



Recording requested by
and, when recorded, mail to:

Eagle Ridge (Spokane) Homeowners Association
c/o NASH Eagle Ridge, LLC
115 W. Eagle Ridge Blvd.
Spokane, Washington 99224

**NINTH AMENDMENT TO DECLARATION
OF PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
EAGLE RIDGE**

Grantor: (i.e., Declarant): NASH Eagle Ridge, LLC, a Delaware limited liability company

Grantee (i.e., Plat Name): Eagle Ridge First Addition; Eagle Ridge Second Addition; Eagle Ridge Third Addition; Eagle Ridge Fourth Addition; Eagle Ridge Fifth Addition; Eagle Ridge Sixth Addition; Eagle Ridge Seventh Addition; Eagle Ridge Eighth Addition; and Eagle Ridge Ninth Addition.

Legal Description (abbreviated): Eagle Ridge First Addition, P.U.D., Eagle Ridge Second Addition, P.U.D., Eagle Ridge Third Addition, P.U.D., Eagle Ridge Fourth Addition, P.U.D., Eagle Ridge Fifth Addition, P.U.D., Eagle Ridge Sixth Addition, P.U.D., Eagle Ridge Seventh Addition, P.U.D., Eagle Ridge Eighth Addition, P.U.D., and Eagle Ridge Ninth Addition, P.U.D., Spokane County, Washington.

Section 7-24-43 NW

Full Legal Description: Set forth in attached Exhibit A and Exhibit B.

Assessor's Tax Parcel No(s): 34062.0012; 34062.0076; 34072.0047

Reference Numbers of Related Documents: Recording Nos. 6088092

This Ninth Amendment ("**Ninth Amendment**") to Declaration of Protective Covenants, Conditions, and Restrictions for Eagle Ridge is made this 19th day of June, 2013,

by NASH Eagle Ridge, LLC, a Delaware limited liability company (the "**Declarant**"), successor declarant to Genstar Land Company Northwest, LLC, a Delaware limited liability company, which was successor by merger of Genstar Land Company Northwest, a California corporation. This Ninth Amendment is made with reference to the following recitals, and these recitals shall constitute an integral part hereof.

RECITALS

A. A Declaration of Protective Covenants, Conditions and Restrictions for Eagle Ridge was recorded by Declarant on February 5, 1996, Recording No. 9602050371, Records of Spokane County, Washington, which was amended by the Amendment to Declaration of Protective Covenants, Conditions and Restrictions for Eagle Ridge recorded on February 11, 2003, Recording No. 4844804, Records of Spokane County, Washington ("**First Amendment**"), further amended by the Second Amendment to Declaration of Protective Covenants, Conditions and Restrictions for Eagle Ridge recorded on August 13, 2003, Recording No. 4945063, Records of Spokane County, Washington ("**Second Amendment**"), further amended by the Third Amendment to Declaration of Protective Covenants, Conditions and Restrictions for Eagle Ridge recorded on October 24, 2003, Recording No. 4987567, Records of Spokane County, Washington ("**Third Amendment**"), further amended by the Fourth Amendment to Declaration of Protective Covenants, Conditions and Restrictions for Eagle Ridge, recorded on October 18, 2004, Recording No. 5136103, Records of Spokane County, Washington ("**Fourth Amendment**"), further amended by the Fifth Amendment to Declaration of Protective Covenants, Conditions and Restrictions for Eagle Ridge, recorded on June 9, 2005, Recording No. 5228260, Records of Spokane County, Washington ("**Fifth Amendment**"), further amended by the Sixth Amendment to Declaration of Protective Covenants, Conditions and Restrictions for Eagle Ridge, recorded on April 13, 2006, Recording No. 5365972, Records of Spokane County, Washington ("**Sixth Amendment**"), further amended by the Seventh Amendment to Declaration of Protective Covenants, Conditions and Restrictions for Eagle Ridge, recorded on February 6, 2007, Recording No. 5493928, Records of Spokane County, Washington ("**Seventh Amendment**"), and further amended by the Eighth Amendment to Declaration of Protective Covenants, Conditions and Restrictions for Eagle Ridge, recorded on April 30, 2012, Recording No. 6088092, Records of Spokane County, Washington ("**Eighth Amendment**"). The Declaration of Protective Covenants, Conditions and Restrictions for Eagle Ridge, the First Amendment, the Second Amendment, the Third Amendment, the Fourth Amendment, the Fifth Amendment, the Sixth Amendment, the Seventh Amendment, and the Eighth Amendment described above are collectively referred to in this Ninth Amendment as the "**Declaration.**" The real property currently subject to the Declaration is described in Exhibit A attached hereto and by this reference made a part hereof.

B. Section 2.2 of the Declaration provides that Declarant, in its sole discretion, may annex to Eagle Ridge any adjacent property. Declarant desires to annex an additional phase of the Eagle Ridge Community as below described in this Ninth Amendment. The additional phase is adjacent to the property currently subject to the Declaration.

C. In addition, Declarant desires to correct the Eight Amendment by replacing Exhibit A thereto with Exhibit A attached to this Ninth Amendment, thereby confirming that the real property subject to the Declaration, includes Eagle Ridge Eighth Addition, as more specifically described below.

AMENDMENT

NOW, THEREFORE, Declarant hereby adopts the following amendment to the Declaration:

1. **Annexation of Additional Property.** The real property described in Exhibit B attached hereto and by this reference made a part hereof is hereby annexed to Eagle Ridge and made subject to the Declaration. The real property described in Exhibit B shall be held, sold, transferred, conveyed, hypothecated, mortgaged, encumbered, used, occupied and improved subject to the covenants, conditions, restrictions, easements, assessments and liens set forth in the Declaration. Declarant declares that there are no additional or different limitations, restrictions, covenants or restrictions with respect to the property annexed pursuant to this Ninth Amendment from the property originally subject to the Declaration.

2. **Correction of Eighth Amendment.** The real property subject to the Declaration, including the Eighth Amendment thereto, includes Eagle Ridge Eighth Addition, legally described as Eagle Ridge Eighth Addition, a P.U.D., as per Plat recorded April 24, 2007, in Volume 34 of Plats, pages 3 through 9, Recording No. 5526381, situated in the City of Spokane, Spokane County, Washington. The Eighth Amendment is hereby amended by deleting the Exhibit A attached thereto and replacing it with Exhibit A to this Ninth Amendment.

3. **Effective Date.** The effective date hereof shall be the date of recording of this Ninth Amendment in the Records of Spokane County, Washington. Declarant hereby certifies that this Ninth Amendment has been adopted in the manner required by the Declaration.

[Signature on following page.]

IN WITNESS WHEREOF, the undersigned Declarant has executed this Ninth Amendment as of the date first written above.

NASH EAGLE RIDGE, LLC,
 a Delaware limited liability company

By: 
 Lori Henriksen, Vice President

STATE OF WASHINGTON)
) ss.
 County of Spokane)

I certify that I know or have satisfactory evidence that Lori Henriksen, is the person who appeared before me, and said person acknowledged that she signed this instrument, on oath stated that she was authorized to execute this instrument and acknowledged it as Vice President of NASH EAGLE RIDGE, LLC, a Delaware limited liability company, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: June 19, 2013.

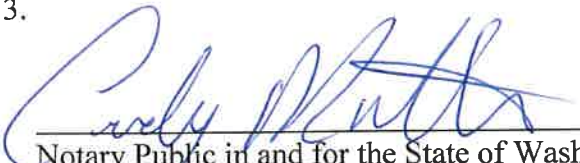

 Notary Public in and for the State of Washington
 Residing at Spokane, Washington
 My appointment expires: MAR 13, 2017



EXHIBIT A

- Eagle Ridge, a P.U.D., as per Plat recorded in Volume 23 of Plats, page 75, situate in the City of Spokane, County of Spokane, State of Washington
- Eagle Ridge First Addition, a P.U.D., as per Plat recorded in Volume 24 of Plats, page 87, situate in the City of Spokane, County of Spokane, State of Washington
- Eagle Ridge Second Addition, a P.U.D., as per Plat recorded in Volume 27 of Plats, page 47, situate in the City of Spokane, County of Spokane, State of Washington
- Eagle Ridge Third Addition, a P.U.D., as per Plat recorded in Volume 27 of Plats, page 90, situate in the City of Spokane, County of Spokane, State of Washington
- Eagle Ridge Fourth Addition, a P.U.D., as per Plat recorded in Volume 29 of Plats, pages 20 and 21, situate in the City of Spokane, County of Spokane, State of Washington
- Eagle Ridge Fifth Addition, a P.U.D., as per Plat recorded April 28, 2004, in Volume 29 of Plats, pages 57, 58 and 59, Recording No. 5063959, situate in the City of Spokane, County of Spokane, State of Washington
- Eagle Ridge Sixth Addition, a P.U.D., as per Plat recorded April 28, 2004, in Volume 29 of Plats, pages 60 and 61, Recording No. 5063958, situate in the City of Spokane, County of Spokane, State of Washington
- Eagle Ridge Seventh Addition, a P.U.D., as per Plat recorded March 14, 2006, in Volume 32 of Plats, pages 47 and 48, Recording No. 5353759, situate in the City of Spokane, Spokane County, Washington.
- Eagle Ridge Eighth Addition, a P.U.D., as per Plat recorded April 24, 2007, in Volume 34 of Plats, pages 3 through 9, Recording No. 5526381, situated in the City of Spokane, Spokane County, Washington.

EXHIBIT B

EAGLE RIDGE NINTH ADDITION

DESCRIPTION OF A PARCEL OF LAND BEING A PORTION OF GOVERNMENT LOTS 1 AND 2, AND A PORTION OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 24 NORTH, RANGE 43 EAST, W.M., CITY OF SPOKANE, COUNTY OF SPOKANE, STATE OF WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 7 FROM WHICH THE WEST QUARTER CORNER BEARS SOUTH 00°31'49" WEST A DISTANCE OF 2655.68 FEET;
THENCE SOUTH 00°31'49" WEST ALONG THE WEST LINE OF SAID SECTION A DISTANCE OF 1007.05 FEET TO A POINT OF INTERSECTION WITH THE CENTERLINE OF EAGLE RIDGE BOULEVARD PER THE FINAL PLAT OF EAGLE RIDGE RECORDED IN BOOK 23 OF PLATS, PAGE 75;
THENCE NORTH 89°15'31" EAST ALONG THE CENTERLINE OF SAID EAGLE RIDGE BOULEVARD A DISTANCE OF 68.30 FEET;
THENCE SOUTH 00°44'29" EAST A DISTANCE OF 37.50 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF SAID EAGLE RIDGE BOULEVARD, AND TO THE **TRUE POINT OF BEGINNING**;
THENCE NORTH 89°15'31" EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 140.98 FEET;
THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE, ALONG A TANGENT CURVE TO THE LEFT WITH A RADIUS OF 1537.50 FEET, THROUGH A CENTRAL ANGLE OF 41°09'48" (THE LONG CHORD OF WHICH BEARS NORTH 68°40'37" EAST A DISTANCE OF 1081.00 FEET), FOR AN ARC LENGTH OF 1104.59 FEET;
THENCE CONTINUING ALONG SAID RIGHT OF WAY NORTH 48°05'43" EAST A DISTANCE OF 61.32 FEET;
THENCE LEAVING SAID RIGHT OF WAY LINE SOUTH 41°54'17" EAST A DISTANCE OF 183.00 FEET;
THENCE SOUTH 16°12'57" EAST A DISTANCE OF 616.36 FEET;
THENCE NORTH 84°26'08" EAST A DISTANCE OF 38.50 FEET;
THENCE SOUTH 00°43'28" WEST A DISTANCE OF 133.42 FEET;
THENCE SOUTH 19°35'06" WEST A DISTANCE OF 265.12 FEET;
THENCE SOUTH 38°26'35" WEST A DISTANCE OF 133.36 FEET;

THENCE NORTH 45°16'16" WEST A DISTANCE OF 52.50 FEET;
THENCE SOUTH 35°50'01" WEST A DISTANCE OF 119.22 FEET;
THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 576.00 FEET, THROUGH A CENTRAL ANGLE OF 05°47'51" (THE LONG CHORD OF WHICH BEARS NORTH 51°16'04" WEST A DISTANCE OF 58.26 FEET) WITH A RADIAL LINE IN OF NORTH 35°50'01" EAST AND A RADIAL LINE OUT OF SOUTH 41°37'52" WEST FOR AN ARC LENGTH OF 58.28 FEET;
THENCE SOUTH 41°37'52" WEST A DISTANCE OF 182.09 FEET;
THENCE NORTH 40°53'35" WEST A DISTANCE OF 254.18 FEET;
THENCE SOUTH 38°13'35" WEST A DISTANCE OF 90.53 FEET;
THENCE NORTH 88°47'55" WEST A DISTANCE OF 88.00 FEET TO A POINT ON THE EAST LINE OF GOVERNMENT LOT 2;
THENCE NORTH 01°12'05" EAST ALONG THE SAID EAST LINE OF SAID GOVERNMENT LOT 2, A DISTANCE OF 88.29 FEET TO THE NORTH LINE OF THE SOUTH 819.73 FEET OF SAID LOT 2;
THENCE WESTERLY ALONG THE NORTH LINE OF THE SOUTH 819.73 FEET OF SAID LOT 2, SOUTH 86°45'35" WEST A DISTANCE OF 818.30 FEET TO A POINT THAT IS 30 FEET EAST OF THE WEST LINE OF SAID SECTION 7, SAID LINE ALSO BEING THE EAST RIGHT OF WAY LINE OF CEDAR ROAD;
THENCE NORTH 00°31'49" EAST ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 730.96 FEET;
THENCE ALONG A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 40.00 FEET, THROUGH A CENTRAL ANGLE OF 88°43'43" (THE LONG CHORD OF WHICH BEARS NORTH 44°53'40" EAST A DISTANCE OF 55.94 FEET), FOR AN ARC LENGTH OF 61.94 FEET TO THE **TRUE POINT OF BEGINNING**.

CONTAINING: APPROXIMATELY 1,377,661 SQUARE FEET OR 31.63 ACRES OF LAND, MORE OR LESS.

SITUATE IN THE COUNTY OF SPOKANE, STATE OF WASHINGTON.