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Community Association Law Group

AFTER RECORDING, RETURN TO:
HARKER LEPORE LLC
915 NW 19TH AVE., STE H
PORTLAND, OR 97209

Name of Document:	Amendment to Schedule C of Subsequent Phase Certificate and Amendment to Declaration - Covenants, Conditions, Restrictions and Reservations - Fairway View Condominiums 1-18
Grantor:	Fairway View Condominium Association
Grantee:	All unit owners of record
Related Documents:	8905110002; 3404891; 5111830
Legal Description:	N/A
Assessor's Parcel Number:	N/A

**Amendment to Schedule C of Subsequent Phase Certificate and Amendment
to Declaration - Covenants, Conditions, Restrictions and Reservations -
Fairway View Condominiums 1-18**

Recitals

1. Fairway View Condominium is a condominium located in Clark County, Washington.
2. Fairway View Condominium Association (“Association”) is a Washington non-profit corporation created to oversee the affairs and operations of the condominium.
3. The Association is managed by a Board of Directors elected by members of the Association.
4. The Association is subject to the Subsequent Phase Certificate and Amendment to Declaration - Covenants, Conditions, Restrictions and Reservations - Fairway View Condominiums 1-18 recorded in the official records of Clark County, Washington, under recording number 8905110002 (“Declaration”).
5. The Declaration has an exhibit labeled Schedule C which sets forth the square footage of each unit, the assigned value of each unit, and the percentage of undivided interest in the common areas and facilities appertaining to each unit for all purposes.
6. Certain units were incorrectly assigned a square footage in Schedule C that is higher than the units’ actual square footage. This mistake caused the units to be assessed at higher rates than units of the same model-type with a similar square footage.
7. The Board of Directors proposed an amendment to the Declaration to fix Schedule C.
8. Pursuant to RCW 64.32.090(13), amending a declaration requires 100% unanimous consent from apartment owners when the proposed amendment would alter the value of the Association’s property, each condominium, or the percentage of undivided interest in the common areas and facilities.

9. The Association initially did not receive 100% unanimous consent from the members.
10. The Association filed a Complaint for Equitable Reformation of Contract in Clark County Superior Court under case number 22-2-01019-06, requesting that the Court issue a judgment reforming Schedule C of the Declaration to properly reflect the ownership percentages based on the condominium units' model and square footage.
11. After the Complaint was filed, the owners who did not initially consent agreed to stipulate to a judgment reforming Schedule C.
12. On October 6, 2022, the Hon. Judge Fairgrieve signed a Stipulation and General Judgment stating "As a matter of equity, Schedule C of Plaintiff's Subsequent Phase Certificate and Amendment to Declaration - Covenants, Conditions, Restrictions and Reservations - Fairway View Condominiums 1-18, which was recorded in the official records of Clark County, Washington, under Recording No. 8905110002 ("Declaration"), and which sets forth the square footage of each apartment, the assigned value of each apartment, and the percentage of undivided interest in the common areas and facilities appertaining to each apartment for all purposes, including voting, shall be amended and reformed as shown in Exhibit A attached hereto, and made an official part of Plaintiff's Declaration."

Amendment

The attached Exhibit A to this Amendment shall replace Schedule C of the Subsequent Phase Certificate and Amendment to Declaration - Covenants, Conditions, Restrictions and Reservations - Fairway View Condominiums 1-18.

The undersigned hereby certify that this amendment has been approved by 100% of the total votes within the Association as required by the Subsequent Phase Certificate and Amendment to Declaration - Covenants, Conditions, Restrictions and Reservations - Fairway View Condominiums 1-18, and RCW 64.32.090(13).

[Signature page to follow]

Fairway View Condominium Association

x Anthony Mirarchi
President

10/27/22
Date

Jill Dempsey
Secretary

10/27/22
Date

STATE OF WASHINGTON)
County of Clark) :ss

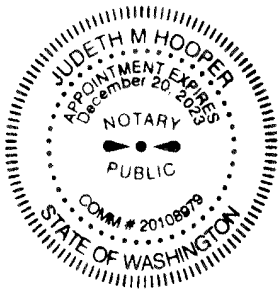
Personally appeared the above-named Anthony Mirarchi, President of Fairway View Condominium Association, and acknowledged the foregoing instrument to be his/her voluntary act and deed this 27 day of October, 2022.



Judith M. Hooper
Notary Public for Washington
My commission expires: 12/20/2023

STATE OF WASHINGTON)
County of Clark) :ss

Personally appeared the above-named Jill Dempsey, Secretary of Fairway View Condominium Association, and acknowledged the foregoing instrument to be his/her voluntary act and deed this 27th day of October, 2022.



Judith M. Hooper
Notary Public for Washington
My commission expires: 12/20/2023

EXHIBIT A

Schedule C							Percentage Ownership of Common Facilities and Vote
Unit No.	U/L	Bldg No	Address	# of Rooms	SQ Feet	Value	
1	L	1	2624 SE Baypoint Drive Vancouver, WA	7	948	\$ 57,000	0.74418
2	U	1	2624 SE Baypoint Drive Vancouver, WA	7	948	\$ 57,000	0.74418
3	L	1	2624 SE Baypoint Drive Vancouver, WA	7	964	\$ 53,500	0.69848
4	L	1	2624 SE Baypoint Drive Vancouver, WA	7	1,064	\$ 60,000	0.78335
5	U	1	2624 SE Baypoint Drive Vancouver, WA	7	964	\$ 53,500	0.69848
6	U	1	2624 SE Baypoint Drive Vancouver, WA	7	1,064	\$ 60,000	0.78335
7	L	2	2618 SE Baypoint Drive Vancouver, WA	7	964	\$ 53,500	0.69848
8	L	2	2618 SE Baypoint Drive Vancouver, WA	7	1,064	\$ 60,000	0.78335
9	U	2	2618 SE Baypoint Drive Vancouver, WA	7	964	\$ 53,500	0.69848
10	U	2	2618 SE Baypoint Drive Vancouver, WA	7	1,064	\$ 60,000	0.78335
11	L	2	2618 SE Baypoint Drive Vancouver, WA	6	895	\$ 50,000	0.65279
12	L	2	2618 SE Baypoint Drive Vancouver, WA	7	1,064	\$ 60,000	0.78335
13	U	2	2618 SE Baypoint Drive Vancouver, WA	6	895	\$ 50,000	0.65279
14	U	2	2618 SE Baypoint Drive Vancouver, WA	7	1,064	\$ 60,000	0.78335
15	L	3	2610 SE Baypoint Drive Vancouver, WA	7	1,064	\$ 60,000	0.78335
16	L	3	2610 SE Baypoint Drive Vancouver, WA	7	964	\$ 53,500	0.69848
17	U	3	2610 SE Baypoint Drive Vancouver, WA	7	1,064	\$ 60,000	0.78335

Schedule C							Percentage Ownership of Common Facilities and Vote
Unit No.	U/L	Bldg No	Address	# of Rooms	SQ Feet	Value	
18	U	3	2610 SE Baypoint Drive Vancouver, WA	7	964	\$ 53,500	0.69848
19	L	4	2606 SE Baypoint Drive Vancouver, WA	7	1,064	\$ 60,000	0.78335
20	L	4	2606 SE Baypoint Drive Vancouver, WA	7	964	\$ 53,500	0.69848
21	U	4	2606 SE Baypoint Drive Vancouver, WA	7	1,064	\$ 60,000	0.78335
22	U	4	2606 SE Baypoint Drive Vancouver, WA	7	964	\$ 53,500	0.69848
23	L	4	2606 SE Baypoint Drive Vancouver, WA	7	948	\$ 57,000	0.74418
24	U	4	2606 SE Baypoint Drive Vancouver, WA	7	948	\$ 57,000	0.74418
25	L	5	2518 SE Baypoint Drive Vancouver, WA	7	948	\$ 57,000	0.74418
26	U	5	2518 SE Baypoint Drive Vancouver, WA	7	948	\$ 57,000	0.74418
27	L	5	2518 SE Baypoint Drive Vancouver, WA	7	964	\$ 53,500	0.69848
28	L	5	2518 SE Baypoint Drive Vancouver, WA	7	1,064	\$ 60,000	0.78335
29	U	5	2518 SE Baypoint Drive Vancouver, WA	7	964	\$ 53,500	0.69848
30	U	5	2518 SE Baypoint Drive Vancouver, WA	7	1,064	\$ 60,000	0.78335
31	L	6	2516 SE Baypoint Drive Vancouver, WA	7	964	\$ 53,500	0.69848
32	L	6	2516 SE Baypoint Drive Vancouver, WA	7	1,064	\$ 60,000	0.78335
33	U	6	2516 SE Baypoint Drive Vancouver, WA	7	964	\$ 53,500	0.69848
34	U	6	2516 SE Baypoint Drive Vancouver, WA	7	1,064	\$ 60,000	0.78335

Schedule C							
Unit No.	U/L	Bldg No	Address	# of Rooms	SQ Feet	Value	Percentage Ownership of Common Facilities and Vote
35	L	7	2512 SE Baypoint Drive Vancouver, WA	7	948	\$ 57,000	0.74418
36	U	7	2512 SE Baypoint Drive Vancouver, WA	7	948	\$ 57,000	0.74418
37	L	7	2512 SE Baypoint Drive Vancouver, WA	7	964	\$ 53,500	0.69848
38	L	7	2512 SE Baypoint Drive Vancouver, WA	7	1,064	\$ 60,000	0.78335
39	U	7	2512 SE Baypoint Drive Vancouver, WA	7	964	\$ 53,500	0.69848
40	U	7	2512 SE Baypoint Drive Vancouver, WA	7	1,064	\$ 60,000	0.78335
41	L	8	2506 SE Baypoint Drive Vancouver, WA	7	1,064	\$ 60,000	0.78335
42	L	8	2506 SE Baypoint Drive Vancouver, WA	7	950	\$ 57,000	0.74418
43	U	8	2506 SE Baypoint Drive Vancouver, WA	7	1,064	\$ 60,000	0.78335
44	U	8	2506 SE Baypoint Drive Vancouver, WA	7	950	\$ 57,000	0.74418
45	L	8	2506 SE Baypoint Drive Vancouver, WA	7	1,266	\$ 75,750	0.98898
46	L	8	2506 SE Baypoint Drive Vancouver, WA	4	717	\$ 49,900	0.65148
47	U	8	2506 SE Baypoint Drive Vancouver, WA	7	1,266	\$ 75,750	0.98898
48	U	8	2506 SE Baypoint Drive Vancouver, WA	4	717	\$ 49,900	0.65148
49	L	9	2420 SE Baypoint Drive Vancouver, WA	7	1,140	\$ 69,500	0.90738
50	L	9	2420 SE Baypoint Drive Vancouver, WA	7	950	\$ 57,000	0.74418
51	U	9	2420 SE Baypoint Drive Vancouver, WA	7	1,140	\$ 69,500	0.90738

Schedule C							
Unit No.	U/L	Bldg No	Address	# of Rooms	SQ Feet	Value	Percentage Ownership of Common Facilities and Vote
52	U	9	2420 SE Baypoint Drive Vancouver, WA	7	950	\$ 57,000	0.74418
53	L	10	2418 SE Baypoint Drive Vancouver, WA	4	717	\$ 49,900	0.65148
54	L	10	2418 SE Baypoint Drive Vancouver, WA	7	1,266	\$ 75,750	0.98898
55	U	10	2418 SE Baypoint Drive Vancouver, WA	4	717	\$ 49,900	0.65148
56	U	10	2418 SE Baypoint Drive Vancouver, WA	7	1,266	\$ 75,750	0.98898
57	L	10	2418 SE Baypoint Drive Vancouver, WA	7	1,064	\$ 60,000	0.78335
58	L	10	2418 SE Baypoint Drive Vancouver, WA	7	950	\$ 57,000	0.74418
59	U	10	2418 SE Baypoint Drive Vancouver, WA	7	1,064	\$ 60,000	0.78335
60	U	10	2418 SE Baypoint Drive Vancouver, WA	7	950	\$ 57,000	0.74418
61	L	11	2410 SE Baypoint Drive Vancouver, WA	4	717	\$ 49,900	0.65148
62	L	11	2410 SE Baypoint Drive Vancouver, WA	7	1,266	\$ 75,750	0.98898
63	U	11	2410 SE Baypoint Drive Vancouver, WA	4	717	\$ 49,900	0.65148
64	U	11	2410 SE Baypoint Drive Vancouver, WA	7	1,266	\$ 75,750	0.98898
65	L	11	2410 SE Baypoint Drive Vancouver, WA	7	950	\$ 57,000	0.74418
66	L	11	2410 SE Baypoint Drive Vancouver, WA	7	1,064	\$ 60,000	0.78335
67	U	11	2410 SE Baypoint Drive Vancouver, WA	7	950	\$ 57,000	0.74418
68	U	11	2410 SE Baypoint Drive Vancouver, WA	7	1,064	\$ 60,000	0.78335

Schedule C							
Unit No.	U/L	Bldg No	Address	# of Rooms	SQ Feet	Value	Percentage Ownership of Common Facilities and Vote
69	L	12	2408 SE Baypoint Drive Vancouver, WA	7	1,140	\$ 69,500	0.90738
70	L	12	2408 SE Baypoint Drive Vancouver, WA	7	950	\$ 57,000	0.74418
71	U	12	2408 SE Baypoint Drive Vancouver, WA	7	1,140	\$ 69,500	0.90738
72	U	12	2408 SE Baypoint Drive Vancouver, WA	7	950	\$ 57,000	0.74418
73	L	12	2408 SE Baypoint Drive Vancouver, WA	7	1,266	\$ 75,750	0.98898
74	L	12	2408 SE Baypoint Drive Vancouver, WA	4	717	\$ 49,900	0.65148
75	U	12	2408 SE Baypoint Drive Vancouver, WA	7	1,266	\$ 75,750	0.98898
76	U	12	2408 SE Baypoint Drive Vancouver, WA	4	717	\$ 49,900	0.65148
77	L	13	2316 SE Baypoint Drive Vancouver, WA	7	1,064	\$ 60,000	0.78335
78	L	13	2316 SE Baypoint Drive Vancouver, WA	7	950	\$ 57,000	0.74418
79	U	13	2316 SE Baypoint Drive Vancouver, WA	7	1,064	\$ 60,000	0.78335
80	U	13	2316 SE Baypoint Drive Vancouver, WA	7	950	\$ 57,000	0.74418
81	L	13	2316 SE Baypoint Drive Vancouver, WA	7	1,266	\$ 75,750	0.98898
82	L	13	2316 SE Baypoint Drive Vancouver, WA	4	717	\$ 49,900	0.65148
83	U	13	2316 SE Baypoint Drive Vancouver, WA	7	1,266	\$ 75,750	0.98898
84	U	13	2316 SE Baypoint Drive Vancouver, WA	4	717	\$ 49,900	0.65148
85	L	14	2314 SE Baypoint Drive Vancouver, WA	7	964	\$ 53,500	0.69848

Schedule C									
Unit No.	U/L	Blg No	Address	# of Rooms	SQ Feet	Value	Percentage Ownership of Common Facilities and Vote		
86	L	14	2314 SE Baypoint Drive Vancouver, WA	7	1,140	\$ 69,500	0.90738		
87	U	14	2314 SE Baypoint Drive Vancouver, WA	7	964	\$ 53,500	0.69848		
88	U	14	2314 SE Baypoint Drive Vancouver, WA	7	1,140	\$ 69,500	0.90738		
89	L	15	2312 SE Baypoint Drive Vancouver, WA	7	1,140	\$ 69,500	0.90738		
90	L	15	2312 SE Baypoint Drive Vancouver, WA	7	950	\$ 57,000	0.74418		
91	U	15	2312 SE Baypoint Drive Vancouver, WA	7	1,140	\$ 69,500	0.90738		
92	U	15	2312 SE Baypoint Drive Vancouver, WA	7	950	\$ 57,000	0.74418		
93	L	15	2312 SE Baypoint Drive Vancouver, WA	7	1,266	\$ 75,750	0.98898		
94	L	15	2312 SE Baypoint Drive Vancouver, WA	4	717	\$ 49,900	0.65148		
95	U	15	2312 SE Baypoint Drive Vancouver, WA	7	1,266	\$ 75,750	0.98898		
96	U	15	2312 SE Baypoint Drive Vancouver, WA	4	717	\$ 49,900	0.65148		
97	L	16	2306 SE Baypoint Drive Vancouver, WA	7	1,064	\$ 60,000	0.78335		
98	L	16	2306 SE Baypoint Drive Vancouver, WA	7	950	\$ 57,000	0.74418		
99	U	16	2306 SE Baypoint Drive Vancouver, WA	7	1,064	\$ 60,000	0.78335		
100	U	16	2306 SE Baypoint Drive Vancouver, WA	7	950	\$ 57,000	0.74418		
101	L	16	2306 SE Baypoint Drive Vancouver, WA	7	1,064	\$ 60,000	0.78335		
102	L	16	2306 SE Baypoint Drive Vancouver, WA	7	950	\$ 57,000	0.74418		

Schedule C							
Unit No.	U/L	Bldg No	Address	# of Rooms	SQ Feet	Value	Percentage Ownership of Common Facilities and Vote
103	U	16	2306 SE Baypoint Drive Vancouver, WA	7	1,064	\$ 60,000	0.78335
104	U	16	2306 SE Baypoint Drive Vancouver, WA	7	950	\$ 57,000	0.74418
105	L	17	15809 SE 23rd Street Vancouver, WA	7	950	\$ 57,000	0.74418
106	L	17	15809 SE 23rd Street Vancouver, WA	7	1,064	\$ 60,000	0.78335
107	U	17	15809 SE 23rd Street Vancouver, WA	7	950	\$ 57,000	0.74418
108	U	17	15809 SE 23rd Street Vancouver, WA	7	1,064	\$ 60,000	0.78335
109	L	17	15809 SE 23rd Street Vancouver, WA	7	950	\$ 57,000	0.74418
110	L	17	15809 SE 23rd Street Vancouver, WA	7	1,140	\$ 69,500	0.90738
111	U	17	15809 SE 23rd Street Vancouver, WA	7	950	\$ 57,000	0.74418
112	U	17	15809 SE 23rd Street Vancouver, WA	7	1,140	\$ 69,500	0.90738
113	L	18	15719 SE 23rd Street Vancouver, WA	4	717	\$ 49,900	0.65148
114	L	18	15719 SE 23rd Street Vancouver, WA	7	1,266	\$ 75,750	0.98898
115	U	18	15719 SE 23rd Street Vancouver, WA	4	717	\$ 49,900	0.65148
116	U	18	15719 SE 23rd Street Vancouver, WA	7	1,266	\$ 75,750	0.98898
117	L	18	15719 SE 23rd Street Vancouver, WA	7	950	\$ 57,000	0.74418
118	L	18	15719 SE 23rd Street Vancouver, WA	7	1,064	\$ 60,000	0.78335
119	U	18	15719 SE 23rd Street Vancouver, WA	7	950	\$ 57,000	0.74418

Schedule C							
Unit No.	U/L	Bldg No	Address	# of Rooms	SQ Feet	Value	Percentage Ownership of Common Facilities and Vote
120	U	18	15719 SE 23rd Street Vancouver, WA	7	1,064	\$ 60,000	0.78335
121	L	19	15711 SE 23rd Street Vancouver, WA	4	717	\$ 49,900	0.65148
122	L	19	15711 SE 23rd Street Vancouver, WA	7	1,266	\$ 75,750	0.98898
123	U	19	15711 SE 23rd Street Vancouver, WA	4	717	\$ 49,900	0.65148
124	U	19	15711 SE 23rd Street Vancouver, WA	7	1,266	\$ 75,750	0.98898
125	L	19	15711 SE 23rd Street Vancouver, WA	7	971	\$ 57,500	0.75071
126	L	19	15711 SE 23rd Street Vancouver, WA	7	1,140	\$ 69,500	0.90738
127	U	19	15711 SE 23rd Street Vancouver, WA	7	971	\$ 57,500	0.75071
128	U	19	15711 SE 23rd Street Vancouver, WA	7	1,140	\$ 69,500	0.90738
						\$ 7,659,400	100.00