

Return Address:  
Fern Crest HOA  
c/o James Emory Tungsvik  
Around the Clock, Inc.  
716 West Meeker Street, Ste. 101  
Kent, WA 98032

CONFORMED COPY

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PAGE-001 OF 003  
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**AUDITOR'S INDEXING FORM**

DOCUMENT TITLE:	3 <sup>rd</sup> Amendment to Declaration of Covenants
GRANTOR:	Fern Crest Homeowners Association
GRANTEE:	Fern Crest Homeowners Association
LEGAL DESCRIPTION: Abbreviated form (lot, block, plat name, section-township- range)	
ASSESSOR'S PROPERTY TAX PARCEL OR ACCOUNT NUMBER:	
REFERENCE NUMBERS OF DOCUMENTS ASSIGNED OR RELEASED OR RELATED DOCUMENTS:	2005015000587, 200502118001129, 2050816001191, 20050824000849, 20080104000485

**COPY**

**AMENDMENT 3 TO THE DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS,  
EASEMENTS & RESTRICTIONS OF FERN CREST TO MODIFY COVENANTS, CONDITIONS,  
EASEMENTS & RESTRICTION VOTING REQUIREMENTS FOR CHANGES**

**PURPOSE OF AMENDMENT:** The purpose of this amendment is to change the voting requirements required to make changes to the subject document, Article 18, Section 3 as follows:

**WAS:**

**Section Three: Voting.** This Declaration may be amended at any annual meeting of the Association, or at a special meeting called for such purpose, if sixtyseven percent (67%) or more of the Owners present at such meeting vote for such amendment, or without such meeting if all Owners are notified in writing of such amendment, and if sixtyseven percent (67%) or more of the Owners vote for such amendment by written ballot. As long as Developer owns more than fifty-one percent of the Lots, this Declaration may be amended during the Development Period by the Developer. In the event that the Developer holds the necessary votes, the Developer may waive the requirements to conduct a meeting to amend the Declaration, unless expressly prohibited by law. Notice of any proposed amendment shall be given to all Owners not less than ten (10) days prior to the date of the annual meeting or of any special meeting at which the proposed amendment shall be considered. Notwithstanding any of the foregoing, fiftyone percent (51%) of all Institutional First Mortgagees who have requested notification of amendments must give prior written approval to any material amendment to the Declaration or Bylaws, including any of the following: voting rights; assessments, assessment liens and subordination of such liens; reserves for maintenance, repair and replacement of Common Areas; insurance or fidelity bonds; responsibility for maintenance and repair; contraction of the project or the withdrawal of property from the Properties; the boundaries of any Lot; leasing of Housing Units other than as set forth herein; imposition of any restrictions on the right of an Owner to sell or transfer his or her Lot; any decision by the Association to establish selfmanagement when professional management had been required previously by an Institutional First Mortgagee; restoration or repair (after hazard damage or partial condemnation) in a manner other than that specified in this Declaration; any action to terminate the legal status of the Properties after substantial destruction or condemnation occurs; or any provisions which are for the express benefit of Institutional First Mortgagees.

**IS REVISED TO:**

**Section Three: Voting.** This Declaration may be amended at any annual meeting of the Association, or at a special meeting called for such purpose, if sixty-seven percent (67%) or more of all Owners vote for such amendment, or without such meeting if all Owners are notified in writing of such amendment, and if sixtyseven percent (67%) or more of the Owners vote for such amendment by written ballot. As long as Developer owns more than fifty-one percent of the Lots, this Declaration may be amended during the Development Period by the Developer. In the event that the Developer holds the necessary votes, the Developer may waive the requirements to conduct a meeting to amend the Declaration, unless expressly prohibited by law. Notice of any proposed amendment shall be given to all Owners not less than ten (10) days prior to the date of the annual meeting or of any special meeting at which the proposed amendment shall be considered. Notwithstanding any of the foregoing, fiftyone percent (51%) of all Institutional First Mortgagees who have requested notification of amendments must give prior written approval to any material amendment to the Declaration or Bylaws, including any of the following: voting rights; assessments, assessment liens and subordination of such liens; reserves for maintenance, repair and replacement of Common Areas; insurance or fidelity bonds; responsibility for maintenance and repair; contraction of the project or the withdrawal of property from the Properties; the boundaries

of any Lot; leasing of Housing Units other than as set forth herein; imposition of any restrictions on the right of an Owner to sell or transfer his or her Lot; any decision by the Association to establish selfmanagement when professional management had been required previously by an Institutional First Mortgagee; restoration or repair (after hazard damage or partial condemnation) in a manner other than that specified in this Declaration; any action to terminate the legal status of the Properties after substantial destruction or condemnation occurs; or any provisions which are for the express benefit of Institutional First Mortgagees.

Amendment

DECLARANT:  
Fern Crest Home Owners Association

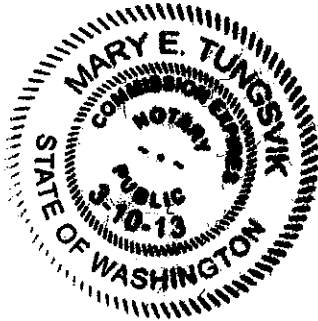
By *Scott Manthey*  
Scott Manthey, President

STATE OF WASHINGTON )  
 )  
COUNTY OF KING ) ss.

I certify that I know or have satisfactory evidence that Mark Gray is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Senior Vice President of The Quadrant Corporation to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

DATED: 2-2-10

*Mary E. Tungsvik*  
Print Name: Mary E. Tungsvik  
Notary Public for the State of Washington  
Residing at Auburn  
My Appointment Expires: 3-10-13



DECLARANT:  
Fern Crest Home Owners Association

By *Maha Parhar*  
Maha Parhar, Secretary  
*MANMINDER msq*

STATE OF WASHINGTON )  
 )  
COUNTY OF KING ) ss.

I certify that I know or have satisfactory evidence that Mark Gray is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Senior Vice President of The Quadrant Corporation to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

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