



FILED FOR RECORD AT THE REQUEST OF:

STEVEN L. JONES  
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**DOCUMENT TITLE:**

Amendment to the Revised/Replacement Declaration of Covenants, Conditions, Restrictions and Reservations of Easements for Whisperwood, A Planned Development Located in Spokane, Washington

**NAME AND REFERENCE NUMBER OF RELATED DOCUMENT:**

Revised/Replacement Declaration of Covenants, Conditions, Restrictions and Reservations of Easements for Whisperwood, A Planned Unit Development, Located in Spokane, Washington recorded on February 26, 1993, under Auditor's File No. 9302260480, in Volume 1399, page 332, records of Spokane County, Washington.

**PARTY:**

WHISPERWOOD HOMEOWNER'S ASSOCIATION

**LEGAL DESCRIPTION**

All real property located within the plat known as Whisperwood First Addition, a Planned Unit Development, as recorded in Volume 20 of Plats, Page 66, situate in the County of Spokane, State of Washington, and

All real property located within the plat known as Whisperwood Second Addition, a Planned Unit Development, as recorded in Volume 22 of Plats, Page 62, situate in the County of Spokane, State of Washington.



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**AMENDMENT TO THE REVISED/REPLACEMENT DECLARATION  
OF COVENANTS, CONDITIONS, RESTRICTIONS, AND  
RESERVATIONS OF EASEMENTS FOR  
WHISPERWOOD,  
A PLANNED UNIT DEVELOPMENT  
LOCATED IN SPOKANE, WASHINGTON**

THIS AMENDMENT is made this 28<sup>th</sup> day of October, 2002 to amend that certain Revised/Replacement Declaration of Covenants, Conditions, Restrictions and Reservations of Easements for Whisperwood, a Planned Unit Development Located in Spokane, Washington, recorded February 26, 1993, under Auditor's File No. 9302260480.

Said Revised/Replacement Declaration is hereby amended with respect to the following provisions only, and all other provisions thereof not changed below shall remain in full force and effect and are hereby ratified:

1. Article I.A. is added to said Revised/Replacement Declaration to read as follows:

Whisperwood is designated as a housing for older persons community under the provisions of the Federal Fair Housing Amendments Act of 1988, 42 USC § 3607(b)(2)(c), as amended by the Housing For Older Persons Act of 1995. Any Dwelling Unit sold after November 2, 2002 shall have at least one Owner who is 55 years of age or older.

2. Section 1.22 is amended to add a second sentence to read as follows:

After November 1, 2002, no Owner of any Dwelling Unit will have the right to lease or rent his/her Dwelling Unit to any third party, unless as of that date, that Dwelling Unit is being leased or rented. Upon the sale of the Dwelling Unit being



leased or rented as of November 1, 2002, or upon the reoccupation of the Dwelling Unit being leased or rented as of November 1, 2002 by the Owner of that Dwelling Unit, the right to lease or rent that Dwelling Unit shall cease.

3. Section 1.27 is amended by deleting the words:

“licensees” and “lessees”.

4. Section 10.01 is amended in its entirety as follows:

Section 10.01. “Owners Occupancy Required” Each Dwelling Unit shall be occupied by the Owner and used as a residence for a single family and for no other purpose. No owner shall lease or license the use of his/her Dwelling Unit to any person.

5. Section 10.03 is amended by deleting the word:

“tenant”

6. Section 10.06 is amended by deleting the words:

“licensees” and “tenants”

7. Section 10.10 is amended by deleting the words:

“licensees” and “lessee”

8. Section 12.02 is amended by deleting the word:

“tenant”

9. Section 12.03 is amended by deleting the words:

“tenants” and “tenant”

10. Section 13.02 is amended by deleting the words:

“or tenants”

11. Article XVI.d. is amended by deleting the word:

“lease”



This amendment is made pursuant to and in compliance with Section 18.05 of this Declaration by Resolution of the Board of Directors and sufficient supporting votes of Dwelling Unit Owners.

DATED this 28 day of October, 2002.

WHISPERWOOD HOMEOWNER'S ASSOCIATION,  
a Washington non-profit corporation

By: Earl Wilson  
EARL WILSON, President

By: Larry Hawk  
LARRY HAWK, Vice President

STATE OF WASHINGTON

} ss.

County of Spokane

On this 28 day of October, 2002, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn personally appeared EARL WILSON to me known to be the President of the Board of Directors of Whisperwood Homeowner's Association, a Washington non-profit corporation, that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said entity, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute the said instrument.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.

Mary L. Nieratko  
NOTARY PUBLIC in and for the State  
of Washington, residing at Spokane  
My Commission Expires: 11/8/05

STATE OF WASHINGTON

County of Spokane

On this 28 day of October, 2002, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn personally appeared LARRY HAWK to me known to be the Vice President of the Board of Directors of Whisperwood Homeowner's Association, a Washington non-profit corporation, that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said entity, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute the said instrument.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.

Mary L. Nieratko  
NOTARY PUBLIC in and for the State  
of Washington, residing at Spokane  
My Commission Expires: 11/8/05