

When Recorded, Return to:

HILLIS CLARK MARTIN & PETERSON, P.S.
Attention: D. Christian Addicott
500 Galland Building
1221 Second Avenue
Seattle, WA 98101-2925

**THIRD AMENDMENT
TO
AMENDED AND RESTATED DECLARATION
OF
COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR
THE VILLAGE AT LAKE CHELAN**

Grantor:	THE VILLAGE AT LAKE CHELAN, LLC
Grantee:	PLAT OF THE VILLAGE AT LAKE CHELAN [Phases I & II]
Legal Description (abbreviated):	W ½ Tract 22, Lowline Div. No. 2, Lake Chelan Land Company's Irrigated Lands, Chelan Co., WA; Lot 23, Lowline Div. No. 2, Lake Chelan Land Company's Irrigated Lands, Chelan Co., WA.
Assessor's Tax Parcel ID #:	282136681144 282136681148
Reference Nos. of Documents Released or Assigned:	2213498; 2230624; 2252435; 2258041

THIS THIRD AMENDMENT to the Amended and Restated Declaration of Covenants, Conditions, and Restrictions for The Village at Lake Chelan is dated for reference purposes August 8, 2008 and is made by **THE VILLAGE AT LAKE CHELAN, LLC**, a Washington limited liability company ("**Declarant**").

RECITALS

A. Declarant is developing a residential planned unit development known as the Village at Lake Chelan (the "**Project**"), which is being established in two phases, hereinafter referred to as Phase I and Phase II.

B. The property comprising Phase I is legally described in and governed by that certain Amended and Restated Declaration of Covenants, Conditions, and Restrictions for The Village at Lake Chelan as recorded under Chelan County Recording No. 2230624, as amended by a First Amendment to Amended and Restated Declaration of Covenants, Conditions, and Restrictions for The Village at Lake Chelan recorded under Chelan County Recording No. 2252435 and a Second Amendment to Amended and Restated Declaration of Covenants, Conditions, and Restrictions for The Village at Lake Chelan as recorded under Chelan County Recording No. 2258041 (collectively, the "**Declaration**").

C. Section 10.1 of the Declaration gives Declarant the right to subject to the Declaration all or any portion of the property described in Exhibit B to the Declaration, which description was intended to legally describe the property comprising Phase II (the "**Phase II Property**"). Such description, however, describes the entire Project and is not limited to the Phase II Property.

D. Pursuant to Section 10.1 of the Declaration, Declarant desires to subject the Phase II Property to the Declaration, which property is legally described on attached EXHIBIT A.

E. Declarant also desires to subject certain Lots within the Phase II Property to specific height restrictions.

F. Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Declaration.

NOW, THEREFORE, Declarant does hereby declare and provide as follows:

1. Addition of Phase II to the Declaration. Pursuant to Section 10.1 of the Declaration, Declarant hereby subjects the Phase II Property to the provisions of the Declaration.

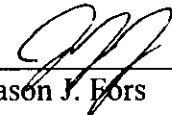
2. Height Restrictions on Phase II. Declarant hereby amends the Declaration to subject certain Lots within the Phase II Property to the height restrictions set forth on attached EXHIBIT B ("**Phase II Height Restrictions**"). The Phase II Height Restrictions shall control over and supersede any conflicting provisions of the Declaration and the Architectural Standards.

3. **Full Force and Effect.** Except as specifically amended herein, all other terms and conditions of the Declaration remain in full force and effect.

4. **Effective Date.** This Third Amendment shall take effect upon recording.

IN WITNESS WHEREOF, the undersigned Declarant has executed this Third Amendment as of the date set forth below.

THE VILLAGE AT LAKE CHELAN, LLC,
a Washington limited liability company

By 
Jason J. Fors
Manager

DATE: P-13-08, 2008

STATE OF WASHINGTON }
COUNTY OF King } ss.

On this day personally appeared before me Jason J. Fors, to me known to be the Manager of **THE VILLAGE AT LAKE CHELAN, LLC**, the Washington limited liability company that executed the foregoing instrument, and acknowledged such instrument to be the free and voluntary act and deed of such limited liability company, for the uses and purposes therein mentioned, and on oath stated that he was duly authorized to execute such instrument.

GIVEN UNDER MY HAND AND OFFICIAL SEAL this 13 day of August, 2008.





Printed Name Eileen Marie Fitzgerald
NOTARY PUBLIC in and for the State of Washington,
residing at 14201 SE Petrovitsky Rd A3
My Commission Expires April 28, 2012

EXHIBIT A

Parcel A

The West one-half of Tract 22, Low Line Division No. 2 of the Lake Chelan Land Company's Irrigated Lands, Chelan County, Washington, according to the plat thereof recorded in Volume 3 of Plats, page 11.

Parcel B

Lots 23, Lake Chelan Land Company's Irrigated Lands, Low Line Division No. 2, Chelan County, Washington, according to the Plat thereof recorded in Volume 3 of Plats, page 11,

EXCEPT that portion lying within the plat of Village at Lake Chelan County, Washington, according to the Plat thereof recorded in Volume 30 of Plats, pages 1-5.

And also EXCEPT those portions conveyed to the State of Washington by deeds recorded August 3, 2005 and November 22, 2005 under Auditor's File No. 2205918 and 2214934.

EXHIBIT B

PHASE II HEIGHT RESTRICTIONS

Lot	Height Restrictions
Lots 53-59	As set forth in the Architectural Standards
Lots 60-64	Single-story structure with option to build a daylight basement; highest point of structure shall not exceed a height ¹ of 18 feet.
Lots 65-114	Single-story structure; highest point of structure shall not exceed a height of 18 feet.

¹ The height of a building shall mean the vertical distance measured from the average elevation of the proposed finished grade adjacent, within two feet, to the building foundation to the highest point of the roof of any building. The height of any other structure shall be measured from the immediate adjacent grade of the ground to the highest point of the structure being measured.