



200302270322 3 PGS  
 02-27-2003 11:46am \$21.00  
 PIERCE COUNTY, WASHINGTON

**Return Address**

William T. Lynn  
 Gordon, Thomas, Honeywell, Malanca,  
 Peterson & Dahm, LLP  
 PO Box 1157  
 Tacoma, WA 98401-1157

Please print or type information.

**Document Title(s)** (or transactions contained therein):

1. Tract G Amendment of Covenants
- 2.
- 3.

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

1. Northwest Heritage Group, Inc.
- 2.
- 3.
4.  Additional Names on Page \_\_\_\_\_ of Document.

COURTESY RECORDING ONLY ...  
 NO LIABILITY FOR VALIDITY AND/OR  
 ACCURACY ASSUMED BY FIRST AMERICAN  
 TITLE INSURANCE COMPANY.

x 110612

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

1. Sky Island
- 2.
- 3.
4.  Additional Names on Page \_\_\_\_\_ of Document.

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

Tract G of Plat of Sky Island Division 3 as recorded under Recording No. 9901275002.

Legal Description on Page \_\_\_\_\_ of Document.

**Reference Number(s)** of Documents Assigned or Released:

9803130060, 9901270433

Additional Reference Numbers on Page \_\_\_\_\_ of Document.

**Assessor's Property Tax Parcel/Account Number**

7001150960

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. [1170523]

## TRACT G AMENDMENT OF COVENANTS

This Tract G Amendment of Covenants is made this 26<sup>th</sup> day of February, 2003 by Northwest Heritage Group, Inc., a Washington Corporation ("Northwest Heritage Group").

### RECITALS

1.1 Northwest Heritage Group is the developer of a planned residential community known as Sky Island. The portion of Sky Island that has been developed to date is subject to a Second Amended and Restated Declaration of Covenants, Conditions and Restrictions recorded under Pierce County Auditor's No. 9803130060. (The Second Restated Declaration). By virtue of a "First Amendment" to the Second Restated Declaration recorded under Pierce County Auditor's No. 9901270433, the predecessor to Northwest Heritage Group subjected all of Sky Island Division 3 to the Second Restated Declaration. Other Amendments added additional property.

1.2 Included within Sky Island Division 3 was parcel known as Tract G which was intended to be subdivided into 3 lots. Northwest Heritage Group is currently in the process of creating those 3 lots. While the Tract G lots are within the legal description of Division 3, they are physically separate from the Sky Island project. They are located outside of the main entry of Sky Island and have a totally separate access. They do not benefit from any of the common areas as described in the Second Restated Declaration and are geographically removed from the balance of Sky Island. The use of the Tract G lots will have no impact on the balance of Sky Island and visa versa. Northwest Heritage Group did not intend that the Tract G lots would be subject to the Second Restated Declaration because of this physical separation and because the lots are not benefited by the overall scheme established by the Second Restated Declaration.

1.3 Section 15.7 of the Second Restated Declaration authorizes the "Developer" (now Northwest Heritage Group) to amend the Declaration alone in order to satisfy the requirements of financial institutions. In conjunction with the creation of the 3 lots in Tract G, Northwest Heritage Group has learned and has received written confirmation that financial institutions would be unwilling to finance homes on the Tract G lots where those lots are subject to assessment obligations, and where, as here, the assessments do not benefit the lots.

1.4 To correct the inadvertent recording of the Second Amended Declaration to Tract G, to satisfy the requirements of financial institutions, and for the benefit of the Tract G lots and the remainder of the lots within Sky Island, Northwest Heritage Group hereby declares as follows:

