

**FIRST AMENDMENT TO DECLARATION OF
DARBY ESTATES CONDOMINIUM**

THIS AMENDMENT to the Declaration of the above-named Condominium is made as of this 15th day of FEBRUARY, 2006.

RECITALS

Whereas a condominium previously has been established by the recording of: that certain Declaration of Covenants, Conditions, Restrictions and Reservations (the "Declaration"), filed and recorded under Whatcom County Recording Nos. 20511005557; and that certain Survey Map and Plans (the "Plans") recorded under said County's Recording No. 2051100556; upon the real property more particularly described in said Declaration.

Whereas, it is desired to amend the Declaration in certain respects.

Now, therefore, to accomplish the foregoing purposes, Declarant hereby publishes and declares this Amendment to the Declaration as follows.

1. PHASE AMENDMENT. Pursuant to Article 23 of the Declaration, the Declarant hereby declares and establishes:

(a) Phases 1, 2, 3, 4, 5, 6 and 7 (including the land more particularly described as such Phases in Paragraph 1 of the Exhibit A to the previously recorded Declaration, and all Buildings, Units and Common Elements and Limited Common Elements located on said Phase land) is a part of the Condominium;

(b) the Floor Location, Unit Description and Unit Square Footage for all of said Phases are set forth in the Exhibit B to the previously recorded Declaration.

(c) the Allocated Interests appurtenant to all Units in of all of said Phases which have been made a part of the Condominium shall be as set forth in the column labeled Phases 1-7 of the previously recorded Exhibit B.

2. PARKING/STORAGE. In order to modify the allocation of certain Parking Assignments to certain Units, the Exhibit C to said Declaration (and any previous amendments to said Exhibit C) is hereby entirely amended, superseded and replaced by the First Amended Exhibit C attached hereto and incorporated herein by reference.

3. EFFECTIVE DATE. This Amendment shall take effect upon recording.

4. OTHER PROVISIONS. Except as modified specifically herein, all other provisions of the Declaration shall remain in effect.

In witness whereof, the undersigned have executed this Amendment to the Declaration as of the date first above given.

DECLARANT: DARBY ESTATES LLC

By: 
Its: MANAGER

STATE OF WASHINGTON

COUNTY OF Whatcom

On this 15th day of February, 2006 before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared William E. Crocker to me personally known (or proven on the basis of satisfactory evidence) to be the Manager of DARBY ESTATES LLC, the corporation that executed the within and foregoing instrument, and acknowledged 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 was authorized to execute said instrument and that the seal affixed, if any, is the corporate seal of said corporation.

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

Tamara L. Barth
NOTARY PUBLIC in and for the State of
Washington, residing in Bellingham
My commission expires: 3/26/07
Print Notary Name: Tamara L. Barth

