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1ST AMENDMENT

Dec 28 1 20 Pm '94

TO

W. I.
SPOKANE, CO. & T. WASH.

DECLARATION

OF

COVENANTS, CONDITIONS AND RESTRICTIONS

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OF

MORNINGSIDE

CO 190953

(Phase I)

THIS DECLARATION is made on the date hereinafter set forth by DAHM DEVELOPMENT, INC., a Washington Corporation ("Declarant"), who is the owner of certain land situated in the State of Washington, County of Spokane, known as Morningside, the initial Phase of which is known as Phase I, which is more particularly described on Exhibit "A" attached hereto and incorporated herein.

THIS 1ST AMENDMENT amends the Declaration of Covenants, Conditions and Restrictions of Morningside, recorded October 31st, 1994 under recording #9410310022, Volume 1666, which reads as follows:

Section 5. Lot shall mean and refer to any plot of land shown upon any recorded subdivision map of the Properties.

is hereby amended to read as follows:

Section 5. Lot shall mean and refer to any plot of land shown upon any recorded subdivision map of the Properties, specifically excluding therefrom any properties described in Section 4 of the above referenced Declaration, including but not limited to Tracts "A", "B", "C", "D", AND "E" described therein, unless any of said property described in said Section 4 shall ever become used for residential purposes, or for purposes other than those described in Section 4 or uses specifically related thereto. In the event any said properties are subsequently used for residential or other purposes, they shall immediately become subject to the Declaration as any other Lot in the subdivision.

It is anticipated that Tract E will be purchased by Vera Irrigation District No. 15 for a water storage tank location, and so long as Tract E is held by Vera Irrigation District No. 15, its successors and assigns, for such a use, Tract E shall not be subject to these covenants, conditions and restrictions.

IN WITNESS WHEREOF the undersigned, being the Declarant herein, have hereunto set its hand and seal this 27th day of December, 1994.

DAHM DEVELOPMENT, INC.

By: Richard T. Dahm
RICHARD T. DAHM, It's President

STATE OF WASHINGTON)
) ss.
County of Spokane)

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On this 27th day of December, 1994, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Richard T. Dahm, to me known to be the President of Dahm Development, Inc., that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument.

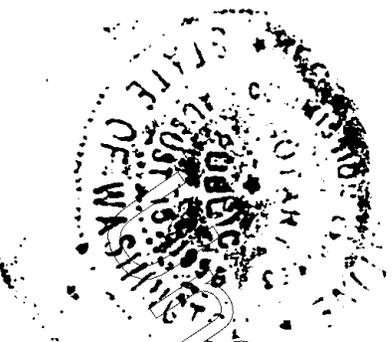
GIVEN under my hand and official seal the day and year last above written.



PAUL M. BASTINE

Notary Public In and For The State
of Washington, Residing at Spokane
My Appointment Expires:


Aug 15 1998



Official Document