

When Recorded, Return to:

John M. Riley, III
Witherspoon, Kelley, Davenport & Toole, P.S.
1100 U.S. Bank Bldg.
422 W. Riverside
Spokane, WA 99201
(509) 624-5265



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5470848

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Grantor (s): A&K Development, Inc and Fox Hollow Office Park, LLC.

Grantee (s): Fox Ridge Home Owners Association and members

Partial Legal: All Lots, All Blocks, Fox Ridge West Subdivision

Tax Parcel No.: **PTN 14074.0016**

120806.1-5

RE-RECORD TO INCLUDE HOA SIGNATURE

**SIXTH AMENDMENT TO DECLARATION
OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
FOX RIDGE**

WHEREAS, on February 4, 2002, the Declaration of Covenants, Conditions and Restrictions for Fox Ridge ("Declaration") was recorded with the Spokane County Auditor, under Auditor's File No. 4685527; and

WHEREAS, the Declaration was amended by a First Amendment to Declaration of Covenants, Conditions and Restrictions for Fox Ridge ("First Amendment") recorded on November 20, 2002 under Spokane County Auditor's File Number 4804526, a Second Amendment to Declaration ("Second Amendment") recorded on August 5, 2004 under Spokane County Auditors File Number 5108069 to add subsequent phases II, III and IV of the preliminary plat of Fox Ridge to the Declaration, a Third Amendment to Declaration ("Third Amendment") recorded on September 23, 2005, under Spokane County Auditors File Number 5279469 (rerecorded November 29, 2005 under Spokane County Auditors File Number 5311650) to add subsequent phase V of the preliminary plat of Fox Ridge to the Declaration; a Fourth Amendment to Declaration ("Fourth Amendment") recorded on May 15, 2006 under Spokane County Auditor's File No. 5379494, to add subsequent Phase VI of the Preliminary Plat of Fox Ridge to the Declaration; and a Fifth Amendment to Declaration ("Fifth Amendment") recorded on September 26, 2006 under Spokane County Auditor's File No. 5438466, to add Fox Ridge South Subdivision to the Declaration; and

WHEREAS, pursuant to Section 10.3 of the Declaration, the Owners having more than seventy-five percent (75%) of the total voting power (both classes) of the Fox Ridge Homeowners Association have the right to amend the Declaration, and;



WHEREAS, owners having more than seventy-five percent (75%) of the total voting power (both classes) have assented to this Sixth Amendment.

NOW, THEREFORE, the Declaration is hereby amended in the following particulars:

1. The property described as Exhibit "A" ("Fox Ridge West Subdivision") to this Sixth Amendment attached hereto is hereby added to the Property and is hereby subjected to and governed by said Declaration.

2. Section 2.2, Subsection 1; hereby has added to it the following:

(3) the perimeter fence located at the outer boundaries of each lot in each block in Fox Ridge West Subdivision that borders on Graham Road, being Lot 18, Block 2, Lot 1, Block 1, Lot 12, Block 1, Lot 1, Block 2 (excepting therefrom the portion of said fence located on all other lots in Fox Ridge West Subdivision, which shall be owned by the Owners of said Lots and is not included in the Upkeep Property).

3. Section 2.2, Subsection 2; hereby has added to it the following:

(5) The areas outside of the boundaries of Fox Ridge West Subdivision comprised of right-of-way of the City of Medical Lake, as shown on Exhibit "B" attached hereto, which areas are or will be improved with grass, shrubs, trees, bushes, similar type landscaping and sprinkling systems, which Declarant has agreed to maintain, repair, and replace.

4. A second paragraph is added to Paragraph 6.6 as follows:

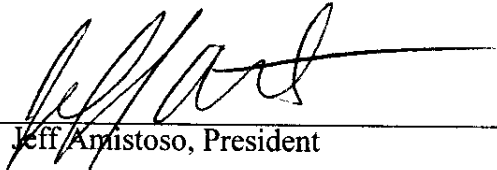
Perimeter Fence Easement on Graham Road. An easement for the placement of a common property fence over, under and across the easterly five (5) feet of Lot 18, Block 2, Lot 1, Block 1, Lot 12, Block 1, and Lot 1, Block 2, Fox Ridge West Subdivision, is hereby reserved by Declarant, Fox Hollow, and their successors-in-interest and assigns, including Fox Ridge HA, together with an easement over, under, across and upon so much of each Lot as is necessary for inspection, repair, maintenance and replacement of the same.

5. All other terms and conditions of the Declaration, and any prior Amendments thereto, shall remain in full force and effect, except as modified and as added to by this Amendment.

DATED this 7 day of Dec, 2006.

A & K DEVELOPMENT, INC.,
a Washington corporation

By: _____


Jeff Amistoso, President



WITHERSPOON KELLEY DAVENP AMEND #37.00

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Legal Description

All Lots, all Blocks, of Fox Ridge West Subdivision as per Plat thereof recorded in Volume 33 of Plats, page 36, under Auditor's File No. 5464008.

Situate in the City of Medical Lake, County of Spokane, State of Washington.



WITHERSPOON KELLEY DAVENP AMEND \$37.00

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EXHIBIT "B"



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WITHERSPOON KELLEY DAVENP AMEND \$37.00

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John M. Riley III
Witherspoon, Kelley, Davenport & Toole, P.S.
1100 U.S. Bank Bldg.
422 W. Riverside
Spokane, WA 99201
(509) 624-5265

Grantor (s): A&K Development, Inc and Markham Homes, Inc.

Grantee (s): Fox Ridge Home Owners Association and members

Partial Legal: All Lots, All Blocks, Fox Ridge South Subdivision , 0824-41

Tax Parcel No.: 14083.0005.

092506.2-5

RE-RECORD TO INCLUDE HOA SIGNATURE

**FIFTH AMENDMENT TO DECLARATION
OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
FOX RIDGE**

WHEREAS, on February 4, 2002, the Declaration of Covenants, Conditions and Restrictions for Fox Ridge ("Declaration") was recorded with the Spokane County Auditor, under Auditor's File No. 4685527; and

WHEREAS, the Declaration was amended by a First Amendment to Declaration of Covenants, Conditions and Restrictions for Fox Ridge ("First Amendment") recorded on November 20, 2002 under Spokane County Auditor's File Number 4804526, a Second Amendment to Declaration ("Second Amendment") recorded on August 5, 2004 under Spokane County Auditors File Number 5108069 to add subsequent phases II, III and IV of the preliminary plat of Fox Ridge to the Declaration, a Third Amendment to Declaration ("Third Amendment") recorded on September 23, 2005, under Spokane County Auditors File Number 5279469 (rerecorded November 29, 2005 under Spokane County Auditors File Number 5311650) to add subsequent phase V of the preliminary plat of Fox Ridge to the Declaration; and a Fourth Amendment to Declaration ("Fourth Amendment") recorded on May 15, 2006 under Spokane County Auditor's File No. 5379494, to add subsequent Phase VI of the Preliminary Plat of Fox Ridge to the Declaration; and

WHEREAS, pursuant to Section 10.3 of the Declaration, the Owners having more than seventy-five percent (75%) of the total voting power (both classes) of the Fox Ridge Homeowners Association have the right to amend the Declaration, and;



WITHERSPOON KELLEY DRIVENP AMEND #37.00

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WHEREAS, owners having more than seventy-five percent (75%) of the total voting power (both classes) have assented to this Fifth Amendment.

NOW, THEREFORE, the Declaration is hereby amended in the following particulars:

1. The property described as Exhibit "A" ("Fox Ridge South Subdivision") to this Fifth Amendment attached hereto is hereby added to the Property and is hereby subjected to and governed by said Declaration.

2. Section 2.2, Subsection 1; hereby has added to it the following:

(2) the perimeter fence located at the outer boundaries of each lot in each block in Fox Ridge South Subdivision that borders on Graham Road, on the southeasterly five (5) feet of Lot 1, Block 1, and located at the outer boundaries of Tract "A" bordering on Graham Road and SR 902 in Fox Ridge South Subdivision shown in Exhibit "B" attached hereto (except the portion of said fence located on Lots 12 and 13, Block 3 shall be owned by the Owners of said Lots and is not included in the Upkeep Property).

3. Section 2.2, Subsection 2; hereby has added to it the following:

(3) Entry monuments located at the intersection of Fox Ridge Road and Graham Road in Fox Ridge South Subdivision.

(4) The areas outside of the boundaries of Fox Ridge South Subdivision comprised of right-of-way of the City of Medical Lake, as shown on Exhibit "B" attached hereto, which areas are or will be improved with grass, shrubs, trees, bushes, similar type landscaping and sprinkling systems, which Declarant has agreed to maintain, repair, and replace.

4. Paragraph 6.6 is revised to read as follows:

6.6 Perimeter Fence Easement on Graham Road. An easement for the placement of a common property fence over, under and across (1) the westerly five (5) feet of each Lot now or hereafter created along the east side of Graham Road, (2) the southeasterly five (5) feet of Lot 1 Block 1, and (3) the northwesterly five (5) feet, the westerly five (5) feet and the south five (5) feet of Tract "A" is hereby reserved by Declarant and its successors-in-interest and assigns, including Fox Ridge HA, together with an easement over, under, across and upon so much of each Lot and Tract as is necessary for inspection, repair, maintenance and replacement of the same.

5. All other terms and conditions of the Declaration, and any prior Amendments thereto, shall remain in full force and effect, except as modified and as added to by this Amendment.

DATED this 20 day of Sept, 2006.

A & K DEVELOPMENT, INC.,
a Washington corporation

By: 
Jeff Amistoso, President

Owner of all other Lots and Tract "A"



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STATE OF WASHINGTON)
) ss.
COUNTY OF SPOKANE)

WITHERSPOON KELLEY DAVENP AMEND \$37.00

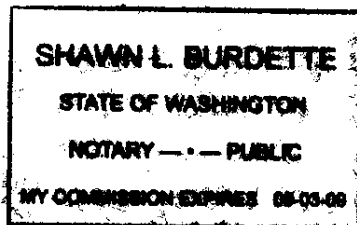
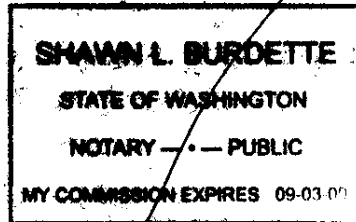
I certify that I now or have satisfactory evidence that Brian Markham signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as President of Markham Homes, Inc., to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: September 20th, 2006.

Printed name:

NOTARY PUBLIC in and for the State of
Washington, residing at Spokane
My appointment expires: 9/13/09

G:\A\Amistoso Jeff 3717\Fox Ridge 3\Fifth Amendment to Dec 091106.doc





WITHERSPOON KELLEY DAVENP AMEND \$37,000

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EXHIBIT "A"

Legal Description

All Lots, all Blocks, and Tract "A", of Fox Ridge South Subdivision as per Plat thereof recorded in Volume 32 of Plats, pages 80 and 81.

Situate in the City of Medical Lake, County of Spokane, State of Washington.

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John M. Riley III
Witherspoon, Kelley, Davenport & Toole, P.S.
1100 U.S. Bank Bldg.
422 W. Riverside
Spokane, WA 99201
(509) 624-5265

RE-RECORD TO INCLUDE HOA SIGNATURE

**FOURTH AMENDMENT TO DECLARATION
OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
FOX RIDGE**

051506.2-7

WHEREAS, on February 4, 2002, the Declaration of Covenants, Conditions and Restrictions for Fox Ridge ("Declaration") was recorded with the Spokane County Auditor, under Auditor's File No. 4685527; and

WHEREAS, a First Amendment to the Declaration ("First Amendment") was recorded on November 20, 2002 under Spokane County Auditors File No. 4804526 a Second Amendment to the Declaration ("Second Amendment") was recorded on August 5, 2004 under Spokane County Auditors File No. 5108069, to add subsequent phases II, III and IV of the preliminary Plat of Fox Ridge to the Declaration and a Third Amendment to the Declaration ("Third Amendment") was recorded on September 23, 2005 under Spokane County Auditor's File No. 5279469 (rerecorded November 29, 2005 under Spokane County Auditor's File NO. 5311650) to add Phase V;

WHEREAS, a subsequent phase of the preliminary plat of Fox Ridge, Phase VI, has been platted and Declarant desires to add the same to the Declaration.

NOW, THEREFORE, the Declarant does hereby amend the prior Declaration in the following particulars:

1. Exhibit "A" of the Declaration is amended to read as the Exhibit "A" attached to this Fourth Amendment.
2. All other terms and conditions of the Declaration, and any prior Amendments thereto, shall remain in full force and effect, except as modified and as added to by this Amendment.

Declarant - A + K Development Inc.



WITHERSPOON KELLEY DAVENP AMEND \$39.00

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DATED this 15 day of May, 2006.

DECLARANT:

A & K DEVELOPMENT, INC

By: Jeff Amistoso

JEFF AMISTOSO

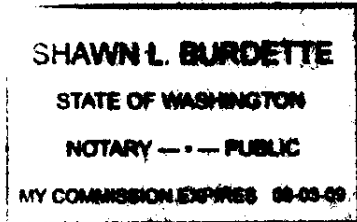
Title: _____

State of Washington)
)ss.
County of Spokane)

I certify that I know or have satisfactory evidence that Jeff Amistoso is the person who appeared before me, and said person acknowledged that he was authorized to sign this instrument as the President of A & K Development, Inc., a Washington corporation, and acknowledged it to be the free and voluntary act of such entity, for the uses and purposes mentioned in the instrument.

DATED: May 15, 2006, 2006.

Shawn L. Burdette
Print Name: Shawn L. Burdette
Notary Public in and for the State of
Washington, residing at Spokane Valley
My appointment expires: 9/3/07





WITHERSPOON KELLEY DRIVE# AMEND #39.00

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EXHIBIT "A"

That portion of the Southwest Quarter of Section 8, Township 24 North, Range 41 East, W.M. described as follows:

Commencing at the Southwest corner of said Section; thence N00°16'36"E along the West line of said Section, 984.64 feet; thence S89°43'24"E, 30.00 feet to the East right-of-way line of Graham Road, said point being the point of beginning; thence N00°16'36"E along said right-of-way line, 1380.03 feet; thence S89°51'37"E, 484.00 feet; thence N00°16'33"E, 115.00 feet; thence S89°51'37"E, 100.00 feet; thence S37°27'54"E, 544.55 feet; thence N78°46'49"E, 385.07 feet; thence S00°16'08"W, 373.28 feet; thence N89°44'17"W, 300.21 feet; thence S00°14'21"W, 399.96 feet; thence N89°43'41"W, 120.13 feet; thence S00°15'23"W, 210.07; thence S52°21'52"W, 723.06 feet; thence N89°38'21"W, 163.58 feet to a point on a non-tangent curve concave northeasterly, the radius point of said curve being N50°19'52"E, 560.00 feet; thence northwesterly along said curve, an arc distance of 315.53 feet; thence N89°43'24"W, 15.00 feet to the point of beginning, containing 33.96 acres, more or less.



WITHERSPOON KELLEY DAVENP AMEND \$32.00

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Exhibit A

PARCEL I: Phase II

Tract of land is located in the Southwest quarter of Section 8, Township 24 North, Range 41 East, W.M., being more particularly described as follows:

*1006.07

COMMENCING at the West quarter corner of said Section 8, thence South 00°16'36" West, along the Westerly line of said Southwest quarter, ~~1057/187~~ feet; thence South 89°40'44" East, 30.00 feet to a point on the Easterly right of way line of Graham Road, said point being the Point of Beginning; thence along the Southerly line of Fox Ridge Subdivision Phase I filed under Auditor's File No. 4665677 the following 4 courses: 1) South 89°40'44" East, 130.00 to a point on the Westerly right of way line of Wilcox Street; 2) South 00°16'36" West, 31.81 feet along said Westerly right of way line; 3) South 89°42'24" East, 139.78 feet to the Southeast corner of Lot 1, Block 4 of said subdivision; 4) North 78°46'49" East, 132.75 feet; thence South 10°38'16" East, 168.37 feet; thence South 36°25'41" West, 116.70 feet; thence South 75°07'36" West, 96.02 feet; thence South 17°16'48" East, 81.03 feet; thence South 83°57'06" West, 115.36 feet; thence North 84°02'51" West, 50.25 feet; thence North 89°40'44" West, 130.00 feet to said Easterly right of way line of Graham Road; thence North 00°16'36" East, 375.00 feet along said Easterly right of way line to the Point of Beginning;

Situate in the City of Medical Lake, County of Spokane, State of Washington.

PARCEL II: Phase III

Tract of land is located in the Southwest quarter of Section 8, Township 24 North, Range 41 East, W.M., being more particularly described as follows:

COMMENCING of the West quarter corner of said Section 8, thence South 00°16'36" West, along the Westerly line of said Southwest quarter, 306.01 feet; thence South 89°51'37" East, 360.08 feet to the Point of Beginning; thence South 89°51'37" East, 173.92 feet; thence North 00°16'33" East, 135.00 feet; thence South 89°51'37" East, 80.00 feet; thence South 37°27'54" East, 544.55 feet; thence South 04°30'53" East, 135.93 feet; thence South 78°46'49" West, 85.97 feet; thence South 11°05'19" East, 50.00 feet to a nontangent curve, the radius point of said curve being South 11°13'11" East, 20.00 feet; thence Southwesterly along said curve, 31.11 feet through a central angle of 89°07'25"; thence South 78°03'05" West, 50.02 feet to a nontangent curve the radius point of said curve being South 79°43'34" West, 20.00 feet; thence Northwesterly along said curve, 31.75 feet through a central angle of 90°57'25"; thence South 78°46'49" West, 99.73 feet to a point of intersection with the Southerly right of way line of Tara Lee Avenue and the Northeastly boundary of Fox Ridge Subdivision Phase I as recorded under Auditor's File No. 4665677; thence Northwesterly along said Northeastly boundary the following three (3) courses; (1) North 11°13'11" West, 50.00 feet; (2) North 24°15'10" West, 156.91 feet; (3) North 37°14'42" West, 432.07 feet to the Point of Beginning;

Situate in the City of Medical Lake, County of Spokane, State of Washington



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LEGAL DESCRIPTION
PROPOSED FOX RIDGE SUBDIVISION PHASE 4
 June 1, 2004

KNOW ALL MEN BY THESE PRESENTS, that A & K Development Inc., the undersigned corporate owner of the land in fee simple, and encumbrances of the land hereby platted into lots, blocks and streets, hereby declare this plat and dedicate(s) with their free consent and in accordance with their desires to the use of the public forever, all streets and easements or whatever public property there is shown on the plat and the use thereof for any and all public purposes; also, the right to make all necessary slopes for cuts or fills upon the lots, blocks, tracts, etc., shown on this plat in the reasonable original grading of all streets, shown hereon.

A parcel of land located in the Southwest Quarter of Section 8, Township 24 North, Range 41 East, W.M., City of Medical Lake, Spokane County, Washington being more particularly described as follows:

Commencing at the West Quarter Corner of said Section 8; Thence S00°16'36"W, 1381.10 feet along the westerly line of said Southwest Quarter; Thence S89°43'24"E, 45.00 feet to the easterly right of way line of Graham Road as dedicated in Fox Ridge Subdivision Phase 2 per Auditor's Instrument Number 4804524 on file at the Recorder's Office, Spokane, Washington, said point also being the **TRUE POINT OF BEGINNING**; Thence the following seven (7) courses along the southerly boundary line of said Fox Ridge Subdivision Phase 2; 1.) S89°40'44"E, 115.00 feet; 2.) S84°02'51"E, 50.25 feet; 3.) N83°57'06"E, 115.36 feet; 4.) N17°16'48"W, 81.03 feet; 5.) N75°07'36"E, 96.02 feet; 6.) N36°25'41"E, 116.70 feet; 7.) N10°38'16"W, 168.37 feet to the southerly boundary line of Fox Ridge Subdivision Phase 1 per Auditor's Instrument Number 4665677 on file at the Recorder's Office, Spokane, Washington; Thence the following four (4) courses along said southerly boundary line; 1.) N78°46'49"E, 120.09 feet; 2.) N81°03'49"E, 50.00 feet; 3.) N08°56'11"W, 27.01 feet; 4.) N78°46'49"E, 112.80 feet; Thence S05°26'15"E, 160.82 feet; Thence S24°34'15"E, 227.31 feet; Thence S61°43'35"W, 95.54 feet to a point on a non-tangent curve concave to the southwest, with the radius point being S61°43'35"W, 550.00 feet; Thence southeasterly along said curve, an arc length of 7.07 feet; Thence S62°44'52"W, 182.25 feet; Thence S52°21'52"W, 349.00 feet; Thence S74°50'29"W, 90.36 feet; Thence S00°16'36"W, 10.00 feet; Thence N89°43'24"W, 50.00 feet to a point on a non-tangent curve, concave to the east, with the radius point being S89°43'24"E, 130.00 feet; Thence southerly along said curve an arc length of 5.06 feet; Thence S78°04'31"W, 109.93 feet to the said easterly right of way line of Graham Road as dedicated per Auditor's Instrument Number _____ on file at the Recorder's Office, Spokane, Washington, said point also being a point on a non-tangent curve concave to the northeast, with the radius point being N78°04'23"E, 560.00 feet; Thence along said easterly right of way line of Graham Road the following two (2) courses; 1.) Along said curve an arc length of 44.39 feet; 2.) N00°16'36"E, 284.85 feet to the **TRUE POINT OF BEGINNING**.

Said tract of land contains 5.98 Acres, more or less.

Subject to right-of-ways, easements or other related documents of record.



WITHERSPOON KELLEY DAVENP AMEND \$38.00

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LEGAL DESCRIPTION
FOX RIDGE PHASE 5

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER SECTION 8, TOWNSHIP 25 NORTH, RANGE 41 EAST, W.M., CITY OF MEDICAL LAKE, SPOKANE COUNTY, STATE OF WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 2, BLOCK 2, FOX RIDGE SUBDIVISION PHASE 4, AS RECORDED IN PLAT BOOK 29 PAGES 95 AND 96, OF THE SPOKANE COUNTY AUDITOR'S OFFICE, SAID POINT BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF GRAHAM ROAD, AND ALSO BEING THE TRUE POINT OF BEGINNING: THENCE THE FOLLOWING NINE (9) COURSES ALONG THE SOUTHERLY BOUNDARY LINE OF SAID FOX RIDGE SUBDIVISION PHASE 4; 1) N78°04'31"E, 109.93 FEET; 2) N00°50'19"W, 5.06 FEET; 3) S89°43'24"E, 50.00 FEET; 4) N00°16'36"E, 10.00 FEET; 5) N74°50'29"E, 90.36 FEET; 6) N52°21'52"E, 349.00 FEET 7) N62°44'52"E, 182.25 FEET; 8) N27°54'20"W, 7.07 FEET; 9) N61°43'35"E, 95.54 FEET; THENCE S89°43'41"E, 90.00 FEET TO THE WEST BOUNDARY LINE OF THE DEED RECORDED PER INSTRUMENT NUMBER 8401260036, JANUARY 26, 1984, ON FILE AT THE RECORDER'S OFFICE, SPOKANE COUNTY, WASHINGTON; THENCE S00°15'23"W, 210.07 FEET ALONG THE WEST BOUNDARY LINE OF SAID DEED; THENCE S52°21'52"W 723.06 FEET; THENCE N89°38'21"W, 163.58 FEET TO SAID EASTERLY RIGHT-OF-WAY LINE, SAID POINT ALSO BEING ON A NON-TANGENT CURVE WITH A RADIUS POINT BEING N50°19'46"E, 560.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID EASTERLY RIGHT-OF-WAY, AN ARC LENGTH OF 271.17 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL OF LAND CONTAINS APPROXIMATELY 5.55 ACRES.



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EXHIBIT A _ LEGAL DESCRIPTION

A parcel of land located in the West half of the Southwest quarter of Section 8, Township 24 North, Range 41 East, W. M., being more particularly described as follows:

BEGINNING at the Southeast corner of Lot 5 in Block 4 of FOX RIDGE SUBDIVISION PHASE 4, as per plat thereof recorded in Volume 29 of Plats, pages 95 and 96, said point being the point of beginning; thence North $24^{\circ}34'15''$ West, 227.31 feet to the Northeast corner of Lot 3 in Block 4 of said subdivision; thence North $5^{\circ}26'15''$ West, 160.82 feet to the Northeast corner of Lot 1 in Block 4 of said subdivision; thence North $78^{\circ}46'49''$ East, 6.94 feet to the Southeast corner of Lot 1 in Block 5 of FOX RIDGE SUBDIVISION PHASE 1, as per plat thereof recorded in Volume 27 of Plats, pages 54 and 55; thence North $9^{\circ}30'12''$ West, 90.03 feet to the Northeast corner of said Lot 1 in Block 5; thence North $78^{\circ}46'49''$ East, 4.33 feet to the Southwest corner of FOX RIDGE SUBDIVISION PHASE 3, as per plat thereof recorded in Volume 28 of Plats, pages 36 and 37; thence Northeasterly on the South line of said subdivision Phase 3, the following seven courses:

1. North $78^{\circ}46'49''$ East 99.73 feet to the beginning of a 20 foot radius curve concave to the Southwest;
2. Southeasterly along said curve, through a central angle of $90^{\circ}56'45''$, an arc distance of 31.75 feet;
3. North $78^{\circ}03'03''$ East, 50.02 feet to a non-tangent 20 foot radius curve, concave to the Southeast, the center of which bears North $79^{\circ}39'28''$ East;
4. Northeasterly along said curve, through a central angle of $89^{\circ}07'21''$, an arc distance of 31.11 feet;
5. North $11^{\circ}05'19''$ West, 50.00 feet;
6. North $78^{\circ}46'49''$ East, 85.97 feet;
7. North $4^{\circ}30'53''$ West, 135.93 feet to the Northeast corner of Lot 13 in Block 1 of said subdivision phase 3;

Thence North $78^{\circ}46'49''$ East, 384.77 feet to the East line of the West half of the Southwest quarter of said Section 8; thence South $0^{\circ}15'23''$ West on said East line, 373.12 feet to the north boundary of that parcel of land described in Deed recorded under recording number 8401260036; thence North $89^{\circ}44'37''$ West, on said boundary, 300.00 feet to the west boundary of said parcel; thence South $0^{\circ}15'23''$ West, on said boundary, 400.00 feet; thence North $89^{\circ}44'37''$ West, on said boundary, 120.00 feet to the northeast corner of Lot 1 in Block 2 of FOX RIDGE PHASE 5, as per plat thereof recorded in Volume 31 of Plats, pages 77 and 78; thence North $89^{\circ}43'41''$ West, on the North line of said Lot 1, 90.00 feet to the point of beginning; Situate in the City of Medical Lake, County of Spokane, State of Washington.

When Recorded, Return to:



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Spokane Co, WA Spokane Co, WA

John M. Riley III
Witherspoon, Kelley, Davenport & Toole, P.S.
1100 U.S. Bank Bldg.
422 W. Riverside
Spokane, WA 99201
(509) 624-5265

RE-RECORD TO INCLUDE LEGAL DESCRIPTIONS

**THIRD AMENDMENT TO DECLARATION
OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
FOX RIDGE**

WHEREAS, on February 4, 2002, the Declaration of Covenants, Conditions and Restrictions for Fox Ridge ("Declaration") was recorded with the Spokane County Auditor, under Auditor's File No. 4685527; and

WHEREAS, a First Amendment to the Declaration ("First Amendment") was recorded on November 20, 2002 under Spokane County Auditors File No. 4804526 and a Second Amendment to the Declaration ("Second Amendment") was recorded on August 5, 2004 under Spokane County Auditors File No. 5108069, to add subsequent phases II, III and IV of the preliminary Plat of Fox Ridge to the Declaration.

WHEREAS, a subsequent phase of the preliminary plat of Fox Ridge, Phase V, has been platted and Declarant desires to add the same to the Declaration.

NOW, THEREFORE, the Declarant does hereby amend the prior Declaration in the following particulars:

1. Exhibit "A" of the Declaration is amended to read as the Exhibit "A" attached to this Third Amendment.

2. All other terms and conditions of the Declaration, and any prior Amendments thereto, shall remain in full force and effect, except as modified and as added to by this Amendment.

DATED this 23 day of Sept, 2005.

DECLARANT:

A & K DEVELOPMENT, INC.

By: Jeff Amistoso

Title: Jeff Amistoso



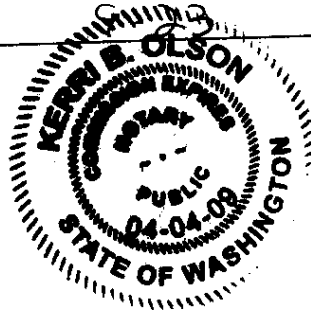
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State of Washington)
County of Spokane)ss.

I certify that I know or have satisfactory evidence that Jeff Amistoso is the person who appeared before me, and said person acknowledged that he was authorized to sign this instrument as the President of A&K Development, Inc., a Washington corporation, and acknowledged it to be the free and voluntary act of such entity, for the uses and purposes mentioned in the instrument.

DATED: _____, 2005.



Kerri B Olson
Print Name: Kerri B Olson
Notary Public in and for the State of
Washington, residing at Spokane Valley
My appointment expires: 7-04-09



EXHIBIT "A"

That portion of the Southwest Quarter of Section 8, Township 24 North, Range 41 East, W.M. described as follows:

Commencing at the Southwest corner of said Section; thence $N00^{\circ}16'36''E$ along the West line of said Section, 984.64 feet; thence $S89^{\circ}43'24''E$, 30.00 feet to the East right-of-way line of Graham Road, said point being the point of beginning; thence $N00^{\circ}16'36''E$ along said right-of-way line, 1380.03 feet; thence $S89^{\circ}51'37''E$, 484.00 feet; thence $N00^{\circ}16'33''E$, 115.00 feet; thence $S89^{\circ}51'37''E$, 100.00 feet; thence $S37^{\circ}27'54''E$, 544.55 feet; thence $N78^{\circ}46'49''E$, 385.07 feet; thence $S00^{\circ}16'08''W$, 373.28 feet; thence $N89^{\circ}44'17''W$, 300.21 feet; thence $S00^{\circ}14'21''W$, 399.96 feet; thence $N89^{\circ}43'41''W$, 120.13 feet; thence $S00^{\circ}15'23''W$, 210.07; thence $S52^{\circ}21'52''W$, 723.06 feet; thence $N89^{\circ}38'21''W$, 163.58 feet to a point on a non-tangent curve concave northeasterly, the radius point of said curve being $N50^{\circ}19'52''E$, 560.00 feet; thence northwesterly along said curve, an arc distance of 315.53 feet; thence $N89^{\circ}43'24''W$, 15.00 feet to the point of beginning, containing 33.96 acres, more or less.



Exhibit A

PARCEL I: Phase II

Tract of land is located in the Southwest quarter of Section 8, Township 24 North, Range 41 East, W.M., being more particularly described as follows:

*1006.07

COMMENCING at the West quarter corner of said Section 8, thence South 00°16'36" West, along the Westerly line of said Southwest quarter, 1097/87 feet; thence South 89°40'44" East, 30.00 feet to a point on the Easterly right of way line of Graham Road, said point being the Point of Beginning; thence along the Southerly line of Fox Ridge Subdivision Phase I filed under Auditor's File No. 4665677 the following 4 courses: 1) South 89°40'44" East, 130.00 to a point on the Westerly right of way line of Wilcox Street; 2) South 00°16'36" West, 31.81 feet along said Westerly right of way line; 3) South 89°42'24" East, 139.78 feet to the Southeast corner of Lot 1, Block 4 of said subdivision; 4) North 78°46'49" East, 132.75 feet; thence South 10°38'16" East, 168.37 feet; thence South 36°25'41" West, 116.70 feet; thence South 75°07'36" West, 96.02 feet; thence South 17°16'48" East, 81.03 feet; thence South 83°57'06" West, 115.36 feet; thence North 84°02'51" West, 50.25 feet; thence North 89°40'44" West, 130.00 feet to said Easterly right of way line of Graham Road; thence North 00°16'36" East, 375.00 feet along said Easterly right of way line to the Point of Beginning;

Situate in the City of Medical Lake, County of Spokane, State of Washington.

PARCEL II: Phase III

Tract of land in located in the Southwest quarter of Section 8, Township 24 North, Range 41 East, W.M., being more particularly described as follows:

COMMENCING of the West quarter corner of said Section 8, thence South 00°16'36" West, along the Westerly line of said Southwest quarter, 306.01 feet; thence South 89°51'37" East, 360.08 feet to the Point of Beginning; thence South 89°51'37" East, 173.92 feet; thence North 00°16'33" East, 135.00 feet; thence South 89°51'37" East, 80.00 feet; thence South 37°27'54" East, 544.55 feet; thence South 04°30'53" East, 135.93 feet; thence South 78°46'49" West, 85.97 feet; thence South 11°05'19" East, 50.00 feet to a nontangent curve, the radius point of said curve being South 11°13'11" East, 20.00 feet; thence Southwesterly along said curve, 31.11 feet through a central angle of 89°07'25"; thence South 78°03'05" West, 50.02 feet to a nontangent curve the radius point of said curve being South 79°43'34" West, 20.00 feet; thence Northwesterly along said curve, 31.75 feet through a central angle of 90°57'25"; thence South 78°46'49" West, 99.73 feet to a point of intersection with the Southerly right of way line of Tara Lee Avenue and the Northeasterly boundary of Fox Ridge Subdivision Phase I as recorded under Auditor's File No. 4665677; thence Northwesterly along said Northeasterly boundary the following three (3) courses; (1) North 11°13'11" West, 50.00 feet; (2) North 24°15'10" West, 156.91 feet; (3) North 37°14'42" West, 432.07 feet to the Point of Beginning;

Situate in the City of Medical Lake, County of Spokane, State of Washington



LEGAL DESCRIPTION
PROPOSED FOX RIDGE SUBDIVISION PHASE 4
June 1, 2004

KNOW ALL MEN BY THESE PRESENTS, that A & K Development Inc., the undersigned corporate owner of the land in fee simple, and encumbrances of the land hereby platted into lots, blocks and streets, hereby declare this plat and dedicate(s) with their free consent and in accordance with their desires to the use of the public forever, all streets and easements or whatever public property there is shown on the plat and the use thereof for any and all public purposes; also, the right to make all necessary slopes for cuts or fills upon the lots, blocks, tracts, etc., shown on this plat in the reasonable original grading of all streets, shown hereon.

A parcel of land located in the Southwest Quarter of Section 8, Township 24 North, Range 41 East, W.M., City of Medical Lake, Spokane County, Washington being more particularly described as follows:

Commencing at the West Quarter Corner of said Section 8; Thence S00°16'36"W, 1381.10 feet along the westerly line of said Southwest Quarter; Thence S89°43'24"E, 45.00 feet to the easterly right of way line of Graham Road as dedicated in Fox Ridge Subdivision Phase 2 per Auditor's Instrument Number 4804524 on file at the Recorder's Office, Spokane, Washington, said point also being the TRUE POINT OF BEGINNING; Thence the following seven (7) courses along the southerly boundary line of said Fox Ridge Subdivision Phase 2; 1.) S89°40'44"E, 115.00 feet; 2.) S84°02'51"E, 50.25 feet; 3.) N83°57'06"E, 115.36 feet; 4.) N17°16'48"W, 81.03 feet; 5.) N75°07'36"E, 96.02 feet; 6.) N36°25'41"E, 116.70 feet; 7.) N10°38'16"W, 168.37 feet to the southerly boundary line of Fox Ridge Subdivision Phase 1 per Auditor's Instrument Number 4665677 on file at the Recorder's Office, Spokane, Washington; Thence the following four (4) courses along said southerly boundary line; 1.) N78°46'49"E, 120.09 feet; 2.) N81°03'49"E, 50.00 feet; 3.) N08°56'11"W, 27.01 feet; 4.) N78°46'49"E, 112.80 feet; Thence S05°26'15"E, 160.82 feet; Thence S24°34'15"E, 227.31 feet; Thence S61°43'35"W, 95.54 feet to a point on a non-tangent curve concave to the southwest, with the radius point being S61°43'35"W, 550.00 feet; Thence southeasterly along said curve, an arc length of 7.07 feet; Thence S62°44'52"W, 182.25 feet; Thence S52°21'52"W, 349.00 feet; Thence S74°50'29"W, 90.36 feet; Thence S00°16'36"W, 10.00 feet; Thence N89°43'24"W, 50.00 feet to a point on a non-tangent curve, concave to the east, with the radius point being S89°43'24"E, 130.00 feet; Thence southerly along said curve an arc length of 5.06 feet; Thence S78°04'31"W, 109.93 feet to the said easterly right of way line of Graham Road as dedicated per Auditor's Instrument Number _____ on file at the Recorder's Office, Spokane, Washington, said point also being a point on a non-tangent curve concave to the northeast, with the radius point being N78°04'23"E, 560.00 feet; Thence along said easterly right of way line of Graham Road the following two (2) courses; 1.) Along said curve an arc length of 44.39 feet; 2.) N00°16'36"E, 284.85 feet to the TRUE POINT OF BEGINNING.

Said tract of land contains 5.98 Acres, more or less.

Subject to right-of-ways, easements or other related documents of record.



LEGAL DESCRIPTION
FOX RIDGE PHASE 5

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER SECTION 8, TOWNSHIP 25 NORTH, RANGE 41 EAST, W.M., CITY OF MEDICAL LAKE, SPOKANE COUNTY, STATE OF WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 2, BLOCK 2, FOX RIDGE SUBDIVISION PHASE 4, AS RECORDED IN PLAT BOOK 29 PAGES 95 AND 96, OF THE SPOKANE COUNTY AUDITOR'S OFFICE, SAID POINT BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF GRAHAM ROAD, AND ALSO BEING THE TRUE POINT OF BEGINNING: THENCE THE FOLLOWING NINE (9) COURSES ALONG THE SOUTHERLY BOUNDARY LINE OF SAID FOX RIDGE SUBDIVISION PHASE 4; 1) N78°04'31"E, 109.93 FEET; 2) N00°50'19"W, 5.06 FEET; 3) S89°43'24"E, 50.00 FEET; 4) N00°16'36"E, 10.00 FEET; 5) N74°50'29"E, 90.36 FEET; 6) N52°21'52"E, 349.00 FEET 7) N62°44'52"E, 182.25 FEET; 8) N27°54'20"W, 7.07 FEET; 9) N61°43'35"E, 95.54 FEET; THENCE S89°43'41"E, 90.00 FEET TO THE WEST BOUNDARY LINE OF THE DEED RECORDED PER INSTRUMENT NUMBER 8401260036, JANUARY 26, 1984, ON FILE AT THE RECORDER'S OFFICE, SPOKANE COUNTY, WASHINGTON; THENCE S00°15'23"W, 210.07 FEET ALONG THE WEST BOUNDARY LINE OF SAID DEED; THENCE S52°21'52"W 723.06 FEET; THENCE N89°38'21"W, 163.58 FEET TO SAID EASTERLY RIGHT-OF-WAY LINE, SAID POINT ALSO BEING ON A NON-TANGENT CURVE WITH A RADIUS POINT BEING N50°19'46"E, 560.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID EASTERLY RIGHT-OF-WAY, AN ARC LENGTH OF 271.17 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL OF LAND CONTAINS APPROXIMATELY 5.55 ACRES.