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35.00

When Recorded, Return to:

Kittitas Co Auditor LATHROP ET AL MDOC

HILLIS CLARK MARTIN & PETERSON, P.S.
Attention: Steven R. Rovig
500 Galland Building
1221 Second Avenue
Seattle, WA 98101-2925

**SIXTH SUPPLEMENT
TO
THE SECOND AMENDED AND RESTATED
COVENANT FOR COMMUNITY ENHANCEMENT
OF
SUNCADIA**

Grantor:	<u>SUNCADIA, LLC</u>
Grantee:	<u>PLATS OF SUNCADIA PHASE 1, DIVISION 4</u>
Legal Description (abbreviated):	<u>TRACTS Z-1 AND LOT 248, MOUNTAINSTAR PHASE 1, DIVISION 1 (ALTERATION) RECORDED IN VOL. 10, PAGES 12-45</u>
☒ Additional on:	<u>EXHIBIT A</u>
Assessor's Tax Parcel ID #:	<u>20-15-29050-0248 and 20-15-29050-0265</u>
Reference Nos. of Documents Released or Assigned:	<u>200407200039, 200410080060 200410140004, 200505040004 200506220004, 200512070005</u>

THIS SIXTH SUPPLEMENT TO THE SECOND AMENDED AND RESTATED COVENANT FOR COMMUNITY ENHANCEMENT OF SUNCADIA ("Sixth Supplement") is dated for reference purposes April 18, 2006 by **SUNCADIA, LLC**, a Delaware limited liability company ("Founder").

RECITALS

A. Founder is the Founder under The Second Amended and Restated Covenant for Community Enhancement of MountainStar Resort as recorded under Kittitas County Recording No. 200407200039, as amended by

a First Supplement recorded under Kittitas County Recording No. 200410080060, a Second Supplement recorded under Kittitas County Recording No. 200410140004, a Third Supplement recorded under Kittitas County Recording No. 200505040004, a Fourth Supplement recorded under Kittitas County Recording No. 200506220004, and a Fifth Supplement recorded under Kittitas County Recording No. 200512070005 (collectively, the "Covenant").

B. Pursuant to Article 8 of the Covenant, and for the period specified therein, the Founder may unilaterally amend the Covenant for any purpose, provided such amendment has no material adverse effect upon the title to real property subject to the Covenant without the consent of the affected Owner(s); and has no material adverse effect upon any right, privilege, or protection specifically granted to Owners hereunder without the consent of the affected Owner(s).

C. Accordingly, Declarant now desires to amend the Covenant to make that certain real property described in the attached **EXHIBIT A** ("Subject Property") subject to the Covenant.

NOW, THEREFORE, Founder does hereby declare and provide as follows:

1. **Definitions.** Except as otherwise specifically provided in this Sixth Supplement, capitalized terms used herein shall have the meanings set forth in the Covenant.

2. **Subject to Covenant.** The Subject Property shall be subject to the Covenant.

3. **Plat Alterations.** As a result of certain changes to previously recorded plats, references in the Covenant are hereby changed to reflect those altered plats, as follows:

3.1 All references in the Covenant to the plat known as MountainStar Division 1A shall hereby refer to MountainStar Phase 1, Division 1, Alteration recorded in Kittitas County, Washington, in Volume 10 of Plats, pages 12 through 45.

3.2 All references in the Covenant to the plat known as MountainStar Phase 1 Division 2 shall hereby refer to MountainStar Phase 1, Division 2 (Plat Alteration) recorded in Kittitas County, Washington, in Volume 9 of Plats, pages 157 through 187.

4. **Full Force and Effect.** Except as specifically modified herein, the Covenant shall remain in full force and effect.

EXECUTED as of the day and year first above written.

FOUNDER:

SUNCADIA, LLC,
a Delaware limited liability company

By: Easton Ridge Investors, LLC,
a Delaware limited liability company
Its Managing Member

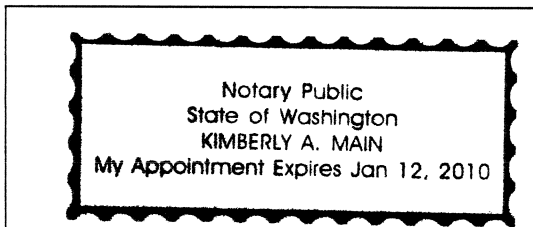
By: William G. Hunt
Name: William G. Hunt
Its: Executive Vice President

By: Del E. Goehring
Name: Del E. Goehring
Its: Senior Vice President – Finance

STATE OF WASHINGTON }
COUNTY OF KITTITAS } ss.

On this day personally appeared before me William G. Hunt and Del E. Goehring, to me known to be the Executive Vice President and Senior Vice President – Finance, respectively, of Easton Ridge Investors, LLC, a Delaware limited liability company and Managing Member of **SUNCADIA, LLC**, a Delaware limited liability company, that executed the foregoing instrument, and acknowledged such instrument to be the free and voluntary act and deed of such limited liability company, for the uses and purposes therein mentioned, and on oath stated that they were duly authorized to execute such instrument.

GIVEN UNDER MY HAND AND OFFICIAL SEAL this 19th day of April, 2006.



Kimberly A. Main
Printed Name Kimberly A. Main
NOTARY PUBLIC in and for the State of Washington,
residing at Ronald
My Commission Expires Jan. 12, 2010



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EXHIBIT A

ADDITIONAL PROPERTY

The following real property as shown on the plat of Suncadia Phase 1, Division 4, recorded in Kittitas County, Washington, Volume 10 of Plats, pages 50 through 73:

Units: Lots 1 through 114, inclusive

Note: For purposes of this Covenant, the above-described real property is designated as residential.