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AUDITOR, Pierce County, WASHINGTON

After recording return to:

Pody & McDonald, PLLC  
1200 - Fifth Avenue, Suite 1410  
Seattle, WA 98101-3106  
Attn: Dean Pody

<b>DOCUMENT TITLE</b>	THIRD AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND RESERVATIONS FOR VILLAGE GREEN
<b>REFERENCE NO. OF DOCUMENTS ASSIGNED/RELEASED/REFERENCED</b>	200105170130, 200201180854, 200409021138, 201110110596, 201406240687, and 201612150482
<b>GRANTOR</b>	SSHI LLC, a Delaware limited liability company d/b/a D.R. Horton
<b>GRANTEE</b>	Village Green Homeowners Association Village Green Divisions II, III, IV, V, VI and VII
<b>LEGAL DESCRIPTION (ABBREV.)</b>	Por. Sec. 24 and 25, Twp. 19N, Rng. 4E, W.M.; Por. Sec. 19 and 30, Twp. 19N, Rng. 5E, W.M.; in Pierce County, Washington.  Full Legal Description on page 2
<b>ASSESSOR'S PARCEL NO(S).</b>	Original APNs: 602327-001 through 602327-073 (Div. II); 700147-001 through 700147-084 (Div. III); 700161-001 through 700161-094 (Div. IV); 602328-001 through 602328-023 (Div. V); 700213-001 through 700213-0710 (Div. VI); 7002560010 through 7002560320 (Div. VII, Phase 1; and 7002630330 through 7002630770 (Div. VII, Phase 2)

**THIRD AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND RESERVATIONS FOR VILLAGE GREEN**

This Third Amendment ("Third Amendment") is made as of ~~January~~ <sup>February</sup> 9, 2017 with respect to and amends that certain Declaration of Covenants, Conditions, Restrictions and Reservations for Village Green recorded under Pierce County Auditor's File No. 200105170130, as previously amended by that certain Supplemental Declaration recorded under Pierce County Auditor's File No. 200201180854, Amendment recorded under Pierce County Auditor's File No. 200409021138, and Second Amendment recorded under Pierce County Auditor's File No. 201110110596 (collectively, as amended, the "Declaration"). Capitalized terms used but not defined in this Third Amendment shall have the meanings given to them under the Declaration.

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WHEREAS, Capstone Homes, Inc., a Washington corporation (“Capstone”), was the original Declarant under the Declaration, but turned over the general management and operation of the Association to the Members on October 17, 2011;

WHEREAS, notwithstanding such turnover, Section 16.1 of the Declaration reserved to the Declarant the right to record amendments to the Declaration from time to time to subject certain Additional Property to the Declaration;

WHEREAS, Capstone assigned all remaining Declarant rights to Mitchell Development, LLC, a Washington limited liability company (“Mitchell”), on June 24, 2014, pursuant to Assignment recorded under Pierce County Auditor File No. 201406240687;

WHEREAS, Mitchell developed Village Green VII on a portion of the Additional Property in two phases and, on December 15, 2016, recorded the Village Green Division VII Phase 1 Plat under Pierce County Auditor’s File No. 201612155002 and the Village Green Division VII Phase 2 Plat under Pierce County Auditor’s File No. 201612155003, as such Phase 2 Plat was revised by minor plat alteration recorded under Pierce County Auditor’s File No. 201701175001 (both such phases, collectively, “Division VII”);

WHEREAS, immediately after recording the Plats for Division VII, Mitchell sold all of the single family lots created by such Plats to SSHI LLC dba D.R. Horton (“SSHI”) and Mitchell concurrently assigned to SSHI its remaining Declarant rights under the Declaration;

WHEREAS, SSHI now wishes to subject Division VII to the Declaration;

NOW, THEREFORE, pursuant to Section 16.1 of the Declaration, SSHI, as Declarant for the purpose of adding Division VII, hereby subjects Division VII to the Declaration and amends the Declaration for such purpose as follows:

1. Exhibit 1. Replacement Exhibit 1 of the Second Amendment to the Declaration is amended to add the following new Parcel F, in order to include the following Additional Property to the Declaration:

PARCEL F

LOTS 1 THROUGH 32, INCLUSIVE, VILLAGE GREEN DIVISION VII, PHASE 1, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 15, 2016 UNDER RECORDING NUMBER 201612155002, RECORDS PIERCE COUNTY, WASHINGTON.

LOTS 33 THROUGH 77, INCLUSIVE, VILLAGE GREEN DIVISION VII, PHASE 2, ACCORDING TO THE PLAT THEREOF RECORDED ON DECEMBER 15, 2016 UNDER RECORDING NUMBER 201612155003, RECORDS OF PIERCE COUNTY, WASHINGTON, AS SUCH PHASE 2 PLAT WAS REVISED BY MINOR PLAT ALTERATION RECORDED ON JANUARY 17, 2017 UNDER RECORDING NUMBER 201701175001, RECORDS OF PIERCE COUNTY, WASHINGTON.

2. Exhibit 4. Exhibit 4 to the Declaration is amended to include the Common Area in Division VII, which is only Tract A of the Division VII Phase 2 Plat, as described on such Phase II Plat recorded under Pierce County Auditor's File No. 201612155003, as revised by minor plat alteration recorded under Pierce County Auditor's File No. 201701175001.
3. Membership. The Owners of Lots in Division VII are hereby declared to be Members of the Village Green Homeowners Association and shall have all rights, benefits, and responsibilities to which Members of the Village Green Homeowners Association are entitled and responsible, all pursuant to the Declaration.

Except as expressly amended herein, all other terms and conditions of the Declaration shall remain unchanged and in full force and effect.

Dated this 6<sup>th</sup> day of ~~January~~ February, 2017.

**Declarant:**

SSHI LLC, a Delaware limited liability company, dba D.R. Horton

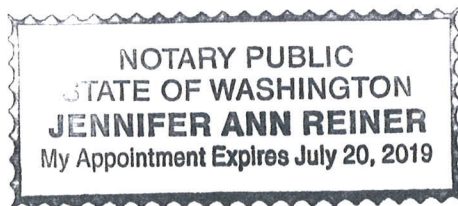
By: SHLR of Washington, Inc., its manager

By: [Signature]  
Kevin Capuzzi, Seattle Division President

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF KING )

THIS IS TO CERTIFY that on this 6<sup>th</sup> day of ~~January~~ February, 2017, before me, a Notary Public in and for the State of Washington, duly commissioned and sworn, came Kevin Capuzzi, personally known to be Division President of SHLR of Washington, Inc, the manager of SSHI LLC, a Delaware limited liability company, the company that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said company for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument.

WITNESS MY HAND and official seal the day and year in this certificate first above written.



Jennifer Ann Reiner  
Print Name: Jennifer Ann Reiner  
Notary Public in and for the State of Washington,  
residing at Monroe, WA  
Expiration Date: 7-20-19