

When Recorded, Return to:

SUNCADIA RESORT LLC
770 Suncadia Trail
Cle Elum, WA 98922
ATTN: VP – Finance

REVIEWED

12/07/2021

KITTITAS COUNTY TREASURER

BY: Michelle L. Nixon

**SUPPLEMENTAL DECLARATION OF CONSOLIDATION AND
AGREEMENT REGARDING UNIT ASSESSMENTS
(TUMBLE CREEK)**

Grantors:	(1) SUNCADIA RESORT LLC (2) DANIEL AND KRISTINE KREBSBACH
Grantees:	(1) SUNCADIA RESORT LLC (2) DANIEL AND KRISTINE KREBSBACH
Legal Description: (abbreviated)	LOTS 16-34 & 16-35, SINCADIA – PHASE 3 DIVISIONS 15 & 16, VOL 13, PP 59-79, KITTITAS CO, WA
<input checked="" type="checkbox"/> Additional on:	EXHIBIT A
Assessor's Tax Parcel Nos:	961334 & 961335
Reference Nos. of Documents Released or Assigned:	N/A
Real Estate Excise Tax:	Does not apply – no consideration as defined WAC 458-61A-102(2)

THIS SUPPLEMENTAL DECLARATION OF CONSOLIDATION AND AGREEMENT REGARDING UNIT ASSESSMENTS (“*Supplemental Declaration*”), dated for reference purposes **November 19, 2021**, is made by and between **SUNCADIA RESORT LLC**, a Delaware limited liability company (“*Declarant*”), and **DANIEL & KRISTINE KREBSBACH**, a married couple (“*Owner*”), and is acknowledged by the **SUNCADIA RESIDENTIAL OWNERS ASSOCIATION**, a Washington nonprofit corporation, and the **TUMBLE CREEK VILLAGE ASSOCIATION**, a Washington nonprofit corporation.

RECITALS

A. Declarant is the developer of certain real property in Kittitas County, Washington, which Declarant is developing as a planned development known as “Suncadia.” The portion of Suncadia referred to as the “*Residential Areas*” is being developed for residential purposes and is governed by that certain Amended and Restated Declaration of Covenants, Conditions, Restrictions and Easements for Suncadia Residential Areas recorded under Kittitas County Recording No. 200407200037, as

amended by Supplemental Declarations from time to time (as amended, the “**Declaration**”), which includes the Supplemental Declaration of Covenants, Conditions, Restrictions and Easements for Tumble Creek Village at Suncadia, as amended from time to time (as amended, the “**Tumble Creek Supplemental Declaration**”). Capitalized terms used by not defined herein shall have the meanings ascribed to them in the Declaration and the Tumble Creek Supplemental Declaration.

B. Owner owns the real property described in Exhibit A (the “**Subject Property**”), which is subject to the Declaration and the Tumble Creek Supplemental Declaration and consists of two Units.

C. The Owner of the Units comprising the Subject Property has requested that Declarant approve the consolidation of such Units into a single Unit pursuant to Sections 3.8 of the Declaration and the Tumble Creek Supplemental Declaration. Declarant has sole discretion to grant or deny such request.

D. Declarant has approved Owner’s consolidation request, subject to the terms and conditions set forth in this Supplemental Declaration.

AGREEMENTS

NOW THEREFORE, in consideration of the covenants contained herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

1. CONSOLIDATION. Pursuant to Sections 3.8 of the Declaration and the Tumble Creek Supplemental Declaration, Declarant hereby approves the consolidation of the Units into a single Unit, subject, however, to the conditions set forth herein.

2. CONDITIONS. Declarant’s approval is expressly conditioned on the following:

2.1. Notwithstanding anything to the contrary set forth in Sections 3.8 or elsewhere in the Governing Documents, the Units shall be deemed one Unit for purposes of review by the Design Review Committee under Articles 8 of the Declaration and the Tumble Creek Supplemental Declaration.

2.2. For all other purposes under the Governing Documents, such Units shall perpetually continue to be treated as two separate Units, including, but not limited to, for purposes of allocation of voting rights and Assessment obligations by, under and pursuant to the Declaration and the Tumble Creek Supplemental Declaration.

2.3. Following such consolidation, the original Units comprising the now-consolidated Unit may not be bought or sold separately from one another, and such consolidated Unit may not hereafter be partitioned, and such consolidation may not hereafter be revoked, except pursuant to the requirements of Sections 3.7 of the

Declaration and the Tumble Creek Supplemental Declaration, and may not be bought or sold separately from one another.

3. ACKNOWLEDGMENT, AGREEMENT, AND WAIVER OF CLAIMS. Owner is executing this Supplemental Declaration to acknowledge Owner's agreement with the conditions of consolidation set forth in Section 2, which shall be deemed covenants running with the land, binding on Owner and Owner's successors-in-interest to any interest in the Subject Property. As specific inducement to Declarant's agreement to the Unit consolidation hereby effected, and knowing and intending that Declarant will be relying on this provision in doing so, Owner irrevocably waives and shall forever be estopped from asserting any claim, at law or in equity, related to the continued treatment of such consolidated Unit as two Units for purposes of allocating voting rights and Assessments under the Declaration.

4. BINDING EFFECT. The Subject Property shall be owned, sold, conveyed, leased, encumbered, occupied, improved, and used subject to this Supplemental Declaration, which shall run with the Subject Property and shall be binding upon all parties having or acquiring any right, title, or interest in the Subject Property, or any part thereof, and shall inure to the benefit of each Owner thereof and their respective successors and assigns.

5. EFFECTIVE DATE. This Supplemental Declaration shall take effect upon recording.

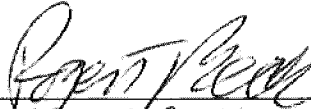
[Signatures on following pages.]


EXECUTED as of the day and year first above written.

DECLARANT:

SUNCADIA RESORT LLC,
a Delaware limited liability company

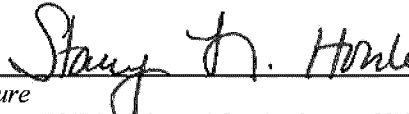
By: LCIF Suncadia LLC,
a Delaware limited liability company
Its Managing Member

By 
 Name: ROGER T BECK
 Its: SENIOR VICE PRESIDENT

By 
 Name: GARY A KETTESON
 Its: VICE PRESIDENT

STATE OF WASHINGTON }
 COUNTY OF KITTITAS } ss.

This record was acknowledged before me on November 30, 2021 by
ROBERT T BECK and GARY A KETTESON as the
SENIOR VICE PRESIDENT and VICE PRESIDENT, respectively, of LCIF
 Suncadia LLC, a Delaware limited liability company and Managing Member of Suncadia
 Resort LLC, a Delaware limited liability company.


 Signature
 NOTARY PUBLIC in and for the State of Washington
 My Commission Expires May 15, 2023



OWNER

Daniel Krebsbach
Name: DANIEL KREBSBACH

Kristine Krebsbach
Name: KRISTINE KREBSBACH

California
STATE OF WASHINGTON }
COUNTY OF *Riverside* } ss.

This record was acknowledged before me on *November 22, 2021* by *Daniel Krebsbach & Kristine Krebsbach*



[Stamp]

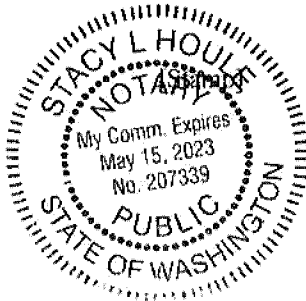
Gina M. Reyes
Signature
NOTARY PUBLIC in and for the State of Washington
My Commission Expires *Dec. 16, 2023*

SUNCADIA RESIDENTIAL OWNERS ASSOCIATION, a Washington nonprofit corporation

By [Signature]
Name: Gary A. Kittleson
Its: President

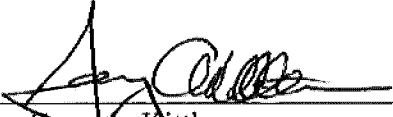
STATE OF WASHINGTON }
COUNTY OF KITTITAS } ss.

This record was acknowledged before me on November 30, 2021 by Gary A. Kittleson as the President of SUNCADIA RESIDENTIAL OWNERS ASSOCIATION, a Washington nonprofit corporation.



[Signature]
Signature
NOTARY PUBLIC in and for the State of Washington
My Commission Expires May 15, 2023

TUMBLE CREEK VILLAGE ASSOCIATION,
a Washington nonprofit corporation

By 
Name: Gary A. Kittleson
Its: President

STATE OF WASHINGTON }
COUNTY OF KITTITAS } ss.

This record was acknowledged before me on November 30, 2021 by Gary A. Kittleson as the President of TUMBLE CREEK VILLAGE ASSOCIATION, a Washington nonprofit corporation.





Signature
NOTARY PUBLIC in and for the State of Washington
My Commission Expires May 15, 2023

EXHIBIT A
PROPERTY SUBJECT
TO
SUPPLEMENTAL DECLARATION

The Subject Property referenced in the foregoing Supplemental Declaration is legally described as follows:

LOTS 16-34 AND 16-35, OF SUNCADIA – PHASE 3 DIVISIONS 15 AND 16
(TUMBLE CREEK), IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON,
AS PER PLAT THEREOF RECORDED IN BOOK 13 OF PLATS, PAGES 59
THROUGH 79, RECORDS OF SAID COUNTY