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PIERCE COUNTY, WASHINGTON

Return Address

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Attn: Dianne K. Conway

Please print or type information.

Document Title(s) (of transactions contained therein):

1. Third Amendment to Second Amended and Restated Declaration of Covenants, Conditions and Restrictions for Sky Island
- 2.
- 3.

Grantor(s) (Last name first, then first name and initials)

1. Sky Island, L.L.C.
- 2.
- 3.
4. Additional Names on Page _____ of Document.

Grantee(s) (Last name first, then first name and initials)

1. Sky Island Homeowner's Association
- 2.
- 3.
4. Additional Names on Page _____ of Document.

Legal Description (abbreviated: *i.e.*, lot, block, plat or section, township, range)

A portion of the SE quarter of the NE quarter of Section 5, Township 19 North, Range 5 East, Willamette Meridian, in Pierce County, Washington.
Full Legal Description on Page 3 of Document.

Reference Number(s) of Documents Assigned or Released:

9803130060

- Additional Reference Numbers on Page _____ of Document.

Assessor's Property Tax Parcel/Account Number

0519051000, 0519051028

The Auditor/Recorder will rely on the information provided on this cover sheet. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

**THIRD AMENDMENT TO THE
SECOND AMENDED AND RESTATED DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR SKY ISLAND**

THIS THIRD AMENDMENT TO THE SECOND AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR SKY ISLAND is made on the 26 day of December 2001, by Sky Island, L.L.C., a Washington corporation ("Developer").

BACKGROUND

Developer owns certain real property in Bonney Lake and in Pierce County, Washington on which it is developing the residential community of "Sky Island." Developer has subjected portions of the property to the Second Amended and Restated Declaration of Covenants, Conditions and Restrictions for Sky Island, which was recorded with the Pierce County Auditor under file number 9803130060. Pursuant to Article II, Section 2.2, the Developer may unilaterally subject to the provisions of the Declaration additional real property during the period of Class B membership. Developer now desires to subject Division IV, Plat recorded concurrently with this Third Amendment under Pierce County Auditor's file number 200112285002, to the provisions of the Second Amended and Restated Declaration of Covenants, Conditions and Restrictions for Sky Island.

DECLARATION

Addition of Division IV. Developer hereby declares that the property described in Exhibit "A" is and shall be held, transferred, sold, conveyed, and occupied subject to the Covenants, Conditions, Restrictions, Easements, Charges, and liens, set forth in the Second Amended and Restated Declaration of Covenants, Conditions and Restrictions for Sky Island recorded with the Pierce County Auditor under file number 9803130060, and as the same may be amended from time to time.

EXHIBIT "A"

to

**THIRD AMENDMENT TO THE SECOND AMENDED AND RESTATED
DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR SKY ISLAND**

**SKY ISLAND DIVISION 4
LEGAL DESCRIPTION**

THAT PORTION OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 19 NORTH, RANGE 5 EAST, WILLAMETTE MERIDIAN, IN PIERCE COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE PLAT OF SKY ISLAND DIVISION 3 AS RECORDED UNDER RECORDING NO. 9901275002, RECORDS OF PIERCE COUNTY, WASHINGTON;

THENCE ALONG THE SOUTH LINE OF SAID SKY ISLAND DIVISION 3 THE FOLLOWING COURSES:

NORTH 87° 20' 40" EAST, A DISTANCE OF 239.33 FEET;

THENCE SOUTH 02° 39' 20" EAST, A DISTANCE OF 35.86 FEET;

THENCE NORTH 87° 20' 40" EAST, A DISTANCE OF 51.01 FEET TO THE BEGINNING OF THE CURVE CONCAVE TO THE SOUTHEAST WHOSE RADIUS POINT BEARS NORTH 87° 20' 40" EAST, 20.00 FEET DISTANT;

THENCE NORTHERLY AND EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89° 07' 58", A DISTANCE OF 31.11 FEET TO THE BEGINNING OF A COMPOUND CURVE CONCAVE TO THE SOUTH, WHOSE RADIUS IS 372.50 FEET;

THENCE EASTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 26° 45' 49", A DISTANCE OF 174.00 FEET;

THENCE SOUTH 65° 18' 47" EAST, A DISTANCE OF 22.16 FEET TO THE BEGINNING OF THE CURVE CONCAVE TO THE WEST WHOSE RADIUS IS 19.50 FEET;

THENCE EASTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90% %D 00' 00", A DISTANCE OF 30.63 FEET;

THENCE SOUTH 65% %D 18' 47" EAST, A DISTANCE OF 51.00 FEET;

THENCE NORTH 24% %D 41' 13" EAST, A DISTANCE OF 16.60 FEET;

THENCE SOUTH 65% %D 18' 47" EAST, A DISTANCE OF 209.36 FEET TO THE SOUTHEAST CORNER OF THE ABOVE-REFERENCED SKY ISLAND DIVISION 3;

THENCE LEAVING THE BOUNDARY OF SKY ISLAND DIVISION 3 AND BEARING SOUTH 23% %D 37' 04" WEST, A DISTANCE OF 54.60 FEET;

THENCE SOUTH 28% %D 14' 04" WEST, A DISTANCE OF 189.63 FEET;

THENCE SOUTH 10% %D 17' 34" WEST, A DISTANCE OF 310.04 FEET;

THENCE SOUTH 03% %D 04' 49" WEST, A DISTANCE OF 434.02 FEET TO A POINT ON THE SOUTH LINE OF SAID SOUTH HALF OF THE NORTHEAST QUARTER;

THENCE SOUTH 87% %D 59' 10" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 958.39 FEET;

THENCE NORTH 22% %D 18' 22" EAST, A DISTANCE OF 652.27 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE WEST WHOSE RADIUS IS 2,235.00 FEET;

THENCE EASTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 14% %D 38' 37", A DISTANCE OF 571.22 FEET TO THE POINT OF BEGINNING.