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AUDITOR, Pierce County, WASHINGTON

After Recording Return To:
Westbrooke II Homeowners Association
P.O. Box 65102
University Place, WA 98464-1102

**FIRST AMENDMENT TO THE
RESTATEMENT OF DECLARATION OF PROTECTIVE
CONVENANTS, CONDITIONS AND RESTRICTIONS FOR
WESTBROOKE DIVISION II**

Grantor: Westbrooke II Homeowners Association
Grantee: Westbrooke II Homeowners Association
Legal Description (abbreviated): Lots 1-76, Westbrooke Division II, Phases 1 and 2
Recording Number of Document Amended: 200609080014

COME NOW the Lot owners of Westbrooke Division II and amend the Restatement of Declaration of Protective Covenants, Conditions and Restrictions for Westbrooke Division II as set forth herein:

RECITALS

- A. The Plat maps of Westbrooke Division II, Phase 1 and Phase 2, were recorded under Pierce County Auditor's Recording Numbers 9404290791 and 9512130433, respectively.
- B. The Plat of Westbrooke Division II, Phase 1 (Lots 1-24 and 57-76) was subject to a Declaration of Protective Covenants, Conditions and Restrictions recorded under Pierce County Auditor's Recording Number 9404290790.
- C. The Plat of Westbrooke Division II, Phase 2 (Lots 25-56) was subject to a Declaration of Protective Covenants, Conditions and Restrictions recorded under Pierce County Auditor's Recording Number 9511270144.

D. Pursuant to the amendment provisions contained in said Declarations of Protective Covenants, Conditions and Restrictions, a Restatement of Declaration of Protective Covenants, Conditions and Restrictions for Westbrooke Division II was recorded on September 8, 2006 under Pierce County Auditor's Recording number 200609080014 (the "Restatement"), which replaced in their entirety the documents recorded under Pierce County Auditor's Recording Numbers 9404290790 and 9511270144 and all associated amendments thereto previously recorded. The intent of the Restatement was to unify Phase 1 and Phase 2 of Westbrooke Division II under one Declaration of Protective Covenants, Conditions and Restrictions.

E. The Restatement, as set forth in Article V, Section 5.1, may be amended upon an affirmative majority of Lot owners in Westbrooke Division II.

F. An affirmative majority of Lot owners has voted to amend Section 3.4 of the Restatement as set forth below.

NOW, THEREFORE, the Restatement of Declaration of Protective Covenants, Conditions and Restrictions for Westbrooke Division II, recorded September 8, 2006 under Pierce County Auditor's Recording Number 200609080014, is hereby amended as follows:

AMENDMENT

1. Article III, Section 3.4, is deleted and replaced with the following:

3.4 Roofs

All roofs shall have a minimum slope of 4 in 12 and shall be constructed of cedar shake, cedar shingle, ACC approved tile, or ACC approved premium, architectural-grade composition shingle. Any exception to these materials must be approved in writing by the ACC prior to construction or replacement.

2. All remaining provisions of the Restatement shall remain in full force and effect, except as expressly modified and amended herein.

IN WITNESS WHEREOF, having received an affirmative vote of a majority of Lot owners, this First Amendment to the Restatement of Declaration of Protective Covenants, Conditions and Restrictions for Westbrooke Division II is executed by the undersigned this 8th day of December, 2011.

WESTBROOKE II HOMEOWNERS ASSOCIATION

By: *Ronald Dowbysh*
Ronald Dowbysh, President

By: *Terry Mehegan*
Terry Mehegan, Secretary

STATE OF WASHINGTON)
) ss.
COUNTY OF PIERCE)

I certify that I know or have satisfactory evidence that Ronald Dowbysh 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 President of Westbrooke II Homeowners Association to be the free and voluntary act of said corporation for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 8th day of December, 2011.



Julie A. Mehegan
Printed Name: Julie A. Mehegan
Notary Public in and for the State of Washington,
residing at University Place
My Commission Expires: 6/6/12

STATE OF WASHINGTON)
) ss.
COUNTY OF PIERCE)

I certify that I know or have satisfactory evidence that Terry Mehegan 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 Secretary of Westbrooke II Homeowners Association to be the free and voluntary act of said corporation for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 8 day of December, 2011.



Printed Name: RUTH ANN CHARGUALAF
Notary Public in and for the State of Washington,
residing at PIERCE COUNTY
My Commission Expires: 9-19-13

