

**INSTRUMENT APPROVING AMENDMENT TO DECLARATION**  
**AND RELINQUISHMENT OF ARBS AND FENCING**

The undersigned Owner votes as follows:

1. A motion to amend the Declaration of Covenants, Conditions, and Restrictions ("CCR's") for Sunset West Maintenance Association, a Washington non-profit corporation ("Association") as recorded under Yakima County Auditor's File No. 2807022. Such motion is as follows:

Amend the CCR's to remove the protective berm, perimeter fencing installed on the protective berm and any landscaping on said berm from the definition of "Common Area" found in Article I, Section 4 (3) of the CCRs and further amend the CCRs to release the Association from any liability or responsibility for removal or maintenance thereof including weed control and to provide that the Owner of each lot on which said berm, perimeter fencing and associated landscaping is located shall own the portion thereof that is located on each respective Owner's lot, and said Owner shall be responsible for all maintenance thereof.

Upon approval of the above motion, an amended Declaration of Covenants, Conditions, and Restrictions ("CCR's") for Sunset West Maintenance Association shall be recorded and shall be identical to the CCRs recorded under Yakima County Auditor's File No. 2807022 except as follows:

- Article I, Section 4 (3) shall be deleted.
- Article III Section 3 shall be deleted.
- The fourth sentence in Article IV Section 3 shall be revised to read as follows:  
"All expenditures for maintenance pursuant to the above matters will be assessed against each lot equally."
- A new sentence shall be added to the end of Article IV Section 3 as follows: "The portions of the perimeter fence located on the protective berm along So. 72<sup>nd</sup> Avenue and Zier Road together with the portions of any landscaping located thereon shall be owned by the Owner of each lot on which said improvements are located and said Owner shall be responsible for all maintenance thereof."

2. A motion to approve the Association's Board of Directors resolution to cease or stop the Association's maintenance of the perimeter fence, berm, associated landscaping, including but not limited to arborvitae and weed control, along Zier Road and along South 75<sup>th</sup> Avenue in addition to South 72<sup>nd</sup> Avenue.

**Owner votes as follows:**

Yes (approve motions): \_\_\_\_\_

Owner: \_\_\_\_\_  
(Print name)

No (disapprove motions): \_\_\_\_\_

Lot Address: \_\_\_\_\_

Owner: \_\_\_\_\_  
(Signature)

Owner: \_\_\_\_\_  
(Signature)