RECORDED RETURN TO:

WALKER HEYE & MEEHAN, PLLC  
1333 Columbia Park Trail, Ste 220  
Richland, WA 99352

**DOCUMENT TITLE(s) (or transactions contained therein:)**

1. Second Amendment to Declaration of CCR's for The Plateau

**REFERENCE NUMBER(s) OF DOCUMENTS ASSIGNED OR RELEASED:**

(on page \_\_\_\_ of document(s))

2005-029663

**GRANTOR(s) (Last name first, then first name and initials)**

1. The Plateau

**GRANTEE(s) (Last name first, then first name and initials)**

1. The Public

**LEGAL DESCRIPTION (abbreviated: i.e. lot, block, plat or section, township, range)**

NE Quarter of NE Quarter of Section 28, Township 9 North.....

**ASSESSOR'S PROPERTY TAX PARCEL/ACCOUNT NUMBER**

128981000002004

**SECOND AMENDMENT TO DECLARATION  
OF  
COVENANTS, CONDITIONS, AND RESTRICTIONS  
FOR  
THE PLATEAU**

WHEREAS, on August 30, 2005, the undersigned Developer caused to be recorded certain covenants, conditions and restrictions for the subdivision known as The Plateau, which recording was made under Benton County Auditors File No. 2005-029663; and

WHEREAS, on July 5, 2006 the undersigned Developer caused to be recorded a First Amendment to Declaration of Covenants, Conditions and Restrictions for The Plateau, which recording was made July 5, 2006.

WHEREAS, pursuant to Article II thereof, the Developer is authorized to add additional properties to thereafter be bound by said of said covenants, conditions and restrictions, and

WHEREAS, said Developer now wishes to bind the properties within The Plateau, Phase III, to the covenants, conditions and restrictions above described,

NOW THEREFORE, Article II of said covenants, conditions and restrictions for The Plateau, is hereby amended to read in full as follows:

**II  
Property Subject of This Declaration**

The real property subject of this declaration is located in Richland, Benton County, Washington, and legally described on Exhibit "A" hereto. Said property is commonly known as The Plateau. Developer reserves the right to amend the above legal description to incorporate future phases of The Plateau. Future phases shall be limited to properties now adjoining The Plateau. Upon recording of a duly executed amendment to this Declaration, said additional properties shall be subject to the same covenants, conditions, and restrictions as hereinafter imposed. An amendment solely for the purpose of adding additional phases shall not require the consent of other Owners and may be made and executed solely by Developer or Developer's assigns.

\* \* \* \* \*

All other terms and conditions of the covenants, conditions and restrictions recorded under Benton County Auditor's File No. 2005-029663, as amended under Benton County Auditor's file number 2006-021572 shall remain unchanged.

IN WITNESS WHEREOF, the undersigned, Developers of the property subject hereof, cause this declaration to be executed at Richland, Washington, on the date indicated below.

Dated this 22<sup>nd</sup> day of June, 2007.

KREM, INC.

By: *Richard Rogers*  
RICHARD ROGERS

STATE OF WASHINGTON )  
County of Benton ) ss.

THIS IS TO CERTIFY that on this day before me, the undersigned, a notary public in and for the State of Washington, duly commissioned and sworn, personally appeared Richard Rogers, to me known to be the President of KREM, Inc., the corporation that executed the within and foregoing instrument and acknowledged the said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, and on oath stated that he/she was authorized to execute said instrument.

GIVEN UNDER my hand and official seal this 22<sup>nd</sup> day of June, 2007.



*Karol A. Korte*  
Notary Public in and for the State of  
Washington, residing at *Kennebec*  
My Commission Expires: *1-29-10*



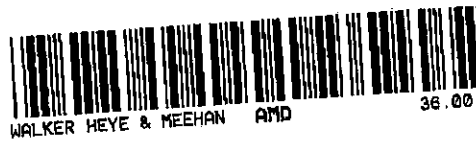
**LEGAL DESCRIPTION**

ORIGINAL PROPERTY

THAT PORTION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 9 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, AND THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 9 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, CITY OF RICHLAND, COUNTY OF BENTON, STATE OF WASHINGTON DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 28; THENCE SOUTH 01°24'12" WEST, 546.20 FEET ALONG THE EAST LINE OF SAID SECTION 28 TO THE CENTERLINE OF THE KENNEWICK IRRIGATION DISTRICT'S BADGER EAST LATERAL CANAL AND THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 01°24'12" WEST, 71.74 FEET ALONG SAID EAST LINE TO A POINT ON THE SOUTH LINE OF SAID CANAL; THENCE SOUTH 42°46'48" EAST, 19.01 FEET ALONG SAID SOUTH LINE TO THE BEGINNING OF A 336.50 FEET RADIUS CURVE CONCAVE TO THE NORTHEAST; THENCE SOUTHEASTERLY, 24.22 FEET ALONG THE ARC OF SAID CURVE AND ALONG SAID SOUTH LINE THROUGH A CENTRAL ANGLE OF 04°07'24"; THENCE SOUTH 35°37'07" WEST, 128.84 FEET; THENCE SOUTH 54°22'53" EAST, 50.43 FEET TO THE EAST LINE OF SAID SECTION 28 SAID POINT BEING ON THE NORTH LINE OF MEADOW HILLS DRIVE; THENCE SOUTH 01°24'12" WEST, 65.30 FEET ALONG SAID EAST LINE TO A POINT ON THE SOUTH LINE OF MEADOW HILLS DRIVE; THENCE SOUTH 54°22'53" EAST, 52.85 FEET ALONG SAID SOUTH LINE; THENCE SOUTH 35°37'07" WEST, 158.63 FEET; THENCE SOUTH 57°29'55" EAST, 96.84 FEET; THENCE SOUTH 29°17'51" WEST, 164.68 FEET; THENCE SOUTH 60°42'09" EAST, 44.82 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 28 SAID POINT BEING ON THE NORTH LINE OF WHITE BLUFFS STREET; THENCE SOUTH 01°24'12" WEST, 72.24 FEET TO THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE NORTH 88°39'45" WEST, 496.48 FEET ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE NORTH 01°15'23" EAST, 131.06 FEET TO A POINT ON A 127.00 FEET RADIUS CURVE (RADIUS POINT BEARS NORTH 7°26'34" WEST); THENCE WESTERLY, 19.28 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 8°41'57"; THENCE NORTH 00°30'03" EAST, 54.00 FEET TO A POINT ON A 20.00 FEET RADIUS CURVE (RADIUS POINT BEARS NORTH 01°15'23" EAST); THENCE NORTHEASTERLY, 42.77 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 122°31'24" TO A POINT OF REVERSE CURVATURE WITH A 277.00 FEET RADIUS CURVE; THENCE NORTHWESTERLY, 13.10 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 2°42'34"; THENCE NORTH 28°33'26" WEST, 84.18 FEET; THENCE NORTH 88°44'37" WEST, 311.47 FEET; THENCE NORTH 01°25'55" EAST, 15.00 FEET; THENCE NORTH 88°44'37" WEST, 131.56 FEET; THENCE NORTH 01°25'55" EAST, 300.00 FEET; THENCE SOUTH 88°44'37" EAST, 93.00 FEET; THENCE NORTH 01°25'55" EAST, 123.36 FEET TO A POINT ON THE ARC OF A 827.00 FEET RADIUS CURVE (RADIUS POINT BEARS NORTH 01°09'00" WEST); THENCE WESTERLY, 3.93 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 0°16'20"; THENCE NORTH 00°52'39" WEST, 54.00 FEET; THENCE NORTH 03°24'48" WEST, 141.94 FEET; THENCE NORTH 85°26'20" EAST, 65.13 FEET; THENCE NORTH 38°25'30" EAST, 138.10 FEET TO A POINT ON THE SOUTH LINE OF SAID IRRIGATION CANAL; THENCE NORTH 74°37'53" EAST, 50.00 FEET TO THE CENTERLINE OF SAID CANAL SAID POINT BEING ON THE ARC OF A 81.90 FEET RADIUS CURVE (RADIUS POINT BEARS NORTH 74°37'53" EAST); THENCE SOUTHEASTERLY, 119.97 FEET ALONG THE ARC OF SAID CURVE AND ALONG SAID CENTERLINE THROUGH A CENTRAL ANGLE OF 83°55'41"; THENCE NORTH 80°42'12" EAST, 122.32 FEET ALONG SAID CENTERLINE TO THE BEGINNING OF A 191.00 FEET RADIUS CURVE CONCAVE TO THE SOUTH; THENCE EASTERLY, 114.68 FEET ALONG THE ARC OF SAID CURVE AND ALONG SAID CENTERLINE THROUGH A CENTRAL ANGLE OF 34°24'00"; THENCE SOUTH 64°53'48" EAST, 209.03 FEET



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36.00 Benton County

ALONG SAID CENTERLINE TO THE BEGINNING OF A 286.50 FEET RADIUS CURVE CONCAVE TO THE SOUTHWEST; THENCE SOUTHEASTERLY 110.59 FEET ALONG THE ARC OF SAID CURVE AND ALONG SAID CENTERLINE THROUGH A CENTRAL ANGLE OF 22°07'00"; THENCE SOUTH 42°46'48" EAST, 162.41 FEET ALONG SAID CENTERLINE TO THE TRUE POINT OF BEGINNING. COMMONLY KNOWN AS THE PLAT OF THE PLATEAU, PHASE I.

TOGETHER WITH LOTS 1, 2, 3 & 4, BLOCK 1, AND LOTS 1, 2 & 3, BLOCK 2 ALL IN THE PLAT OF WESTCLIFF, PHASE I, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 15 OF PLATS, PAGE 203, RECORDS OF BENTON COUNTY, WASHINGTON.

ALSO TOGETHER WITH LOT 1, PLAT OF WESTCLIF, PHASE III, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 15 OF PLATS, PAGE 259, RECORDS OF BENTON COUNTY, WASHINGTON.

ADDITIONAL PROPERTY – FIRST AMENDMENT

TOGETHER WITH LOTS 1 THROUGH 18 OF THE PLAT OF THE PLATEAU, PHASE II, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 15 OF PLATS, PAGE 301, RECORDS OF BENTON COUNTY, WASHINGTON.

ADDITIONAL PROPERTY – SECOND AMENDMENT

TOGETHER WITH LOTS 1 THROUGH 21 OF THE PLAT OF THE PLATEAU, PHASE III, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 15 OF PLATS, PAGE 331, RECORDS OF BENTON COUNTY, WASHINGTON.