

**FIRST AMENDMENT TO  
AMENDED & RESTATED DECLARATION**

AFTER RECORDING RETURN TO:  
HUGH LEWIS, ATTORNEY AT LAW, P.C.  
2200 RIMLAND DRIVE, SUITE 220  
BELLINGHAM, WA 98226

2061102065  
Page 1 of 4  
11/14/2006 4:00 PM  
AMRC \$35.00  
Whatcom County, WA

Request of: HUGH LEWIS

TITLE OF DOCUMENT: FIRST AMENDMENT TO AMENDED & RESTATED DECLARATION OF COVENANTS FOR PEPIN CREEK

AF# OF AFFECTED DOCUMENT: AF# 2051101010

GRANTOR: PEPIN CREEK COMMUNITY ASSOCIATION

GRANTEE: THE GENERAL PUBLIC

LEGAL DESCRIPTION: LOTS 5-34, DOUBLE DITCH DEVELOPMENT AS PER THE PLAT THEREOF, AF #2050503174

TAX PARCEL NOS.: 400319310494 0000 + See Exhibit A hereof for list of all parcel numbers

**FIRST AMENDMENT TO AMENDED & RESTATED DECLARATION OF COVENANTS FOR PEPIN CREEK [FKA Double Ditch Division]**

PURPOSE: To Modify Restrictions on Parking Recreational Vehicles, and To Limit the Assessment Liability of Undeveloped Lots

THIS AMENDMENT is made this 8<sup>th</sup> day of November, 2006, by Pepin Creek Community Association, a Washington Nonprofit Miscellaneous and Mutual Corporation, (the "Association").

WITNESSETH THAT:

WHEREAS, a certain Amended & Restated Declaration of Covenants (the "Covenants") for Pepin Creek (the "Community") was recorded by its Declarant at Auditor's File No. 2051101010, records of Whatcom County, Washington;

WHEREAS, pursuant to Section 17.1 of the Covenants, the Covenants of this Community may be amended by the vote or agreement of Owners of Lots to which at least sixty percent ( 60 %) of the votes in the Association are allocated;

WHEREAS, the Association has determined that it is necessary or desirable to amend Sections 9.1.8 and 10.1 of the Covenants, dealing with parking of recreational vehicles and the assessment liability of Lots, respectively, in the manner hereinafter specified, and has obtained the necessary consent of the requisite percentage of Owners prior to the date of this Amendment.

NOW, THEREFORE, pursuant to and in compliance with Section 17.1 of the Covenants, the Association hereby amends the following Sections of the Covenants as follows:

9.1.8 Large Vehicles - RV Parking.

Except as hereinafter provided, junk vehicles (as defined in RCW 46.55.010), Recreational Vehicles (including without limitation camper-trailers, mobile homes, motor homes, "fifth-wheels", off-road vehicles, boats, airplanes or etc.), large commercial-style vehicles (including without limitation trucks, tractors, large vans or other types of vehicles or equipment which either require a commercial vehicle operator's license or which exceed 6,000 lbs in gross vehicle weight) or any other type of vehicle or equipment which exceeds 22 feet in length may not be stored, kept or maintained anywhere within the Community. A Recreational Vehicle may be permanently or seasonally maintained within a Lot, if it is fully enclosed within a garage or an approved accessory structure, or if it is otherwise substantially screened from view by vegetation or such other lawful means as may have been previously approved by the Board. A Recreational Vehicle may also be temporarily parked on a Lot for no more than seven (7) days within any quarter year period, for purposes of mobilization, loading or unloading, but said Recreational Vehicle may not be parked on the street. The Board may require removal of any vehicle or equipment not authorized by this Section; if it is not so removed, the Board may cause its removal at the risk and expense of the owner thereof, under such reasonable procedures as may be consistent with the provisions of RCW 46.55. Failure of an Owner or other occupant to remove such a vehicle or equipment from a Lot or the Common Areas may result in any or all remedies available to the Association under the Governing Documents.

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EXCEPT as modified by this Amendment, all of the terms and provisions of the Covenants are hereby expressly ratified and confirmed and shall remain in full force and effect.

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EXHIBIT A  
Tax Parcel Numbers

Whatcom County Tax Parcel Nos.:

400319 310494 0000  
400319 310502 0000  
400319 310512 0000  
400319 310520 0000  
400319 310529 0000  
400319 310544 0000  
400319 310554 0000  
400319 310563 0000  
400319 310571 0000  
400319 310580 0000  
400319 322577 0000  
400319 332577 0000  
400319 342577 0000  
400319 352577 0000  
400319 361576 0000  
400319 362565 0000  
400319 362555 0000  
400319 362545 0000  
400319 346547 0000  
400319 346560 0000  
400319 338560 0000  
400319 329563 0000  
400319 329554 0000  
400319 329545 0000  
400319 338547 0000  
400319 329530 0000  
400319 329522 0000  
400319 329514 0000  
400319 329505 0000  
400319 329497 0000

**SECOND AMENDMENT TO  
AMENDED & RESTATED DECLARATION**

AFTER RECORDING RETURN TO:  
HUGH LEWIS, ATTORNEY AT LAW, P.C.  
2200 RIMLAND DRIVE, SUITE 220  
BELLINGHAM, WA 98226

2061102066  
Page 1 of 4  
11/14/2006 4:00 PM  
AMRC \$35.00  
Whatcom County, WA

Request of: HUGH LEWIS

TITLE OF DOCUMENT: SECOND AMENDMENT TO AMENDED & RESTATED DECLARATION OF COVENANTS FOR PEPIN CREEK

AF# OF AFFECTED DOCUMENT: AF# 2051101010

GRANTOR: PEPIN CREEK COMMUNITY ASSOCIATION

GRANTEE: THE GENERAL PUBLIC

LEGAL DESCRIPTION: LOTS 5-34, DOUBLE DITCH DEVELOPMENT AS PER THE PLAT THEREOF, AF#2050503174

TAX PARCEL NOS.: 400319310494 0000 + See Exhibit A hereof for list of all parcel numbers

**SECOND AMENDMENT TO AMENDED & RESTATED DECLARATION OF COVENANTS FOR PEPIN CREEK [FKA Double Ditch Division]**

PURPOSE: To further specify Older Persons Requirements

THIS AMENDMENT is made this this 8<sup>th</sup> day of November, 2006, by Pepin Creek Community Association, a Washington Nonprofit Miscellaneous and Mutual Corporation, (the "Association").

WITNESSETH THAT:

WHEREAS, a certain Amended & Restated Declaration of Covenants (the "Covenants") for Pepin Creek (the "Community") was recorded by its Declarant at Auditor's File No. 2051101010, records of Whatcom County, Washington; said Covenants have been previously amended by First Amendment to Amended and Restated Declaration recorded at Auditor's File No. 2061102065;

WHEREAS, pursuant to Section 17.1 of the Covenants, the Covenants of this Community may be amended by the vote or agreement of Owners of Lots to which at least sixty-seven percent ( 67 %) of the votes in the Association are allocated;

WHEREAS, the Association has determined that it is necessary or desirable to amend Section 9.1.2(i) of the Covenants, dealing with occupancy of lots by older persons, respectively, in the manner hereinafter specified, and has obtained the necessary consent of the requisite percentage of Owners prior to



appeared before me and said person acknowledged that (s)he signed this **SECOND AMENDMENT TO AMENDED & RESTATED DECLARATION OF COVENANTS FOR PEPIN CREEK**, on oath stated that (s)he was authorized to execute the instrument and acknowledged it as the President of the Owners Association, to be free and voluntary act of such party for the uses and purposes mentioned in this instrument.

DATED: November 8<sup>th</sup>, 2006.

[SEAL]

Wanda Christenson  
Notary Public in and for the State  
of Washington, residing at Everson, WA  
My Commission expires: May 25, 2007

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