

Recorded by and Return to:

Skagit County Planning & Permit Center
County Administration Building, Room 204
700 S. 2nd Street
Mount Vernon, WA 98273
Attn: Kendra Smith

KATHY HILL
SKAGIT COUNTY

'98 AUG -3 11:32

RECORDED _____ FILED _____
REQUEST OF _____

9808030006

DECLARATION OF PLAT NOTATION RELEASE

Reference numbers of related documents: See Page _____

Grantor(s): Skagit County

Grantee(s): Smith Hunter Partnership

Legal Description: SP 96-0098

Reference Number: #9704220123

This Declaration of Plat Notation Release is made on this 31st day of July, 1998 by Skagit County, a municipal corporation of the State of Washington, for the benefit of the citizens of Skagit County, Washington.

RECITALS

- A. On February 7, 1996, the Western Washington Growth Management Hearings Board issued an order (the "GHMHB Order") invalidating certain zoning code and certain other ordinances of Skagit County. The County appealed that order to the Superior Court of the State of Washington.
- B. During the pendency of such appeal, the County required that all plats approved by the County bear the following notation:

WARNING: This development may be affected by the terms of the Western Washington Growth Management Hearings Board's Invalidity Order in Case No. 95-2-0065. That invalidity order and

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its effect on this development is the subject of a pending court appeal before the Washington State Court of Appeals Case No. 38585-2-I. If the County is unsuccessful in the appeal, it may affect your ability to proceed with the development, and may result in your having to restore the property to its prior condition.

~~Attached hereto as Exhibit A is a list of plats and their recording numbers on which the notation was made.~~

- C. On June 25, 1998, the Supreme Court of the State of Washington resolved the appeal in favor of the County and issued an order vacating the GMHB Order. See Skagit Surveyors and Engineers, LLC v. Friends of Skagit County, ___ Wn.2d ___, P.2d ___, 1998 WL 344531 (June 25, 1998) (No. 64798-4). The County now desires to document in the official records of Skagit county, Washington, the Court's decision to vacate the GMHB Order and release each Plat Notation as a result of such decision.

NOW THEREFORE, the County hereby declares as follows:

As of June 25, 1998, the plat Notation referenced above shall be deemed deleted from, and shall be of no further force or effect for, ~~the plats listed on attached Exhibit A~~ and any other plat recorded in the official records of Skagit County, Washington bearing such notation. Except with respect to the deletion of the Plat Notation, nothing herein shall be deemed to modify, amend or change any plats recorded in the official records of Skagit County, Washington.

Dated as of the date and year first above written.

SKAGIT COUNTY



Kendra Smith, Assistant Director
Planning & Permit Center

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

On this day personally appeared before me KENDRA SMITH to me known to be the Assistant Planning Director of SKAGIT COUNTY, WASHINGTON who executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act of said county, for the uses and purposes therein mentioned, and on oath stated that he/she was authorized to execute the said instrument.

GIVEN under my hand and official seal this 31st day of July, 1998.

Margery Swint
(Signature)

Margery Swint
(Print Name)

Notary Public in and for the State of Washington, residing at Mt. Vernon
My commission expires 4-8-2000

