

Filed for Record at the Request of
and After Recording Return to:

Beth A. Clark
Foster Pepper & Shefelman
Suite 3400, 1111 Third Avenue
Seattle, Washington 98101

90/09/11		#0667 B
REC FEE	2.00	
RECD F	13.00	
CASHSL		***15.00
		\$5

AMENDMENT TO DECLARATION AND
COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS
AND RESERVATIONS

This Amendment to Declaration and Covenants, Conditions, Restrictions, Easements and Reservations (the "Amendment") is made by the undersigned parties who are collectively referred to herein as owners ("Owners"), as of this 4 day of SEPT., 1990.

Owners own certain real property (the "Property") in King County, Washington, as identified in Exhibit 1 hereto. The Property is subject to that certain Declaration and Covenants, Conditions, Restrictions, Easements and Reservations recorded September 15, 1988 under King County Recording No. 8809151328 (the "Declaration").

Owners now wish to amend the Declaration for the limited purpose as set forth below. The Owners agree that the Declaration is hereby amended as follows:

1. Common Roadway. As set forth in Article II of the Declaration, each owner has an undivided one-quarter interest in and to a non-exclusive right of use and enjoyment of the common roadway on the Property. Owners agree and acknowledge that the common roadway is in some locations outside of the area described and depicted in Mercer Island Boundary Line Revision No. MI-88-23 (J-4) recorded under Recording No. 8808299046. The common roadway as constructed is in the location as depicted in Exhibit 2 hereto. Owners agree to the as-built location of the common roadway as depicted in Exhibit 2 hereto.

2. Other Terms. All other terms and conditions of the Declaration remain in full force and effect as set forth therein.

EXCISE TAX NOT REQUIRED
King Co. Records Division

By A. Beddow Deputy

08/24/90

-1-

3. Recording. This Amendment shall be recorded in the records of King County, Washington.

OWNERS OF LOT 1:

Robert M. Gottlieb
Robert M. Gottlieb

Horri J. Gottlieb
Horri J. Gottlieb

OWNERS OF LOTS 2 AND 4:

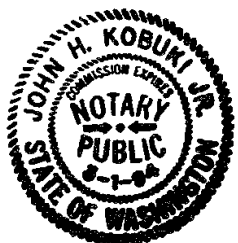
MERCER CONSTRUCTION & DEVELOPMENT, INC.
Grant Beck
Grant Beck, President

OWNERS OF LOT 3:

Trudi A. Syferd
Trudi A. Syferd

David N. Syferd
David N. Syferd

9109110667



on this 4 day of September.
John H. Kobuki, Jr.
exire: 3/1/94

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

THIS IS TO CERTIFY that on this 31st day of August, 1990, before me, the undersigned, a notary public in and for the state of Washington, duly commissioned and sworn, personally appeared Robert M. Gottlieb and Lorri J. Gottlieb, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged to me that they signed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

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



Virginia R. Thompson
Notary public in and for the state of Washington, residing at 17 Montlake Terrace
My appointment expires 10-15-93

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

THIS IS TO CERTIFY that on this 4th day of September, 1990, before me, the undersigned, a notary public in and for the state of Washington, duly commissioned and sworn, personally appeared Grant Beck, to me known to be the President of Mercer Construction & Development, Inc., the corporation that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, and on oath stated that said individual was authorized to execute said instrument.

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



Georgiann Sampson
Notary public in and for the state of Washington, residing at Bellevue
My appointment expires 7-20-91

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STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

THIS IS TO CERTIFY that on this 4 day of September, 1990, before me, the undersigned, a notary public in and for the state of Washington, duly commissioned and sworn, personally appeared David N. Syferd and Trudi A. Syferd, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged to me that they signed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

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

John H. Kuhl Jr.
Notary public in and for the state of
Washington, residing at SBBV
My appointment expires 3/1/94



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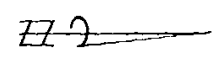
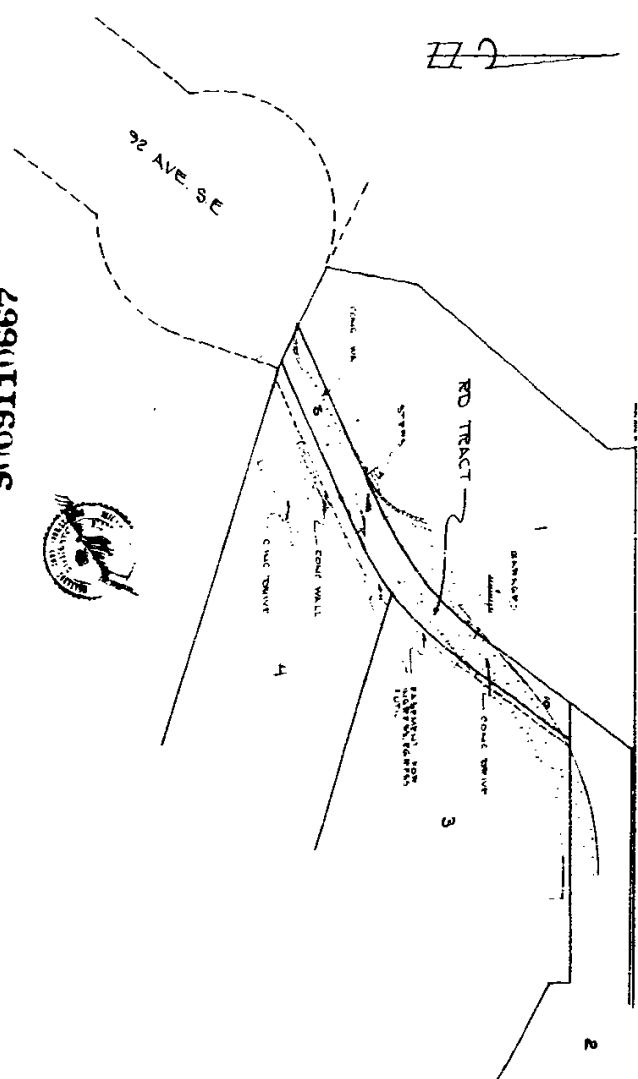


EXHIBIT 2
(As-Built Survey of Common Road)



LOCATION OF EXISTING CONC DRIVEWAY OVER REVISED WHITMAN SHORT PLAT

4990116006

APPROVED (SURVEYOR) Date of record: _____ Date of issue: _____ Date of survey: _____ Date of report: _____		APPROVED (CLIENT) Name of client: _____ Date of record: _____ Date of issue: _____ Date of survey: _____ Date of report: _____	
THIS AS-BUILT SURVEY REPORT IS A PUBLIC DOCUMENT AND IS SUBJECT TO THE PUBLIC ACCESS ACT. IT IS THE POLICY OF THE STATE OF WASHINGTON TO MAKE THIS INFORMATION AVAILABLE TO THE PUBLIC.			
NAME: ALAN MARSHALL REGISTERED SURVEYOR No. 12345 Exp. 12/31/2025		DATE OF SURVEY: _____ DATE OF REPORT: _____	

EXHIBIT 1

BEGINNING AT THE NORTHWEST CORNER OF SECTION 31, TOWNSHIP 24 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON; THENCE SOUTH 89°50'16" EAST ALONG SAID SECTION LINE A DISTANCE OF 1916.51 FEET, MORE OR LESS, TO THE EASTERLY RIGHT-OF-WAY LINE OF EAST MERCER WAY; THENCE CONTINUING SOUTH 89°50'16" EAST ALONG SAID SECTION LINE A DISTANCE OF 168.31 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89°50'16" EAST ALONG SAID SECTION LINE 96.51 FEET; THENCE SOUTH 34°35'44" WEST 64.30 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 95.52 FEET AND A DELTA ANGLE OF 29°29'; THENCE ALONG SAID CURVE TO THE RIGHT A DISTANCE OF 49.15 FEET TO BECOME TANGENT TO A LINE HAVING A BEARING OF SOUTH 64°04'44" WEST; THENCE ALONG SAID LINE 68.85 FEET; THENCE NORTH 62°24'24" WEST 21.27 FEET; THENCE NORTH 10°16'46" EAST 30.83 FEET; THENCE NORTH 38°47'30" EAST 83.18 FEET; THENCE NORTH 0°09'49" EAST 9.95 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

ALSO KNOWN AS LOT 1 OF MERCER ISLAND BOUNDARY LINE REVISION NO. M.I.-88-06-23(J-4);

TOGETHER WITH UNDIVIDED ONE QUARTER INTEREST IN PRIVATE ROAD AS DELINEATED ON THE FACE OF SAID BOUNDARY LINE REVISION.

Situate in King County, State of Washington.

9009110667

BEGINNING AT THE NORTHWEST CORNER OF SECTION 31, TOWNSHIP 24 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON; THENCE SOUTH 89°50'16" EAST ALONG SAID SECTION LINE A DISTANCE OF 1916.51 FEET, MORE OR LESS, TO THE EASTERLY RIGHT-OF-WAY LINE OF EAST MERCER WAY; THENCE CONTINUING SOUTH 89°50'16" EAST 264.82 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 34°35'44" WEST A DISTANCE OF 26.14 FEET; THENCE SOUTH 89°50'16" EAST A DISTANCE OF 90.13 FEET; THENCE SOUTH 0°09'44" WEST A DISTANCE OF 6.44 FEET; THENCE SOUTH 59°12'00" EAST A DISTANCE OF 60.00 FEET; THENCE SOUTH 86°55'48" EAST 101 FEET, MORE OR LESS, TO THE SHORE LINE OF LAKE WASHINGTON; THENCE NORTHEASTERLY ALONG SAID SHORE LINE TO A POINT FROM WHICH THE TRUE POINT OF BEGINNING BEARS NORTH 89°50'16" WEST; THENCE NORTH 89°50'16" WEST ALONG SAID SECTION LINE 292 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

TOGETHER WITH SECOND CLASS SHORELANDS ABUTTING THEREON:

EXCEPT PORTION OF SHORELANDS DEEDED TO CITY OF MERCER ISLAND BY DEED RECORDED UNDER RECORDING NO. 5751921;

ALSO KNOWN AS LOT 2 OF MERCER ISLAND BOUNDARY LINE REVISION NO. M.I.-88-06-23(J-4);

TOGETHER WITH UNDIVIDED ONE QUARTER INTEREST IN PRIVATE ROAD AS DELINEATED ON THE FACE OF SAID BOUNDARY LINE REVISION.

Situate in King County, State of Washington.

9009110667

BEGINNING AT THE NORTHWEST CORNER OF SECTION 31, TOWNSHIP 24 NORTH, RANGE 5 EAST, W.M.: THENCE S 89 DEGREES 50'16" E ALONG SAID SECTION LINE A DISTANCE OF 1916.51 FEET, MORE OR LESS, TO THE EASTERLY RIGHT-OF-WAY LINE OF EAST MERCER WAY; THENCE CONTINUING S 89 DEGREES 50'16" ALONG SAID SECTION LINE 264.82 FEET; THENCE S 34 DEGREES 35'44" W A DISTANCE OF 26.14 FEET; THENCE S 89 DEGREES 50'16" E A DISTANCE OF 12.13 FEET; THENCE S 34 DEGREES 35'44" W A DISTANCE OF 45.01 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 105.52 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE TO THE RIGHT A DISTANCE OF 31.96 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTHEASTERLY ALONG SAID CURVE DESCRIBED ABOVE HAVING A RADIUS OF 105.52 FEET, WHICH RADIUS POINT BEARS N 38 DEGREES 03'08" W A DISTANCE OF 31.96 FEET TO A POINT OF TANGENCY; THENCE N 34 DEGREES 35'44" E A DISTANCE OF 45.01 FEET; THENCE S 89 DEGREES 50'16" E A DISTANCE OF 78.00 FEET; THENCE S 0 DEGREES 09'44" W A DISTANCE OF 6.44 FEET; THENCE S 59 DEGREES 12'00" E A DISTANCE OF 60.00 FEET; THENCE S 86 DEGREES 55'48" E A DISTANCE OF 101 FEET, MORE OR LESS, TO THE SHORE LINE OF LAKE WASHINGTON; THENCE SOUTHWESTERLY ALONG SAID SHORE LINE TO A POINT FROM WHICH THE TRUE POINT OF BEGINNING BEARS N 72 DEGREES 04'54" W; THENCE N 72 DEGREES 04'54" W A DISTANCE OF 228 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

TOGETHER WITH SECOND CLASS SHORELANDS ABUTTING THEREON;

ALSO KNOWN AS LOT 3 OF MERCER ISLAND BOUNDARY LINE REVISION NO. M.I.-86-06-23(J-4);

TOGETHER WITH UNDIVIDED ONE QUARTER INTEREST IN PRIVATE ROAD AS DELINEATED ON THE FACE OF SAID BOUNDARY LINE REVISION.

Situate in King County, State of Washington.

BEGINNING AT THE NORTHWEST CORNER OF SECTION 31, TOWNSHIP 24 NORTH, RANGE 5 EAST, W.M., IN KING COUNTY, WASHINGTON; THENCE SOUTH 69°50'16" EAST ALONG SAID SECTION LINE A DISTANCE OF 1916.51 FEET, MORE OR LESS, TO THE EASTERLY RIGHT-OF-WAY LINE OF EAST MERCER WAY; THENCE CONTINUING SOUTH 89°50'16" EAST ALONG SAID SECTION LINE 264.82 FEET; THENCE SOUTH 34°35'44" WEST A DISTANCE OF 26.14 FEET; THENCE SOUTH 89°50'16" EAST A DISTANCE OF 12.13 FEET; THENCE SOUTH 34°35'44" WEST A DISTANCE OF 45.01 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 105.52 FEET; THENCE ALONG SAID CURVE TO THE RIGHT A DISTANCE OF 31.96 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID CURVE TO THE RIGHT A DISTANCE OF 22.34 FEET TO A POINT OF TANGENCY; THENCE SOUTH 64°04'44" WEST A DISTANCE OF 61.45 FEET, MORE OR LESS, TO THE SOUTHERLY LINE OF THE WHITMAN SHORT PLAT; THENCE SOUTH 62°24'24" EAST A DISTANCE OF 2.26 FEET ALONG SAID SOUTHERLY LINE; THENCE SOUTH 72°04'54" EAST ALONG SAID SOUTHERLY LINE 248 FEET, MORE OR LESS, TO THE SHORE LINE OF LAKE WASHINGTON; THENCE NORTHEASTERLY ALONG SAID SHORE LINE TO A POINT FROM WHICH THE TRUE POINT OF BEGINNING BEARS NORTH 72°04'54" WEST; THENCE NORTH 72°04'54" WEST A DISTANCE OF 228 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

TOGETHER WITH SECOND CLASS SHORELANDS ABUTTING THEREON;

ALSO KNOWN AS LOT 4 OF MERCER ISLAND BOUNDARY LINE REVISION NO. M.I.-88-06-23(J-4);

TOGETHER WITH UNDIVIDED ONE QUARTER INTEREST IN PRIVATE ROAD AS DELINEATED ON THE FACE OF SAID BOUNDARY LINE REVISION.

Situate in King County, State of Washington.

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SEP 11 10 50 AM '90

RECEIVED KING COUNTY

FILED for Record at Request of

Name MCKER CONST & DEV. INC

Address PO BOX 812

ALPHEA Island, WA 98040

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