

**AFTER RECORDING RETURN TO:
LAW OFFICE OF JOHN H. F. UFKES
P.O. Box 1819
Ellensburg, WA 98926**

DOCUMENT TITLE: Amendment to Declaration of Covenant

GRANTOR: BRANDON CHRISTENSEN and KRISTEN
CHRISENSEN, h & w, and DAVID OGG and
KATHLEEN OGG, h & w

GRANTEES: BRANDON CHRISTENSEN and KRISTEN
CHRISENSEN, h & w, and DAVID OGG and
KATHLEEN OGG, h & w.

LEGAL DESCRIPTION: Lot 1 and Lot 4 of LANG SHORT PLAT, SP NO. 99-01
in Book F of Plats at pages 195 and 196, recorded 12-6-
2001, being a portion of the E1/2, SE1/4 of SEC31,
T20N, R17E, W.M., Kittitas County, WA. (full legal
description on p.2)

TAX PARCEL #: 13601/20-17-32053-0001; 12593/20-17-32053-0004

DOCUMENTS AMENDED: 200206120051

RELEASED

AMENDMENT TO DECLARATION OF COVENANT

WHEREAS, a certain document entitled DECLARATION OF COVENANT was recorded on June 12, 2002, under Recording No. 200206120051, in the records of Kittitas County, State of Washington ("DECLARATION OF COVENANT" herein) which references and burdens property described therein which includes Lot 1 of Kittitas County Short Plat Number 99-01 ... ("Lot 1" herein):

AND WHEREAS; the owners of Lot 1 also own an adjacent lot and have submitted a boundary line adjustment (#BL-20-00008) to Kittitas County officials:

AND WHEREAS, the boundary line adjustment is intended to amend the configuration, location, and legal description of Lot 1 which is currently legally described as follows:

Lot 1 of LANG SHORT PLAT, SP No. 99-01 recorded December 6, 2001, in Book F of Short Plats at Page(s) 195 and 196, under Auditor's File No. 200112060042, Being a portion of the East Half of the Southeast Quarter of Section 31, Township 20 North, Range 17 East, records of Kittitas County, State of Washington.

**Common address: XXX Emerick Rd., Cle Elum, WA 98922
Tax parcel number: 13601/20-17-32053-0001**

AND WHEREAS, upon approval of the boundary line adjustment, the adjacent parcel will contain the property originally subject to the DECLARATION OF COVENANT, and which adjacent parcel is currently legally described as follows ("Lot 4" herein):

Lot 4 of LANG SHORT PLAT, SP No. 99-01 recorded December 6, 2001, in Book F of Short Plats at Page(s) 195 and 196, under Auditor's File No. 200112060042, Being a portion of the East Half of the Southeast Quarter of Section 31, Township 20 North, Range 17 East, records of Kittitas County, State of Washington.

**Common address: 1750 Hidden Valley Rd., Cle Elum, WA 98922
Tax parcel number: 12593/20-17-32053-0004**

AND WHEREAS this AMENDMENT TO DECLARATION OF COVENANT is signed and approved by all the owner(s) of both of the above noted properties who agree to be bound by the DECLARATION OF COVENANT both before and after the approval of the boundary line adjustment. (hereinafter referred to as DECLARANT).

Declaration

NOW THEREFORE the DECLARANT agrees that whoever owns the physical property subject to the DECLARATION OF COVENANT which according to this same document "owns and operates a well and waterworks supplying water for public use located on said real estate at "127 FEET NORTH AND 59 FEET WEST OF THE SOUTEAST CORNER OF LOT 1 (as described before the boundary line adjustment) will be subject to all the provisions of the DECLARATION OF COVENANT, including access to and for owners of all the properties served by the well and water works, and the 100 foot protection zone described as:

NOW THEREFORE, the grantor(s) agree(s) and covenant(s) that said grantor(s), and his (her) (their) heirs, successors and assigns will not construct, maintain or suffer to be constructed or maintained upon such burdened property of grantor(s), and within 100 (One Hundred) feet of the well herein described, so long as the same is operated to furnish water for the public consumption, any potential source of contamination, such as septic tanks and drainfields, sewerlines, underground storage tanks, roads, railroad tracks, vehicles, structures, barns, feed stations, grazing animals, enclosures for maintaining fowl or animal manure, liquid or dry chemical storage, herbicides, insecticides, hazardous waste, or garbage of any kind or description.

Furthermore, the DECLARANT certifies the DECLARATION OF COVENANT is amended in the following particulars:

1. All references to "Lot 1 of Kittitas County Short Plat Number 99-01 as Recorded in Book F of Short Plats at Pages 195 and 196 under Auditor's File Number 200112060042 LANG SHORT PLAT" contained in the DECLARATION OF COVENANT shall refer to **LOT 1** above described until the approval of the boundary line adjustment is finalized;

2. After the final approval of the boundary line adjustment by all applicable Kittitas County offices, Lot 4 described above shall encompass the property containing the well and water works, and the owners agree this property will then be subject to the DECLARATION OF COVENANT in the same manner as the DECLARATION OF COVENANT references "Lot 1 of Kittitas County Short Plat Number 99-01 as Recorded in Book F of Short Plats at Pages 195 and 196 under Auditor's File Number 200112060042 "LANG SHORT PLAT"".
3. DECLARANT agrees that Lot 2 and Lot 3 of the LANG SHORT PLAT shall have access over the property containing the well and water works which also serve these adjoining properties. This access is over Lot 1 before, and over Lot 4 after, the approval of the boundary line adjustment.


IN WITNESS WHEREOF, the parties have signed this document on the 27th day of

April, 2020.


DECLARANT- David Ogg


DECLARANT- Kathleen Ogg


DECLARANT- Brandon Christensen

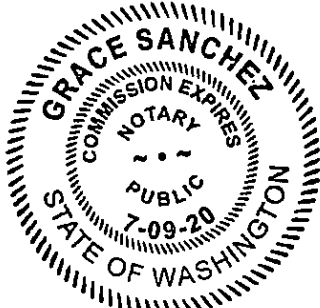

DECLARANT- Kristen Christensen
Acknowledgements on following pages

DAVID OGG and KATHLEEN OGG, husband and wife

STATE OF WASHINGTON)
County of Kittitas) ss.

On this day personally appeared before me David Ogg and Kathleen Ogg, husband and wife, to me known to be the individuals described in and who executed the within and foregoing instrument and acknowledged that they signed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

Dated this 27th day of April, 2020



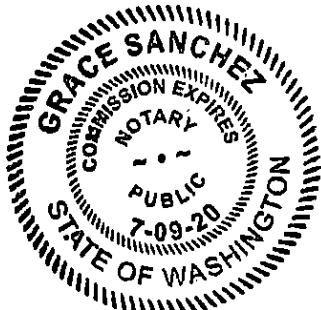
Grace Sanchez
NOTARY PUBLIC for the State of Washington
Residing at: Ellensburg
My appointment expires: 7-09-20

BRANDON CHRISTENSEN and KRISTEN CHRISTENSEN, husband and wife

STATE OF WASHINGTON)
County of Kittitas) ss.

On this day personally appeared before me Brandon Christensen and Kristen Christensen, husband and wife, to me known to be the individuals described in and who executed the within and foregoing instrument and acknowledged that they signed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

Dated this 27th day of April, 2020



Grace Sanchez
NOTARY PUBLIC for the State of Washington
Residing at: Ellensburg
My appointment expires: 7-09-20