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# - FAIRBANKS RECORDING DISTRICT -

### AMENDMENT TO THE DECLARATION FOR EAGLE'S NEST CONDOMINIUMS (Adding Phase 2, or 8 Additional Units)

White Eagle, Inc., Declarant of the Declaration for Eagle's Nest Condominiums, recorded June 9, 2005, in the records of the Fairbanks Recording District, Fourth Judicial District, State of Alaska, and identified by document identification number 2005-011364-0, pursuant to AS 34.08.180 and AS 34.08.250, and Declarant's reserved rights under Section 6.3, of the Declaration, by this Amendment adds Phase 2, or eight (8) additional Units, to the jurisdiction of the Eagle's Nest Condominium Association and the Declaration.

The Common Interest Community of Eagle's Nest Condominiums presently consists of eight (8) Units: 2685 Bald Eagle Court, Unit A; 2685 Bald Eagle Court, Unit B; 2685 Bald Eagle Court, Unit C; 2685 Bald Eagle Court, Unit D; 2675 Bald Eagle Court, Unit A; 2675 Bald Eagle Court, Unit B; 2675 Bald Eagle Court, Unit C; and 2675 Bald Eagle Court, Unit D.

Section 1. By this Amendment, Phase 2, or the following eight (8) additional Units, are submitted to the jurisdiction of the Eagle's Nest Condominium Association and the Declaration - Phase 2, containing: 2665 Bald Eagle Court, Unit A; 2665 Bald Eagle Court, Unit B; 2665 Bald Eagle Court, Unit C; 2665 Bald Eagle Court, Unit D; 2655 Bald Eagle Court, Unit A; 2655 Bald Eagle Court, Unit B; 2655 Bald Eagle Court, Unit C; and 2655 Bald Eagle Court, Unit D, Eagle's Nest Condominiums.

<u>Section 2</u>. Pursuant to Article 7 of the Declaration, Revised Exhibit "C" (Table of Allocated Interests) is attached to this Amendment and hereby incorporated by reference.

Section 3. In accordance with AS 34.08.090(b), a certificate of substantial completion as to the structural components and mechanical systems for Phase 2, containing: 2665 Bald Eagle Court, Unit A; 2665 Bald Eagle Court, Unit B; 2665 Bald Eagle Court, Unit C; 2665 Bald Eagle Court, Unit D; 2655 Bald Eagle Court, Unit A; 2655 Bald Eagle Court, Unit B; 2655 Bald Eagle Court, Unit C; and 2655 Bald Eagle Court, Unit D; 2655 Bald Eagle Court, Unit C; 2655 Bald Eagle

Amendment to Declaration for Eagle's Nest Condominiums Page 1 D, Eagle's Nest Condominiums, executed by an associate member of the Appraisal Institute, is attached to this Amendment and hereby incorporated by reference.

<u>Section 4</u>. Pursuant to Article 16 of the Declaration, the attached Plans to be added to Exhibit "B" to the Declaration, are also attached to this Amendment and hereby incorporated by reference.

<u>Section 5.</u> Capitalized terms used herein without definition shall have the meaning ascribed to them in the Declaration.

<u>Section 6</u>. All provisions of the Declaration not expressly amended herein shall continue in full force and effect unless amendment must be implied for consistency with the amendments contained herein.

<u>Section 7</u>. If any term, covenant or condition of this Amendment is held to be invalid or unenforceable in any respect, such invalidity or unenforceability shall not affect any other provision hereof and this Amendment shall be construed as if such invalid or unenforceable provision had never been contained herein.

IN WITNESS WHEREOF, the Declarant has caused this Amendment to be executed this 2\_ day of <u>December</u>, 2005.

WHITE EAGLE, INC.

ABach By: *Ba*llek

Jeff A President

STATE OF ALASKA

#### FOURTH JUDICIAL DISTRICT

THIS IS TO CERTIFY that on this  $2^{n}$  day of <u>December</u>, 2005, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared JEFF A. BALLEK, President of White Eagle, Inc., known to me to be the individual named herein and the individual who executed the foregoing instrument, and he acknowledged the execution thereof to be his free and voluntary act and deed on behalf of the corporation for the uses and purposes therein set forth.

) ss.

Amendment to Declaration for Eagle's Nest Condominiums Page 2



WITNESS my hand and notarial seal the day and year first hereinabove written.



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Notary Public in and for Alas My Commission Expires:

Amendment to Declaration for Eagle's Nest Condominiums Page 3



## STATEMENT OF SUBSTANTIAL COMPLETION

I am a state certified appraiser, No. 103, and an associate member of the Appraisal Institute, and hereby certify that the structural components and mechanical systems of the buildings containing the following units of EAGLE'S NEST CONDOMINIUMS are substantially complete in accordance with the plans:

#### <u>PHASE 2-</u>

Building 3:

**Building 4**:

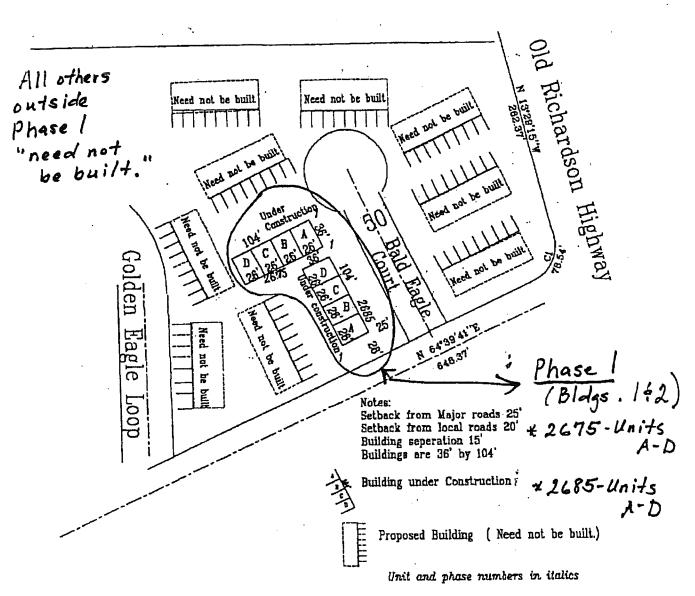
2665 Bald Eagle Court, Unit A 2665 Bald Eagle Court, Unit B 2665 Bald Eagle Court, Unit C 2665 Bald Eagle Court, Unit D

2655 Bald Eagle Court, Unit A 2655 Bald Eagle Court, Unit B 2655 Bald Eagle Court, Unit C 2655 Bald Eagle Court, Unit D

DATED: 11/29/05

By: James Mage Alaska Certification No. AA-103





Plot Plan

I. L. Frank Stallings RLS, Certify that this Plot Plan was prepared by me or under my direct supervision and that to the best of my knowledge, there are no other improvements or encroachments, if any, on the property other than those that are shown. This Plot plan should not be construed to represent a boundary survey.

Tract B Stillmeyer Estates White Eagle Construction Attn. Jeff Ballek

A Service and States

Surveyed by Jenco Surveying 515 Creig Avenue Fairbanks, Alaska 99701 Ph: 907 455 1408 Fax: 907 456 1418

Scale 1°=200' Drawn by: DCJ Checked by: LSP Ordered 08/18/04 Delivered 10/18/04



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Phase 2 1' = 100'North Pole High School Blvd. 3 01d 2.7 l richardson 33 57 2655 2670 56 2707 2699 2655 TITIT Highwa 263 2677 7 2669 8 5027C 11111 28 2672 2674 2676 Desert Eagle Loop 126-21 16603 1111 Lagle 16-2 P 19992 10 +c---3111 111111 9 Notes: Setback from Major roads 25 Selback from local roads 20' Building seperation '16' Patrial Drive Buildings are 36' by 104' A MONT COMMON USE LIMITED COMMON USE - Boiler rooms F) Phase 2: 2655 Bald Eagle Court, Units A-D AND 2665 Bald Eagle Court, Units A-D / Driveways Decks Porches All yards and greenways Enclosed Yards not enclosed Two parking spaces per unit THE Proposed Eagle's Nest Planned Unit Development within Tract B of Stillmeyer Estates Subdivision Deck and Entry layout (typical) North Pole Alaska Prepared for White Eagle Construction E Entry D Deck Jeff Ballek 07/21/04 6 of 7 2005-026943-0

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# **REVISED EXHIBIT C**

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# TABLE OF ALLOCATED INTERESTS

<u>Unit No.</u>	Percentage Interest	Votes in <u>Association</u>
Building 1:		
2685 Bald Eagle Court, Unit A	6.25%	· <b>1</b>
2685 Bald Eagle Court, Unit B	6.25%	1
2685 Bald Eagle Court, Unit C	6.25%	1
2685 Bald Eagle Court, Unit D	6.25%	1
Building 2:		
2675 Bald Eagle Court, Unit A	6.25%	1
2675 Bald Eagle Court, Unit B	6.25%	1
2675 Bald Eagle Court, Unit C	6.25%	1
2675 Bald Eagle Court, Unit D	6.25%	1
Building 3:		
2665 Bald Eagle Court, Unit A	6.25%	1
2665 Bald Eagle Court, Unit B	6.25%	1
2665 Bald Eagle Court, Unit C	6.25%	1
2665 Bald Eagle Court, Unit D	6.25%	1
Building 4:		
2655 Bald Eagle Court, Unit A	6.25%	1
2655 Bald Eagle Court, Unit B	6.25%	1
2655 Bald Eagle Court, Unit C	6.25%	1
2655 Bald Eagle Court, Unit D	6.25%	1
TOTAL:	100.00%	16

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### Return To:

John H. Tindall, Esq. Tindall Bennett & Shoup 508 W. Second Avenue, Third Floor Anchorage, Alaska 99501

