



Request of: DARBY ESTATES

RETURN DOCUMENT TO:

Griff & Dewalt, LLP
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DOCUMENT TITLE(S):

Second Amendment to the Declaration and Covenants,
Conditions, Restrictions and Reservations for Darby
Estates Condominium

**AUDITOR FILE NUMBER & VOL. & PG. NUMBERS OF DOCUMENT(S)
BEING ASSIGNED OR RELEASED:**

2051100556 (Survey Map & plan); 2051100556
Declaration and Covenants
Additional reference numbers can be found on page 2 of document.

GRANTOR(S)

Darby Estates Condominium Owners Association

Additional grantor(s) can be found on page _____ of document.

GRANTEE(S):

Darby Estates Condominium Owners Association

Additional grantee(s) can be found on page _____ of document.

**ABBREVIATED LEGAL DESCRIPTION: (Lot, block, plat name OR; qtr/qtr, section,
township and range OR; unit, building and condo name.)**

Additional legal(s) can be found on page _____ of document.

ASSESSOR'S 16-DIGIT PARCEL NUMBER:

Additional numbers can be found on page _____

The Auditor/Recorder will rely on the information provided on this form. The responsibility for the accuracy of the indexing information is that of the document preparer.

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Document Title:

SECOND AMENDMENT TO THE
DECLARATION AND COVENANTS,
CONDITIONS, RESTRICTIONS AND
RESERVATIONS FOR DARBY ESTATES
CONDOMINIUM

Reference Numbers of Related Documents:

2051100556 (Survey Map & Plans); 2051100556
(Declaration and Covenants, Conditions,
Restrictions and Reservations for Darby Estates
Condominium); 2060202464 (First Amendment to
Declaration and Covenants, Conditions,
Restrictions and Reservations for Darby Estates
Condominium)

Grantor(s):

Darby Estates Condominium Owners Association

Grantee(s):

N/A

Legal Description (abbreviated):

SECTION 12, TOWNSHIP 38N, RANGE 2E,
W.M.

**Assessor's Property Tax Parcel/Account
Number:**

380212 230100 0000

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Gig Harbor, Washington 98335

SECOND AMENDMENT TO THE DECLARATION AND COVENANTS, CONDITIONS,
RESTRICTIONS AND RESERVATIONS FOR DARBY ESTATES CONDOMINIUM

Whereas a certain Declaration and Covenants, Conditions, Restrictions and Reservations for Darby Estates Condominium ("Declaration") submitting real estate to the Washington Condominium Act, Laws of 1989, Chapter 43, (RCW 64.34, *et seq.*), as amended, was recorded on November 3, 2005 under Recorder's File No. 2051100557 records of Whatcom County, Washington, with a survey map and plans for the units created by this Declaration, recorded under Recorder's File No. 2051100556 records of Whatcom County, Washington and subsequently amended. And whereas under the provisions of Article 21 of the Declaration it may be amended, and

Whereas the procedures for such amendment have been followed; and

Whereas, at a meeting duly called and held by the Board of Directors of the Darby Estates Condominium Owners Association, not less than a majority of the Board of Directors of the Association voted to submit this Amendment to the Declaration to the owners for their approval; and

Whereas, pursuant to Section 21.1 of the Declaration, after notice duly given, the Owners to whom at least 67% of the votes in the Association are allocated have voted or agreed to approve this Amendment;

Now, therefore, the undersigned do hereby certify that the Declaration has been amended as follows:

A. Section 21.1 is hereby amended to read:

Except in cases of amendments that may be executed by a Declarant (in the exercise of any Development Right), the Association (in connection with Sections 4.3 or 7.2.3, Articles 15 or 20, or termination of the Condominium), or certain Unit Owners (in connection with Article 4 or 7.2.3 or Article 20, or termination of the Condominium), and except as limited by Section 21.4, the Declaration, including the Survey Map and Plans, may be amended by vote or written agreement of Owners of Units to which at least sixty-seven percent (67%) of the votes in the Association are allocated.

B. This Amendment to the Declaration shall take effect upon recording. The terms of this Amendment to the Declaration shall control over and implicitly amend any inconsistent provision of the Declaration or the Bylaws or Rules and Regulations of the Association. Except as amended by this instrument, the Declaration shall remain in full force and effect.

Dated this 10th day of JUNE, 2009.

By: [Signature]
President

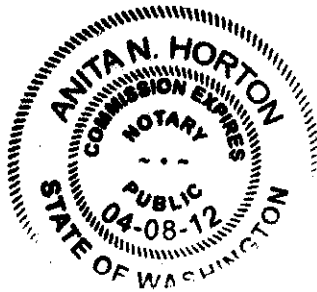
ATTEST: The above amendment was properly adopted.

By: Thomas P. Wollrecht
Secretary

STATE OF WASHINGTON)
) ss
COUNTY OF Whatcom)

I certify that I know or have satisfactory evidence that Lesley Shum is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledge it as the President of the Darby Estates Condominium Owners Association to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 6-10-2009



Anita Horton
(Signature)

Anita Horton
(Print name)

My appointment expires: 4-8-2012

STATE OF WASHINGTON)
) ss
COUNTY OF Whatcom)

I certify that I know or have satisfactory evidence that Tom Wollrecht is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledge it as the Secretary of the Darby Estates Condominium Owners Association to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 6-10-2009



Anita Horton
(Signature)

Anita Horton
(Print Name)

My appointment expires: 4-8-2012