

**DOUGLAS COUNTY
AUDITOR'S OFFICE
WATERVILLE, WA 98858**



AFTER RECORDING MAIL TO:

Kathy Burge, Secretary
Fancher Heights Owners Association
2324 Grand Ave.
E. Wenatchee, WA 98802

Cover sheet required by RCW 36.18 and 64.04
(for Recording purposes only)

DOCUMENT TITLE(S) (or transactions contained herein)

1. Fifth Amendment to Declaration of Covenants, Conditions, Restrictions and Easements

REFERENCE NUMBER(S) of documents assigned or released:

n/a

GRANTOR/BORROWER (Last name first, the first name and initials):

n/a

GRANTEE/ ASSIGNEE/ BENEFICIARY (Last name first, the first name and initials):

Fancher Heights Owners Association

ABBREVIATED LEGAL DESCRIPTION as follows (i.e., lot/block/plat or section/township):

Tract A, Fancher Heights Second Addition; two tracts described as "common area" on the Plat of Fancher Heights Phase I; and Tracts A,B,C,D,E and F and tract described as "common area" on the Plat of Second Amendment to Fancher Heights Second Addition Block 2, Douglas County, WA. Assessor's Tax Parcel ID#: 566-000-011-00; 564-000-000-01; 568-000-056-00; 568-000-057-00; 568-000-058-00; 568-000-059-00; 568-000-060-00; and 568-000-061-00.

**FIFTH AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS
FOR FANCHER HEIGHTS**

Parties

- 1.1 Owners Association. Fancher Heights Owners Association, a Washington non-profit homeowners association.

Prior Documents

- 2.1 Declaration. That Declaration of Covenants, Conditions, Restrictions and Easements for Fancher Heights dated August 20, 1987, and recorded 8/25/1987 under Auditor's File No. 245996.
- 2.2 First Amendment to Declaration. That amendment to Declaration for Fancher Heights dated April 25, 1988, and recorded 4/27/1988, under Auditor's File No. 249451.
- 2.3 Second Amendment to Declaration. That amendment to Declaration for Fancher Heights dated January 28, 1992, recorded 2/4/1992, under Auditor's File No. 273178.
- 2.4 Supplemental Declaration of Covenants, Conditions, Restrictions and Eastments for Fancher Heights- Phase II, dated April 22, 1993, recorded 4/30/1993, under Auditor's File No. 284675.
- 2.5 Amendment to Supplemental Declaration. That amendment to Supplemental Declaration-Phase II, dated October 18, 1993.
- 2.6 Third Amendment to Declaration. That amendment to Declaration for Fancher Heights dated November 14, 2000, recorded 11/15/2000, under Auditor's File No. 3034621.
- 2.7 Fourth Amendment to Declaration. That amendment to Declaration for Fancher Heights dated January 21, 2003, recorded 1/27/2003, under Auditor's File No. 3056374.

Fifth Amendment

- 3.1 Pursuant to the authority granted to the board of directors and to the members of the Fancher Heights Owners Association in Section 14 of the Declaration of Covenants, Conditions, Restrictions and Easements for Fancher Heights -- Section 10, paragraph 10.14 of the Declaration of Covenants, Conditions, Restrictions and Easements for Fancher Heights is hereby amended to read in its entirety as follows:

● No Further Subdivision; Compounds. No lot shall be divided or subdivided. An owner may own more than one lot which, if contiguous, may be combined into a single homesite with the consent of the County and the Board of Directors; provided, however that the single homesite shall have only one vote and be subject to only one assessment. Notwithstanding anything herein to the contrary, the owners of two or more contiguous lots may, with the consent of the County and the Board of Directors, replat such lots as a compound which may include and provide for the construction of common recreational facilities on such lots, including, for example, a swimming pool, in accordance with the Design Guidelines. The lien provided in Section 6 as to each replatted lot shall also extend to the interest of the owner in any such common facilities.

- 3.2 No other changes. The Declaration of Covenants, Conditions, Restrictions and Easements for Fancher Heights, together with the previous Amendments shall remain as written and in full force and effect.

Dated this 8th day of December, 2003.

FANCHER HEIGHTS OWNERS ASSOCIATION



FANCHER HEIGHTS OWNE ADEC

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