

AMENDMENT OF  
AMENDMENT OF RESTRICTIVE MUTAL EASEMENTS  
FOR INNIS ARDEN #1

In April, 1981, an Amendment of the Restrictive Mutual Easements for Innis Arden #1, was recorded and became effective as stated:

In order to preserve the views of Puget Sound and the Olympic Mountains from lots in said subdivision, all trees, shrubs, brush and landscaping, whether native or planted, on residential lots in said subdivision shall be kept to a height no higher than the highest point of the roof surface nor higher than the height of the house on each lot, whichever is lower. For this purpose, the height of a house shall be measured from the highest point of the roof surface to the lot grade which shall be the average of the highest and lowest ground elevations at exterior walls of the house. This amendment shall apply only to those trees, shrubs and brush which in any way obstruct the view of the sound and Olympics from a neighboring lot or lots. This provision shall not apply to the business area nor to Lots 25, 26 and 27, Block 1, nor to the east half of Lots 1 through 13, Block 1 (which abut Eighth Ave. N.W.) for which view is not a factor and on which trees, shrubs, brush and landscaping will not impair to views of others.

This instrument may be recorded when the owners of 60 lots in Innis Arden #1 have executed counterparts thereof. Upon the execution and recording of counterparts by at least that number of lot owners, the Restrictive Mutual Easements for Innis Arden #1 shall thereupon be amended and shall be binding and effective as to all residential lots in Innis Arden #1.

THE UNDERSIGNED, as owner(s) of that residential or business property within Innis Arden #1, as indicated opposite the signature(s) below, hereby amend(s) the Amendment of Restrictive Mutual Easements (as quoted above) by deletion, insertions and changes of language, for the aforesaid subdivision to provide as follows:

In order to preserve views of Puget Sound and the Olympic Mountains from lots existing and to be created in said subdivision, all trees, shrubs, brush and landscaping, whether native or planted, on residential lots in said subdivision shall be kept to a height no higher than the highest point of the roof surface nor higher than the height of the house on each lot, which ever is lower. For this purpose, the height of a house shall be measured from the highest point of the roof surface to the lot grade which shall be the average of the highest and lowest ground elevations at exterior walls of the house. This amendment shall apply only to those trees, shrubs and brush which in any way obstruct the view of the sound and Olympics from a neighboring lot or lots existing or to be created. This provision shall not apply to the east half of Lots 1 through 13, Block 1, nor shall it apply to the east half of the present business area, which will be converted into six lots, on which trees, shrubs, brush and landscaping will not impair the views of others.

That part of Innis Arden #1 which has previously been designated as "business property" is hereby agreed to be "residential property" and shall be re-platted into six single family residence lots, in accord with the sketch attached hereto as Exhibit A and by this reference incorporated herein. Said lots shall henceforth be used only for single family residence purposes and for no other purpose.

Notwithstanding any provision in the existing and applicable Mutual Restrictive Easements for Innis Arden #1 to the contrary, for the purposes of Paragraph 2 thereof, each of these six new lots, as indicated on Exhibit A shall be deemed to be legal building sites. The six new lots shall be subject to all Restrictions and enjoy all privileges expressed for the residential lots in the original Mutual Restrictive Easements for Innis Arden #1 as written and as amended and to be amended.

This instrument may be recorded when the owner(s) of 60 lots and the owner(s) of the business area in Innis Arden #1 have executed counterparts thereof. Upon the execution and recording of counterparts by at least that number of owners, the Restrictive Mutual Easements for Innis Arden #1 shall thereupon be amended and shall be binding and effective as to all lots in Innis Arden #1.

(Recorded February 24, 1982)

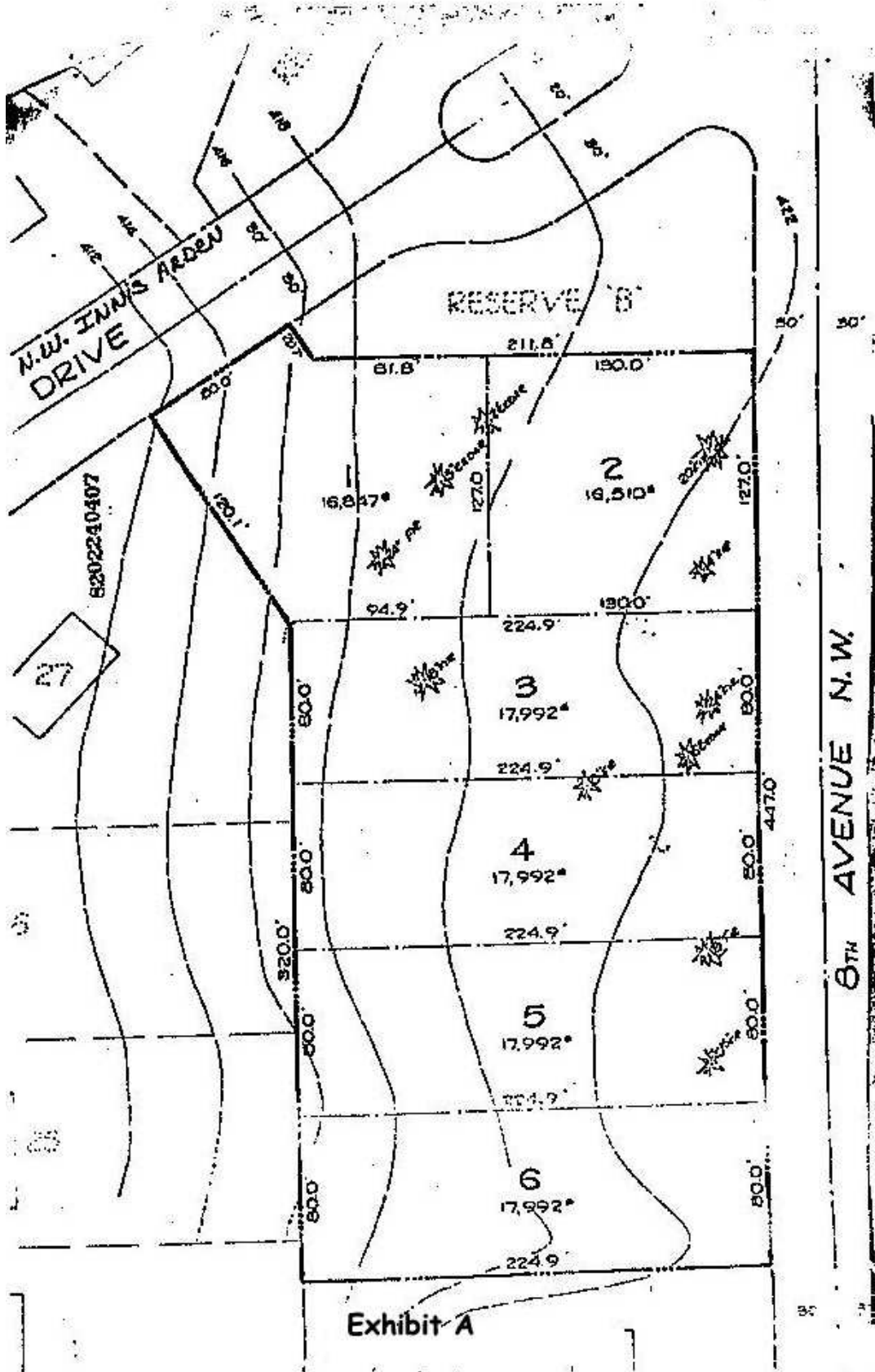


Exhibit A