

AFTER RECORDING RETURN TO:

Geoff Clark
Badger Developers, LLC
PO Box 1307
Gig Harbor, WA 98335

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EXCISE TAX NOT REQUIRED
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BY Allyssa DEPUTY
Easement 01/19/18

FIRST AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS, RESTRICTIONS,
AND EASEMENTS FOR WEST VILLAGE PHASE 1

GRANTORS: BADGER DEVELOPERS, LLC, a Washington Limited Liability Company

GRANTEE: The Public; West Village Phase 1

LEGAL DESCRIPTION: **ABBREVIATED LEGAL:** SECTION 32, TOWNSHIP 9 NORTH, RANGE 28 EAST, QUARTER SW: THAT PORTION OF THAT CERTAIN PARCEL OF LAND DESCRIBED AND DEPICTED ON AMENDED RECORD OF SURVEY FILED UNDER AUDITOR'S FEE NO. 2016-005189 IN BENTON COUNTY, WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
SECTION 32, TOWNSHIP 9 NORTH, RANGE 28 EAST, QUARTER SW: THAT PORTION OF REVISED PARCEL 1 AS SHOWN ON RECORD OF SURVEY FOR BOUNDARY LINE ADJUSTMENT RECORDED UNDER AF#2014-014937, RECORDS OF BENTON COUNTY, WASHINGTON DESCRIBED AS FOLLOWS; COMPLETE LEGAL IS ATTACHED HERETO AS EXHIBIT A.

ASSESSOR'S TAX PARCEL NOS: :: 132983000003012-Parent 132983000003011 (Parent)
REFERENCE: Amends 2017-027636 COV

The Declaration of Covenants, Conditions, Restrictions and Easements for West Village Phase 1, recorded September 25, 2017 under Benton County Auditor's Recording No. 2017-027636 as (Declaration of Covenants, Conditions, Restrictions, and Easements for West Village Phase 1) are hereby amended as follows:

1. Delinquency. If any assessment is not paid within thirty (30) days after its due date, the assessment shall bear interest from said date at twelve percent (12%), or, in the event that twelve percent (12%) exceeds the maximum amount of interest that can be charged by law, then the highest permissible rate as provided by law. A late charge may be applied in accordance with the Association's formally adopted collection policies for any payment more than ten (10) days past due. Each Member hereby expressly grants to the Association, or its agents, the authority to bring all actions against each Member personally for the collection of such assessments as a debt and to enforce lien rights of the Association by all methods for the enforcement of such liens, including foreclosure by an actions brought in the name of the Association in a like manner as a mortgage of real property, and such Member hereby expressly grants to the Association the power of sale in connection with such

2. Multi Family Housing . A duplex is allowed to be built on Lot 69 or any lot that is noted on the face of the plat as a Duplex Lot.

BADGER DEVELOPERS, LLC
a Washington limited liability company

By: Geoffrey T. Clark
Geoffrey T. Clark, Managing Member
Declarant

STATE OF WASHINGTON)
)
County of Benton)

I certify that I know or have satisfactory evidence that Geoffrey T. Clark 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 managing member of Badger Developers, LLC to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: January 18, 2018



Print Name: Jennifer L Lamb
My appointment expires: 4-9-2018

EXHIBIT A

LEGAL DESCRIPTION OF WEST VILLAGE PHASE 1

THAT PORTION OF REVISED PARCEL 1 AS SHOWN ON RECORD OF SURVEY FOR BOUNDARY LINE ADJUSTMENT RECORDED UNDER AUDITOR'S FEE NO. 2014-014937, RECORDS OF BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID PARCEL 1; THENCE SOUTH 89°06'11" WEST ALONG THE SOUTH LINE THEREOF A DISTANCE OF 1934.38 FEET; THENCE LEAVING SAID LINE NORTH 00°53'49" WEST A DISTANCE OF 2872.65 FEET TO THE TRUE POINT OF BEGINNING AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 2932.00 FEET AND FROM WHICH THE CHORD BEARS NORTH 83°52'39" WEST A DISTANCE OF 480.99 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 9°24'35" A DISTANCE OF 481.53 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 2325.00 AND FROM WHICH THE CHORD BEARS SOUTH 05°03'49" EAST A DISTANCE OF 331.12 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 8°10'00" A DISTANCE OF 331.40 FEET; THENCE SOUTH 80°51'11" WEST A DISTANCE OF 56.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 2381.00 FEET AND FROM WHICH THE CHORD BEARS SOUTH 16°06'19" EAST A DISTANCE OF 576.91 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 13°55'01" A DISTANCE OF 578.34 FEET; THENCE SOUTH 66°56'10" WEST A DISTANCE OF 166.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 2547.00 FEET AND FROM WHICH THE CHORD BEARS NORTH 22°55'10" WEST A DISTANCE OF 12.83 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 0°17'19" A DISTANCE OF 12.83 FEET; THENCE SOUTH 67°00'55" WEST A DISTANCE OF 394.00 FEET; THENCE SOUTH 60°03'45" WEST A DISTANCE OF 85.25 FEET; THENCE SOUTH 43°58'55" WEST A DISTANCE OF 84.69 FEET; THENCE SOUTH 28°58'43" WEST A DISTANCE OF 85.92 FEET; THENCE SOUTH 12°02'14" WEST A DISTANCE OF 87.31 FEET; THENCE SOUTH 00°09'18" WEST A DISTANCE OF 7.55 FEET; THENCE NORTH 87°58'22" WEST A DISTANCE OF 128.34 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 422.00 FEET AND FROM WHICH THE CHORD BEARS SOUTH 00°41'12" EAST A DISTANCE OF 39.96 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 5°25'41" A DISTANCE OF 39.98 FEET; THENCE SOUTH 86°35'33" WEST A DISTANCE OF 56.00 FEET; THENCE SOUTH 87°24'22" WEST A DISTANCE OF 1164.67 FEET TO THE EASTERLY MARGIN OF DALLAS ROAD, THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 560.00 FEET, AND FROM WHICH THE CHORD BEARS NORTH 35°29'29" WEST A DISTANCE OF 249.79 FEET;