

WHEN RECORDED RETURN TO:
Roger Gray & Associates
27 N Morain Street
Kennewick, WA 99336

BENTON FRANKLIN TITLE CO.

76

BTMO

DOCUMENT TITLE(S):
AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

REFERENCE NUMBER(S) OF DOCUMENTS ASSIGNED OR RELEASED:
2007-029474
2007-029929

GRANTOR:
ROGER GRAY

GRANTEE:
PUBLIC

ABBREVIATED LEGAL DESCRIPTION:
UNION WEST # 2 PH 3A & 5A
LT 10 BLK 1, LT3 BLK 3, LT 1 BLK 3, LT 1 BLK 4, LT 3 BLK 2, LTS 1 & 2 BLK 2, LT 6 BLK 2,
LT 8 BLK 3, LT 5 BLK 3, LTS 6 & 7 BLK 3, LT 4 BLK 4, LT 5 BLK 2,

TAX PARCEL NUMBER(S):
1-0989-412-0001-010, 1-0989-412-0003-003, 1-0989-412-0003-001, 1-0989-412-0004-001, 1-0989-412-0002-003, 1-0989-412-0002-001, 1-0989-412-0002-002, 1-0989-412-0002-006, 1-0989-412-0003-008, 1-0989-412-0003-005, 1-0989-412-0003-006, 1-0989-412-0003-007, 1-0989-412-0002-004, 1-0989-412-0002-005

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**Amendment To
Declaration of Covenants, Conditions and Restrictions for
Union West No. 2 – Phase 3-A & 5-A
AF#2007-029474
AF#2007-029929**

This amendment is executed this 16th day of December, 2009, by the undersigned, and by Roger F. Gray as Declarant for that Declaration of Covenants, Conditions and Restrictions for Union West No. 2 – Phase 3-A & 5-A, dated the 5th and 10th day of September, 2007.

As described in the original Declaration of Covenants, Conditions and Restrictions, this amendment shall be in effect and enforceable upon the signatures of 75% of the 24 current lot owners in Union West No. 2, Phase 3A/5A, which is eighteen (18) lot owners.

The following requirements and restrictions are hereby adopted:

Swim Club Site

After a formal neighborhood survey of lot owners, if it is determined that an insufficient number of homeowners do not wish to participate as Swim Club Founders, and consequently the Declarant and subdivision partnerships do not build a swim club on Lot 10, Block 1, ~~the minimum sized residential structure for said lot shall be 2,200 square feet.~~ Roger F. Gray & Associates, Limited Partnership agrees to combine Lot 10, Block 1 with Parcel G, Block 1 to create a single residential lot with a minimum sized residential structure of 2,600 square feet for a single-story/3,000 square feet for a multi-story.

[Handwritten signatures and initials over the text]

Revised Minimum Sized Residential Living Structures

Revised minimum sized residential living structures above ground shall be as follows: (Former Block 1 lots (1 - 9) have been re-labeled Parcels, A,B,C,D,E,F and G on the recorded lot line adjustment survey.) Changes in bold.

	<u>Block 1</u>	<u>Block 2</u>	<u>Block 3</u>	<u>Block 4</u>
Single Story	Parcel A, B & C 2,600sf	Lots 1-4 3,000sf	Lots 1 & 2 2,600sf	2,200sf
All other styles*	3,200sf	3,600sf	3,200sf	2,800sf
Single Story	Parcel D,E & F 3,000 sf	Lots 5 & 6 2,200sf	Lots 3-8 3,000sf	
All other styles*	3,600 sf	2,800sf	3,600sf	
Single Story	Parcel G/Lot 10 2,600			
All other styles*	3,000			
See Page 1 - Swim Club Site	2,200 sf			
	3,600 sf			
Any architectural approved style	Lot 10 2,200-sf			

*50% of these minimum square footage requirements must be on the main level; below grade square footage cannot be included. A bonus room over a garage on a rambler is not considered main floor square footage.

Upon a demonstration of unique design and siting circumstances, the Architectural Review Committee may approve a home with 90% or more of the above square footage requirements.

Elimination of Lot Lines to Combine Two or More Lots - Block 2 Only - West 20th Court

In the event any combination of Lots 3, 4 and 5, Block 2 are combined with any adjoining lot or lots or are combined via a common lot line elimination, a guest home, casita, entertainment center, pool house or combination thereof of at least 1,200 square feet shall be allowed on Lots 3, 4 or 5. Additionally, a shop or garage or combination thereof at least 600 square feet shall be allowed; providing, in all cases, the structures are architecturally consistent with the primary residential structure. The site plan and elevations must be approved by the Architectural Review Committee.

IN WITNESS WHEREOF, the undersigned Declarant has executed the within Declaration the day and year first above written.

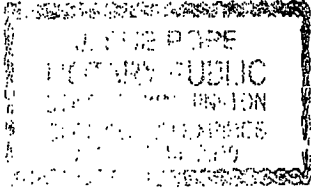
DECLARANT:

Roger F. Gray
 Roger F. Gray
 Union West No. 2, Phase 3A/5A
 South Kennewick Investors
 *Block 1, Parcels A-E & a portion of Parcel F
 Block 3, Lot 2
 Block 4, Lots 2 & 3
 Roger F. Gray & Assoc., Ltd. Ptn.
 *A portion of Parcel F, Block 1 & Parcel G
 Block 1, Lot 10
 Block 2, Lot 5
 *Recorded Survey #2009-036736

UNION WEST NO. 2 - PHASE 3-A & 5-A
 SOUTH KENNEWICK INVESTORS, A General Partnership
 Managing Partner: Roger F. Gray Management & Inv., Inc.
Roger F. Gray
 By Roger F. Gray, President
 Roger F. Gray & Associates, A Limited Partnership
Roger F. Gray
 By Roger F. Gray, General Partner

State of Washington
County of Benton

Before me personally appeared ROGER F. GRAY to me known to be the individual who executed the foregoing instrument and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.



Dated 12/16/09
Signature of Notary Public [Signature]
Title Notary Public
My appointment expires 8/14/2010

Aiello, Francis A. & Beverly M.

[Signature]
Francis A. Aiello

Lot 3, B3, Ph 3A/5A

[Signature]
Beverly M. Aiello

Date 12/28/09

Boneck Enterprises, Inc.

[Signature]
Terry Boneck

Lot 1, B3, Ph 3A/5A

[Signature]
Ba

Date _____

Gretl J. Crawford Interiors, Inc.

[Signature]
Gretl J. Crawford

Lot 1, B4, Ph 3A/5A

Date 12/18/09

Eerkes, Christopher N. & Sarah M./Craig D. & Marilee N. Eerkes

[Signature]
Christopher N. Eerkes

[Signature]
Sarah M. Eerkes

Lot 3, B 2, Ph 3A/5A

Date 3/23/10

[Signature]
Craig D. Eerkes

[Signature]
Marilee N. Eerkes

Date 3/23/10

Ford, Gregory David & Amy L.

[Signature]
Gregory David Ford

Lots 1&2, B2, Ph 3A/5A 2 Lots

[Signature]
Amy L. Ford

Date 3/23/10

Mitchell, Nancy Kaye


[Signature]
Nancy Kaye Mitchell

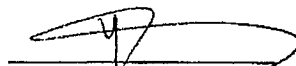
Lot 6, B 2 Ph3A/5A

Date 3/2/10

Nazar, Dr. Qayyum/ Chaudhry, Yasmin


Lot 8, B3, Ph 3A/5A

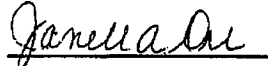

Qayyum Nazar


Yasmin Chaudhry

Date 2/23/10

Orr, Daniel C. & Janell A. Lot 5, B3, Ph 3A/5A

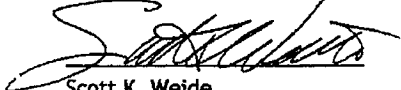

Daniel C. Orr

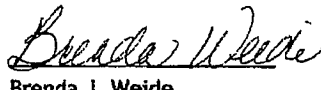

Janell A. Orr

Date 2/23/10

Weide, Scott K. & Brenda J.

Lot 6/7, B3, Ph 3A/5A 2 Lots

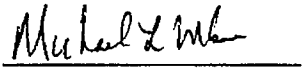

Scott K. Weide


Brenda J. Weide

Date 2-24-10

Wilson, Michael L. & Mari R.

Lot 4, B 2, Ph 3A/5A


Michael L. Wilson


Mari R. Wilson

Date 22 DEC 2009


Peenstra, Richard L. & Patsy M. Lot 5, Block 2, Ph 3A/5A


Richard L. Peenstra


Patsy M. Peenstra

Date 3/4/10

Powers, Donnie K. & Faith A.


Donnie K. Powers


Faith A. Powers

Date 2/25/10

Trikalsaransukh, Sittilerk & Chayaporn


Sittilerk Trikalsaransukh


Chayaporn Trikalsaransukh

Date 3/16/10