



After recording return to:

Brian C. Balch
Layman, Layman & McKinley
601 S. Division Street
Spokane, WA 99202-1335

Reference # (if applicable): 4737403 & 4739450
Grantor(s): (1) Upper Terrace Estates, L.L.C. (2) _____
Grantee(s): (1) _____ (2) _____
Additional Grantor(s) on pg. _____ Additional Grantee(s) on pg. _____
Legal Description (abbreviated): 29-27-43 COM at the NW Cor of S 1/2 N 1/2 N 1/2 NE 1/4 Sec 29 Th N
Additional legal(s) on page _____
Assessor's Tax Parcel ID# 37291.9117

AMENDMENT TO DECLARATION ESTABLISHING
COVENANTS, CONDITIONS, AND RESTRICTIONS FOR
UPPER TERRACE ESTATES

Declarant, Upper Terrace Estates, L.L.C., a Washington limited liability company, the Declarant under that certain Declaration Establishing Covenants, Conditions, and Restrictions for Upper Terrace Estates recorded June 11, 2002 in the Office of the Spokane County, Washington Auditor under Recording No. 4737403 and re-recorded June 17, 2002 under Recording No. 4739450 ("Declaration"), hereby amends the Declaration as follows:

1. The first paragraph of Section 4.1 is amended to read as follows:

4.1 Use of Individual Building Lots. No lot or dwelling shall be constructed, occupied or used except for new, site constructed single family residences of not less than the following number of square feet of finished living area above basement grade (i.e. basement areas); one story home - 1,100 square feet; split-entry style home - 1,100 square feet on the main level; 3 or 4 level home - 1,200 square feet on the upper two levels; 2 story home - 1,400 square feet on the upper two levels. No trade, business,



profession, commercial or manufacturing enterprise or activity (other than home occupation) shall be conducted therein. As used in this paragraph the term "home occupation" shall mean only an occupation, profession or craft, carried on within a dwelling by the owner, which activity does not change the residential character of the dwelling, is conducted in such a manner as to not create any outward appearance of a business in the ordinary meaning of the term, as may be further defined by Spokane County Regulations.

2. The substantive requirements and provisions in the attached supplemental sheet added at the end of the Declaration, as re-recorded June 16, 2002, which supplement is entitled "Upper Terrace Estates Sewer System Supplemental Wording for Covenants, Conditions, and Restrictions" are incorporated into and made part of the Declaration. Provided, however, that the first line of the third paragraph thereof is amended to read "Routine maintenance of the facilities shall include bi-~~weekly~~^{monthly} visits to the site to verify ..."

3. Except as provided in this Amendment, the original Declaration establishing Covenants, Conditions and Restrictions for Upper Terrace Estates shall remain in full force and effect.

4. This Amendment to Declaration is made and entered effective August 13, 2002.

DECLARANT:

UPPER TERRACE, L.L.C.

By: Edgar V. Smith
Edgar V. Smith, Member

By: Hanni Nimri
Hanni Nimri, Member

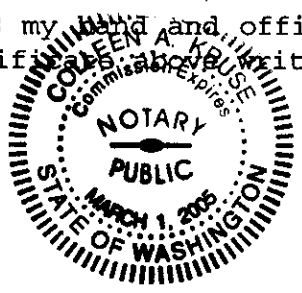
By: Frank F. Burger, Jr.
Frank F. Burger, Jr., Member



STATE OF WASHINGTON)
) ss.
COUNTY OF SPOKANE)

On this 13th day of August 2002 before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Edgar V. Smith, to me known to be a Member of Upper Terrace, L.L.C., a Washington limited liability company, the limited liability company that executed the foregoing instrument, and acknowledged the instrument to be the free and voluntary act and deed of the limited liability company, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the instrument.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.

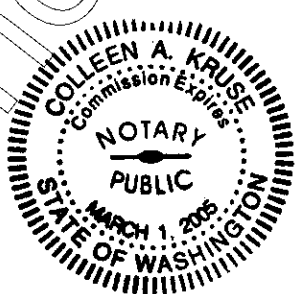


Colleen A. Kruse
NOTARY PUBLIC in and for the
State of Washington, residing
at Spokane.
My commission expires: 3-1-05.
Colleen A. Kruse
Printed Name

STATE OF WASHINGTON)
) ss.
COUNTY OF SPOKANE)

On this 13th day of August 2002 before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Hanni Nimri, to me known to be a Member of Upper Terrace, L.L.C., a Washington limited liability company, the limited liability company that executed the foregoing instrument, and acknowledged the instrument to be the free and voluntary act and deed of the limited liability company, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the instrument.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.



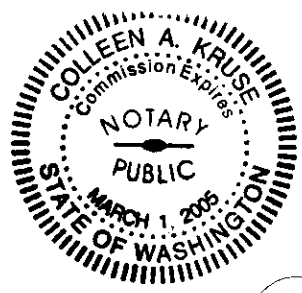
Colleen A. Kruse
NOTARY PUBLIC in and for the
State of Washington, residing
at Spokane.
My commission expires: 3-1-05.
Colleen A. Kruse
Printed Name



STATE OF WASHINGTON)
) ss.
COUNTY OF SPOKANE)

On this 13th day of August 2002 before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Frank Burger, Jr. to me known to be a Member of Upper Terrace, L.L.C., a Washington limited liability company, the limited liability company that executed the foregoing instrument, and acknowledged the instrument to be the free and voluntary act and deed of the limited liability company, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the instrument.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.



Colleen A. Kruse
NOTARY PUBLIC in and for the
State of Washington, residing
at Spokane.
My commission expires: 3-1-05.
Colleen A. Kruse
Printed Name

Unofficial Document