

RECORD & RETURN TO:



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Indexing Data	
REFERENCED DOC	5347920
ABBREV LEGAL	Lots 1 through 12, Block 1, Brooke Meadows At Falcon Ridge
TAX PARCEL NO	26232.1401, 26232.1402, 26232.1403, 26232.1404, 26232.1405, 26232.1406, 26232.1407, 26232.1408, 26232.1409, 26232.1410, 26232.1411, 26232.1412, 26232.1413, 26232.1414, 26232.1415, 26232.1416

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**NOTICE REGARDING COVENANTS, CONDITIONS &  
RESTRICTIONS FOR LOTS 1 THROUGH 12, BLOCK 1, BROOKE  
MEADOWS AT FALCON RIDGE**

THIS NOTICE is made effective as of January 1, 2017 by Brooke Meadows Development Co., a Washington corporation.

**R E C I T A L S :**

1. On December 1, 2003, Declarant, Five Mile Corporation, recorded those certain Declarations establishing Covenants, Conditions, and Restrictions for real property located in Spokane County, legally described as the Northwest Quarter of Section 23, Township 26, Range 42 EM. Said Covenants, Conditions, and Restrictions were recorded under Spokane County Auditor's Recording No. 5006402 (the "**Falcon Ridge Covenants**").

2. On August 2, 2005, Five Mile Corporation, as Declarant, together with James F. Mahar, Bruce D. Mathis and Mary E. Mathis, husband and wife, and Audrey A. Mathis, collectively as Owners of real property to be known as Lots 1 through 12, Block 1, Brooke Meadows At Falcon Ridge, jointly recorded the Third Amendment to the above-referenced Declaration establishing Covenants, Conditions, and Restrictions for Falcon Ridge (the "**Brooke Meadows Annexation**"). The Brooke Meadows Annexation was recorded under Spokane County Auditor's No. 5312668 and annexed the real property which later became known as Lots 1 through 12, Block 1 Brooke Meadows At Falcon Ridge, making said real property subject to the Falcon Ridge Covenants.

3. On February 21, 2006, the owners of Lots 1 through 12, Block 1, Brooke Meadows At Falcon Ridge filed the final plat creating Lots 1 through 12,

Block 1, Brooke Meadows At Falcon Ridge, pursuant to the Brooke Meadows plat recorded under Spokane County Auditor's Recording No. 5345327 (the "**Brooke Meadows Plat**").

4. On February 28, 2006, Brooke Meadows Development Co., by James F. Mahar, as owner of the property within the Brooke Meadows Plat, recorded a Notice of Amended Covenants, Conditions and Restrictions for Homeowners of Lots 1 through 12, Block 1, Brooke Meadows At Falcon Ridge, at Spokane County Auditor's Recording No. 5347920 (the "**Brooke Meadows Covenants**").

5. Falcon Ridge Spokane Homeowners Association, established pursuant to the terms of the Falcon Ridge Covenants, has requested clarification as to the intent and effect of the Brooke Meadows Covenants.

6. Brooke Meadows Development Company is making this Notice to clarify the intent and effect of the Brooke Meadows Covenants.

### **N O T I C E**

A. Brooke Meadows Development Company did not intend to amend the Falcon Ridge Covenants by recording the Brooke Meadows Covenants, The Brooke Meadows Covenants were intended to affect only the Brooke Meadows Plat. The Brooke Meadows Covenants did not amend the Falcon Ridge Covenants, but added additional covenants affecting only the Brooke Meadows Plat.

B. Falcon Ridge Spokane Homeowners Association has declined to take over the responsibilities and authority, if any, of the Architectural Control Committee established pursuant to the Brooke Meadows Covenants, but will continue to enforce the terms of the Falcon Ridge Covenants with respect to the Brooke Meadow Plat (as well as the other Falcon Ridge Plats), under the authority of the Falcon Ridge Covenants and the Brooke Meadows Annexation. The Architectural Control Committee described in the Brooke Meadows Covenants, composed of James F. Mahar, Bruce D. Mathis and Mary E. Mathis, will continue to enforce the Brooke Meadows Covenants.

C. MMM Properties LLC, the entity authorized to collect assessments under the Brooke Meadows Covenants, has been administratively dissolved and no longer exists. The obligation to pay assessments with respect to the lots in the Brooke Meadows Plat, as established under the Brooke Meadows Covenants, has been permanently terminated as of January 2016 by Brooke Meadows Development Company. However, the obligation to pay assessments with respect to lots in the Brooke Meadows Plat, as established under the Falcon Ridge Covenants, has not been terminated, and the obligation to pay such assessments

