After recording, please return to: Ken Strauss Flanagan Strauss, PLLC 3131 Western Ave., Suite 410 Seattle, WA 98121

**Document Title:** 

First Amendment to Declaration of Covenants, Conditions and

Restrictions for a STEP Sewerage System

Reference Numbers of Related Documents:

200503230921 (Declaration of Covenants, Conditions and

Restrictions for a STEP Sewerage System)

Grantor(s:)

Rush Division 12, LLC

Grantee(s):

Canterwood Division 12 STEP System Association

Legal Description (abbreviated):

STEP Sewerage System created by Declaration of Covenants, Conditions and Restrictions for a STEP Sewerage System, Pierce

County Recorder No. 200503230921

## FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR A STEP SEWERAGE SYSTEM

Whereas a certain Declaration submitting creating a STEP Sewerage System for Canterwood Division 12 entitled Declaration of Covenants, Conditions and Restrictions for a STEP Sewerage System (the "Declaration"), was recorded on March 23, 2005, under Auditor''s File No. 200503230921, records of Pierce County, Washington. And whereas under the provisions of Section 3.4 of the Declaration it may be amended by the Declarant during the period of Declarant Control, and

Whereas, the Declarant has determined, in conjunction with the Board of Directors of the Canterwood Division 12 STEP System Association, that it is appropriate to amend the Declaration as hereinafter set forth;

Now, therefore, the undersigned do hereby certify that the Declaration has been amended as follows:

## A. New Subsection 5.3.1 is added as follows:

- **5.3.1.** Submetering. The Association may install or cause to be installed submetering of the effluent flow of all current active connections to the STEP system. In the event that such submetering is installed, the monthly assessments shall be calculated based on the metered usage of each connection rather than the method of calculation set forth in Section 5.3, above.
  - B. New Subsection 3.5 is added as follows:
- 3.5 <u>Association subject to RCW 64.38 et seq.</u> The Association is subject to RCW 64.38 et seq., as amended, and, at all times, shall be governed and operated in accordance therewith.
- B. This Amendment to the Declaration shall take effect upon recording. The terms of this Amendment to the Declaration shall control over and implicitly amend any inconsistent provision of the Declaration or the Bylaws or Rules and Regulations of the Association. Except as amended by this instrument, the Declaration shall otherwise remain in full force and effect.

Dated this 27 day of wey, 2016

Rush Residential, Inc., Declarant A Washington state corporation

By: Scott Walker, its President

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STATE OF WASHINGTON	)	
	)	SS
COUNTY OF PIERCE	)	

I certify that I know or have satisfactory evidence that Scott AWWCT is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument on behalf of Rush Division 12, LLC and acknowledges it as the to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: May 27, 2016



Barbara J Wagner-Hewson

(Print name)

Notary Public residing at Gyattar Valle My appointment expires: 10-09-2016