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After Recording Return to:

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Spokane, WA 99201-4411

**FOURTH AMENDMENT TO DECLARATION AND COVENANTS, CONDITIONS,
RESTRICTIONS, EASEMENTS AND RESERVATIONS
FOR MEADOWWOOD GLEN INCLUDING ANNEXATION OF ADDITIONAL
PROPERTY**

Grantor: Sullivan Homes, Inc.
Grantee: Meadowwood Glen Homeowners Association
Tax Parcel No.: 55141.9056
Legal Description: Portion of NE ¼ of Sec. 14, T.25 N., R 45 E., W.M. (described in Exhibit
"A" attached hereto and incorporated herein by this reference)

THIS FOURTH AMENDMENT TO DECLARATION AND COVENANTS,
CONDITIONS, RESTRICTIONS, EASEMENTS AND RESERVATIONS FOR
MEADOWWOOD GLEN (the "Fourth Amendment") is made by Sullivan Homes, Inc., a
Washington corporation ("Grantor") as of this 13th day of May, 1999.

RECITALS

A. Grantor's predecessor in interest, The Glen at MeadowWood, Inc., previously
subjected certain property located in Spokane County, Washington (the "Property") to the
Declaration and Covenants, Conditions, Restrictions, Easements and Reservations for
MeadowWood Glen under Spokane County Auditor's File Nos. 4159620 and 4238793 (the
"Original Declaration" and the "First Amendment to Declaration" respectively). The Glen at
MeadowWood, Inc. assigned all of its rights and responsibilities as Declarant to Sullivan Homes,
Inc. pursuant to the Third Amendment to Declaration and Covenants, Conditions, Restrictions,
Easements and Reservations for MeadowWood Glen recorded under Spokane County Auditor's
File No. 4323385 on January 27, 1999.

Fourth Amendment



B. The Property was subdivided as shown on the Plat for MeadowWood Glen recorded under Spokane County Recording No. 4137835, in Book 24, Page 73, Plat No. 3360 (the "Original Plat") and further subdivided as shown on the Plat for MeadowWood Glen First Addition recorded under Spokane County Recording No. 4238792, in Book 25, Pages 50-51, records of Spokane County (the "First Addition Plat").

C. Grantor now wishes to amend the Declaration in conformance with the authority provided therein, to add and annex the Second Addition to the Property, thereafter to be subject to the provisions of the Original Declaration, and to make other amendments as provided therein. Unless otherwise expressly defined herein, all capitalized terms shall have the meaning as set forth in the Original Declaration, as amended.

NOW, THEREFORE, Declarant hereby amends the Original Declaration, as amended, as provided in this Fourth Amendment, as follows:

1. Addition of Property. Declarant hereby adds and annexes the Second Addition (as legally described in Exhibit A attached hereto and incorporated herein by this reference) to the Property, as authorized by the Declaration. The definition of "Property" contained in Section 1.1.15 of the Original Declaration, as amended by Section 1 of the First Amendment to Declaration, is hereby amended to include the Second Addition.

2. Common Areas. The definition of "Common Areas" set forth in Section 1.1.3 of the Declaration, as amended by Section 2 of the First Amendment to Declaration, is hereby amended to include Tracts A, B and C in the Second Addition. No structures, including fences, shall be constructed on Tracts A, B and C without the express written approval of Spokane County. The Association shall be responsible for payment of claims and other liabilities that may become due for said Tracts. Tracts A, B and C may not be sold or transferred, and shall be considered subservient estates to all Lots within the Second Addition for the purpose of real estate taxes. Should the Association be terminated for any reason, the successors in interest for Tracts A, B and C shall be the individual Lot Owners within the Second Addition, or their successors in interest, who are members of the Association at the time of said termination. The status of the areas designated as subservient estates for tax purposes cannot be changed without filing a replat.

3. Plat. The definition of "Plat" set forth in Section 1.1.14 of the Original Declaration, as amended by Section 3 of the First Amendment to Declaration, is hereby amended to add the Second Addition.

4. Easements for Utilities. Declarant hereby creates and reserves a ten (10) foot easement along all front property lines of the Lots within the Second Addition adjoining private road rights of way, as well as utility easements across, under and through Tracts A, B and C as shown on the face of the Second Addition Plat, to the same utility providers and for the same purposes as provided in Section 2.5 of the Original Declaration. All such utility easements shall be subject to all of the provisions of the Original Declaration.



5. Border Easement. In addition to the Border Easement created and reserved in Section 2.6 of the Original Declaration, Declarant hereby creates and reserves a border easement within Tract A of the Second Addition along and adjoining Country Vista Drive for the benefit of Spokane County for road purposes, including but not limited to curbs, sidewalks, drainage, signage and other usage deemed necessary by the Spokane County Engineer for the safety and welfare of the public. This Border Easement shall be subject to the same use limitations and other provisions set forth in Section 2.6 of the Original Declaration.

6. Private Streets. Section 2.9 of the Original Declaration is hereby amended to add Tracts B and C in the Second Addition to the description of private roads within the Plat. For tax purposes, each of the Lots in the Second Addition shall have an undivided one thirty-fifth (1/35) interest in Tracts B and C, provided that such Tracts are subservient estates to the Lots in the Second Addition. The other provisions of Section 2.9 shall apply to Tracts B and C. Spokane County has no responsibility to build, improve, or maintain or otherwise service the private roads, including associated drainage facilities, contained within or providing service to the Second Addition. By accepting this development or subsequently by allowing a building permit to be issued for property on a private road, Spokane County has no obligation of any kind or nature whatsoever to establish, examine, survey, construct, alter, repair, improve, maintain, or provide drainage or snow removal on a private road or associated drainage facilities. This requirement is and shall run with the land and shall be binding upon the Lot Owners, their heirs, successor and assigns, including the obligation to participate in the maintenance of the private roads. The private roads as shown on the face of the Plat and the Second Addition Plat, are easements which provide a means of ingress and egress for those Lots within the Plat and the Second Addition Plat having frontage thereon.

7. Storm Drainage Easements. Declarant hereby creates and reserves storm drainage easements as shown on the face of the Second Addition Plat, for the benefit of the Association and Spokane County, for the purposes of installing, operating and maintaining drainage facilities to dispose of runoff, and all of which shall constitute part of the private storm drainage system described in Section 2.10 of the Original Declaration.

8. Spokane County. Section 2.12 of the Original Declaration, as amended by Section 1 of the Second Amendment to Declaration and Covenants, Conditions, Restrictions, Easements and Reservations for MeadowWood Glen recorded under Spokane County Auditor's No. 4252176, is hereby amended to add Tracts A, B and C of the Second Addition to the other Common Areas included within the provisions of this Section, as amended.

9. Submission and Approval of Plans. Section 3.2 of the Original Declaration, as amended by Section 9 of the First Amendment to Declaration, is amended to provide that with respect to Construction of Structures on Lots within the Second Addition, the Architectural Control Committee (ACC) shall consist of two (2) representatives of Sullivan Homes, Inc. who, with respect to Construction of Structures on Lots within the Second Addition, shall have all of the powers and authority of the ACC provided in Section 3.2, prior to the Transition Date, and all of the provisions of Section 3.2 shall apply in the same manner and to the same extent as with respect to the Lots in the Original Plat and in the First Addition. After the Transition Date, the



**EXHIBIT A TO FOURTH AMENDMENT TO DECLARATION AND COVENANTS,
CONDITIONS, RESTRICTIONS, EASEMENTS AND RESERVATIONS**

LEGAL DESCRIPTION

That portion of the Northwest quarter of Section 14, Township 25 North, Range 45 East, W.M., described as follows:

BEGINNING at the most Southwesterly corner of the final plat of MEADOWWOOD GLEN as recorded in Book 24 of Plats, Pages 92 and 93; thence Westerly along the Southerly boundary of said final plat the following thirteen (13) courses:

- (1) South 46°12'04" East, a distance of 62.00 feet to the beginning of a curve concave to the Southeast having a radius of 709.00 feet (from which a radial line bears South 46°12'04" East);
- (2) Northeasterly along said curve through a central angle of 04°37'27" an arc distance of 57.22 feet to the beginning of a compound curve concave to the Southeast having a radius of 25.00 feet;
- (3) Easterly along said curve through a central angle of 83°35'00", an arc distance of 36.48 feet;
- (4) South 47°58'37" East, a distance of 52.96 feet to the beginning of a curve concave to the Northeast having a radius of 692.50 feet;
- (5) Southeasterly along said curve through a central angle of 15°43'20" an arc distance of 190.02 feet;
- (6) South 28°32'39" East, a distance of 56.98 feet;
- (7) North 81°40'23" East, a distance of 68.34 feet;
- (8) South 50°32'25" East, a distance of 78.56 feet to the beginning of a curve concave to the North having a radius of 75.00 feet;
- (9) Easterly along said curve through a central angle of 51°22'22" an arc distance of 67.25 feet to the beginning of a reverse curve concave to the South having a radius of 175.00 feet;
- (10) Easterly along said curve through a central angle of 25°22'22" an arc distance of 77.50 feet;
- (11) South 76°32'25" East, a distance of 67.27 feet;
- (12) South 12°46'10" West, a distance of 41.92 feet; thence south 76°32'25" East, a distance of 168.00 feet to the Easterly boundary of Parcel "A".of a Record of Survey, filed in Book 68 of Surveys, Pages 21; thence along said Easterly boundary of Parcel "A" the following twelve (12) courses:

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EXHIBIT A, Continued

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- (1) South 13°27'35" West, a distance of 135.00 feet;
- (2) South 13°24'53" East, a distance of 107.95 feet;
- (3) South 08°13'25" West, a distance of 209.17 feet;
- (4) South 23°36'24" West, a distance of 139.72 feet;
- (5) South 01°53'27" East, a distance of 177.71 feet;
- (6) South 69°27'44" West, a distance of 84.03 feet;
- (7) North 27°35'13" West, a distance of 335.08 feet;
- (8) North 35°34'29" West, a distance of 349.07 feet;
- (9) North 43°06'40" West, (North 43°03'44" West) a distance of 222.89 feet;
- (10) South 71°25'08" West, a distance of 266.84 feet (South 71°24'08" West, 266.68 feet)
- (11) South 38°08'59" West, a distance of 113.14 feet (South 38°10'05" West, 113.23 feet);
- (12) North 84°29'20" West, a distance of 51.84 feet (Record North 84°38'52" West, 52.00 feet) to the Westerly boundary of said Parcel "A" of said Record of Survey thence continuing Northerly along said Survey the following two (2) courses:
 - (1) North 05°21'08" East, a distance of 90.00 feet to the beginning of a curve concave to the East having a radius of 771.00 feet;
 - (2) Northerly along said curve through a central angle of 38°26'48" an arc distance of 517.26 feet to the Point of Beginning;

Situate in the County of Spokane, State of Washington.

(Parcel No. 55141.9056)
(Abbreviated Legal: PT NE 14-25-45)