

When Recorded, Return to:

HILLIS CLARK MARTIN & PETERSON, P.S.
Attention: Katie Chapman
1221 Second Avenue, Suite 500
Seattle, WA 98101-2925

**FOURTH 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; 2288359

THIS FOURTH AMENDMENT to the Amended and Restated Declaration of Covenants, Conditions, and Restrictions for The Village at Lake Chelan is dated for reference purposes September 23, 2009 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 in two phases known as "The Village at Lake Chelan," which is governed by an Amended and Restated Declaration of Covenants, Conditions, and Restrictions for The Village at Lake Chelan recorded under Chelan County Recording No. 2230624, as subsequently amended (the "**Declaration**").

B. Pursuant to that certain Third Amendment to the Amended and Restated Declaration of Covenants, Conditions, and Restrictions for The Village at Lake Chelan recorded under Chelan County Recording No. 2288359, Declarant imposed certain height restrictions on the Phase II Property (defined therein).

C. Section 17.1 of the Declaration gives Declarant the right to unilaterally amend the Declaration for any purpose so long as (i) Declarant owns property described on attached EXHIBIT A and (ii) the amendment will not have a material adverse effect upon any right of an Owner.

D. Having satisfied the conditions set forth above, Declarant desires to amend the height restrictions imposed on certain Lots within the Phase II Property.

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

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

3. Effective Date. This Fourth Amendment shall take effect upon recording.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

IN WITNESS WHEREOF, the undersigned Declarant has executed this Fourth 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: Sept. 24th, 2009

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 24 day of Sept., 2009.



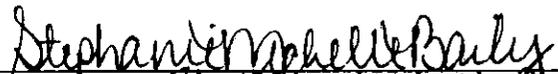

Printed Name Stephanie Michelle Bailey
NOTARY PUBLIC in and for the State of Washington,
residing at Covington
My Commission Expires Feb. 20, 2012

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
AMENDED 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 of 20 feet.
Lots 65-114	Single-story structure; highest point of structure shall not exceed a height of 20 feet.

NOTE: The height of a structure shall mean the vertical distance measured from the average elevation of the finished grade adjacent, within two feet, to the structure's foundation to the highest point of the structure's roof.