



**RETURN DOCUMENT TO:**

Debbie Smith

2390 Peace Portal Drive #214

Blaine, WA 98230

*Use dark black ink and print legibly. Documents not legible will be rejected per RCW 65.04.045 & 65.04.047*

**DOCUMENT TITLE(S):**

Certificate of First Amendment to Amended and Restated Declaration of Covenants, Conditions and Restrictions for Semiahmoo Resort Community Amending Section 10.06.10

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

Whatcom County, Washington Under Auditor's File No. 1492055 and 2017-1003807

Additional reference numbers can be found on page 5-7 of document.

**GRANTOR(S)**

Semiahmoo Resort Association, a Washington Non-Profit Corporation

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

**GRANTEE(S):**

Semiahmoo Resort Association, A Washington Non-Profit Corporation

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.)**

Legal description is described on Exhibit " A " to AF1492055, Exhibit " D " to 2017-1003807, and lands described on Exhibit " A " to this Amendment.  
Gov lot 1 and 2, S 10 and 11 T 40 N R 1 W

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

**ASSESSOR'S 16-DIGIT GEO-PARCEL NUMBER:**

N/A

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.

WHEN RECORDED RETURN TO:  
Debbie Smith  
Semiahmoo Resort Association  
2390 Peace Portal Drive #214  
Blaine, WA 98230

---

GRANTORS/DECLARANTS: Semiahmoo Resort Association, a Washington non-profit corporation  
GRANTEES/DECLARANTS: Semiahmoo Resort Association, a Washington non-profit corporation  
LEGAL DESCR.: (Legal description is described on Exhibit "A" to AF1492055, Exhibit "D" to 2017-1003807, and lands described on Exhibit "A" to this Amendment)  
PARCEL NOS.: N/A  
REFERENCE NOS.: 1492055 and 2017-1003807 (Additional Reference Nos. on Exhibit "A" to this Amendment on Pages 4-6)

---

**CERTIFICATE OF FIRST AMENDMENT TO AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SEMIAHMOO RESORT COMMUNITY  
Amending Section 10.06.10**

---

**THIS CERTIFICATE OF FIRST AMENDMENT TO AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SEMIAHMOO RESORT COMMUNITY** ("Certificate") is made this 11<sup>th</sup> day of December, 2018 by Semiahmoo Resort Association, a Washington non-profit corporation ("SRA").

**RECITALS**

1. SRA is the governing body of the Master Plan Development called Semiahmoo situated in Whatcom County, Washington, the real property of which is subject to the terms and conditions of the Covenants, Conditions and Restrictions for Semiahmoo Resort Community dated October 19, 1984 which was recorded upon lands of record of Whatcom County, Washington under Auditor's File. No. 1492055, as amended as described on Exhibit A attached hereto and incorporated herein by this reference, and as further amended and restated by the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Semiahmoo Resort Community dated October 31, 2017

which was recorded upon lands of record of Whatcom County, Washington under Auditor's File No. 2017-1003807 (the "CC&Rs").

2. At its annual meeting held on October 20, 2018, members and proxies of the SRA, by a vote in excess of 2/3rds of all of the votes of the Association entitled to vote, approved a resolution by the SRA Board of Directors to amend Section 10.06.10 of the CC&Rs, as shown below.
3. Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the CC&Rs.

### **AMENDMENT**

Section 10.06.10 of the CC&Rs was amended as follows (amended language is shown in double underlining):

10.06.10 ~~**Bond or Cash Deposit.**~~ An Owner shall, concurrent with its submittal of plans and specifications, deliver to the ASC ~~either a performance and payment bond in the amount of \$10,000.00 or a deposit in cash or cash equivalent of \$5,000.00 to \$25,000.00 as determined at the discretion of the ASC or an amount equal to twenty percent (20%) of the estimated cost of improvements, whichever is lesser,~~ which funds the ASC shall place in an interest-bearing escrow account. The ~~bond or~~ deposit shall be for the purpose of ensuring that all improvements are constructed and completed in accordance with the requirements and procedures set forth in this Article X, including the time requirements set forth in this Section 10.06.10 and in Section 10.07(e) below. The exterior of any improvement permitted by this Declaration shall be completed within one year after the construction of same shall have been commenced, except where the ASC allows for an extension of time because such completion with such time is impossible or would result in great hardship to the Owner or builder thereof due to strikes, national emergencies, fires, floods, lighting, earthquakes, or other casualties. In the event Owner timely completes the improvements or landscaping and Owner has complied with all applicable requirements and procedures, the ASC, upon written request from Owner, shall promptly return the ~~bond or~~ security deposit together with accrued interest to Owner. In the event that such improvements or landscaping are not completed within the provided periods, the ASC shall be entitled to retain any funds so held in escrow as a penalty for such failure, and such sums shall be remitted and shall be the property of the Association.



EXHIBIT A

LIST OF ALL AMENDMENTS TO ORIGINAL DECLARATION

1. 08/15/85 Recording No. 1514067;  
Adding Saint Andrews Green
2. 06/24/86 Recording No. 1540989;  
Adding Beachwalker Villas (First Building)
3. 08/05/87 Recording No. 1579951;  
Adding Saint Andrews Green Phase 2
4. 08/05/87 Recording No. 1579952;  
Amending Section 10.06(a)
5. 08/05/87 Recording No. 1579953;  
Adding Inn at Semiahmoo property Second Amendment
6. 03/28/88 Recording No. 1598287;  
Adding Beachwalker Villas Phase 2
7. 12/20/88 Recording No. 1623307;  
Adding Boundary Ridge II and Saint Andrews Cottages
8. 06/14/89 Recording No. 1640527;  
Adding Turnberry Wood
9. 10/19/89 Recording No. 891019079;  
Adding St. Andrews Green III
10. 10/12/89 Recording No. 891012023;  
Adding Prestwick Village
11. 12/19/89 Recording No. 891219035;  
Adding Beachwalker Villas Phase 3
12. 06/22/90 Recording No. 900622001;  
Adding St. Andrews Green IV Phase A
13. 12/06/90 Recording No. 901206029;  
Adding St. Andrews Green IV Phase B

14. 12/11/90 Recording No. 901211073;  
Adding Drayton Cove
15. 03/29/91 Recording No. 910329007;  
Adding Melrose Cottages
16. 05/16/91 Recording No. 910516003;  
Amending Section 10.06 (c) [superseded by 18<sup>th</sup> Amendment]
17. 07/31/92 Recording No. 920731204;  
Adding St Andrews Green IV Phase C
18. 10/30/92 Recording No. 921030001;  
Amending Sections 10.04, 10.06 (a), 10.06 (c), 10.08 and 10.12
19. 03/02/94 Recording No. 940302001;  
Adding Syre Compound
20. 03/10/94 Recording No. 940310080;  
Adding Phases I and II of Gleneagle Villas
21. 04/28/94 Recording No. 940428002;  
Adding Sections 10.21 and 11.04 and Amending Section 10.02 [superseded by 32<sup>nd</sup> Amendment]  
and 11.03
22. 01/17/95 Recording No. 950117238  
Adding Country Club Villas
23. 11/13/95 Recording No. 951113014;  
Amending Section 10.14
24. 11/13/95 Recording No. 951113015;  
Amending Section 10.08
25. 11/16/95 Recording No. 951116029;  
Adding Phase One of Drayton Hillside
26. 07/26/96 Recording No. 960726199;  
Adding Stonehaven

27. 01/31/97 Recording No. 970131257  
Amending Section 10.06 (a)
28. 06/24/97 Recording No. 1970603076  
Adding Royal Troon
29. 11/29/99 Recording No. 1991103139  
Adding Boundary Estates
30. 01/20/04\* Recording No. 2040102687  
Adding Drayton Hillside Phase II
31. 11/21/03\* Recording No. 2031104689  
Amending Section 10.05
32. 01/27/05 Recording No. 2050104218  
Amending Section 10.02
33. 10/07/09 Recording No. 2091000856  
Amending Section 12.01 and adding Carnoustie, Marin, Country Club Villas III, Clubhouse Point, Gleneagle Villas III, The Aerie at Semiahmoo, Drayton Hillside III, Burnside Village (now known as Sea Smoke), Inverness, Prestwick Woods and Seagrass (now known as Semiahmoo Shore).
34. 09/26/11 Recording No. 2110902378  
Amending Section 9.14
35. 02/05/16 Recording No. 2016-0200577  
Thirty-Fifth Amendment to Declaration of Covenants of Semiahmoo Resort Association and First Amendment to Declaration of Covenants, Conditions and Restrictions of Plat of Seagrass, Division No. 1. Agreement to subject Seagrass (now known as Semiahmoo Shore) to Semiahmoo Declaration of Covenants, Conditions and Restrictions
36. 03/04/16 Recording No. 2016-0300544  
Amending Sections 9.14 and 12.03 (b)
37. 11/17/16 Recording No. 2016-1102066  
Amending Sections 10.08 and 10.12

\*Recording dates for the 30th and 31st amendments are out of date sequence because the recording of the 30th amendment was delayed