



199909170116

Kathy Hill, Skagit County Auditor  
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**AFTER RECORDING MAIL TO:**

James A. Wynstra  
HOMESTEAD NW DEV. CO.  
506 W. Grover St., Suite 101  
P.O. Box 409  
Lynden, WA 98264

**THIRD AMENDMENT TO THE AMENDED AND RESTATED DECLARATION  
AND COVENANTS, CONDITIONS, RESTRICTIONS AND RESERVATIONS  
FOR THE CEDARS, A CONDOMINIUM**

Reference Numbers of related documents: 9712080065; 9802050054; 9907130112; and 199908160158

Grantor(s): **HOMESTEAD NW DEV. CO.**

Grantee(s): **THE CEDARS, A CONDOMINIUM; THE PUBLIC**

Legal Description (abbreviated): **A PORTION OF TRACTS 78 AND 81, PLAT OF BURLINGTON  
ACREAGE PROPERTY**

Assessor's Property Tax Parcel Account Number(s): **SEE EXHIBIT D ATTACHED HERETO AND BY  
THIS REFERENCE INCORPORATED HEREIN.**

This is the Third Amendment to the Amended and Restated Declaration and Covenants, Conditions, Restrictions and Reservations for The Cedars, A Condominium. The original Amended and Restated Declaration and Covenants, Conditions, Restrictions and Reservations for The Cedars, a Condominium (hereinafter "Amended Declaration"), was filed with the Auditor of Skagit County, Washington, under Skagit County Auditor File No. 9802050054. A First Amendment thereto was filed under Skagit County Auditor File No. 199908160158 and a Second Amendment thereto was filed under Skagit County Auditor File No. 9907130112.

The Amended Declaration is hereby amended a third time to provide for phasing as follows:

**SEE EXHIBITS A, B AND C ATTACHED HERETO  
AND BY THIS REFERENCE INCORPORATED HEREIN.**

Reference to Survey Maps and Plans. The Survey Maps and Plans of Phase 2 of the Condominium referred to herein consists of three (3) sheets as prepared by SEMRAU ENGINEERING & SURVEYING and were filed with the Recorder of Skagit County, Washington, simultaneously with the recording of this Amendment to the Declaration under File No. 199909170115 in Volume      of Plats, Pages      through     

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IN WITNESS WHEREOF the undersigned Declarant has executed this Amendment at Lynden, Washington, this 13 day of September, 1999.

DECLARANT:

HOMESTEAD NW DEV. CO.

By: *James A. Wynstra*  
James A. Wynstra, President

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF WHATCOM )

I hereby certify that I know or have satisfactory evidence that JAMES A. WYNSTRA is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he is authorized to execute the instrument and acknowledged it as the President of HOMESTEAD NW DEV. CO. to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

DATED this 13 day of September, 1999.



*Lori Holt*  
NOTARY PUBLIC in and for the State  
of Washington, residing at Lynden.

EXHIBIT A - 1

THE CEDARS CONDOMINIUM  
PHASE 2 DESCRIPTION

(Per Third Amendment to The Cedars, a Condominium, Survey Maps And Plans)

THAT PORTION OF AREAS IDENTIFIED AS COMMON ELEMENT (C.E.) PHASE 1 AND FUTURE PHASES ON THE "FIRST AMENDMENT TO THE CEDARS, A CONDOMINIUM", PER PLANS RECORDED IN VOLUME 16 OF PLATS, PAGES 214-219, UNDER AUDITOR'S FILE NUMBER 9802050053, AND THE "SECOND AMENDMENT TO THE CEDARS, A CONDOMINIUM", PER PLANS RECORDED IN VOLUME 17 OF PLATS, PAGES 81-85, UNDER AUDITOR'S FILE NUMBER 9907130111, RECORDS OF SKAGIT COUNTY, WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID FUTURE PHASES ON THE FIRST AMENDMENT TO THE CEDARS, A CONDOMINIUM; THENCE SOUTH 0°39'17" EAST 407.86 FEET ALONG THE EAST LINE OF SAID FUTURE PHASES; THENCE NORTH 89°56'00" WEST 226.96 FEET; THENCE NORTH 0°04'00" EAST 28.82 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 20.00 FEET, THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC DISTANCE OF 31.42 FEET TO A POINT OF TANGENCY; THENCE NORTH 89°56'00" WEST 60.00 FEET; THENCE NORTH 0°04'00" EAST 40.00 FEET; THENCE WESTERLY ALONG THE ARC OF A CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 142.23 FEET AND AN INITIAL TANGENT BEARING OF NORTH 89°56'00" WEST, THROUGH A CENTRAL ANGLE OF 4°01'55", AN ARC DISTANCE OF 10.01 FEET; THENCE NORTH 0°04'00" EAST 103.65 FEET; THENCE SOUTH 89°56'00" EAST 90.00 FEET; THENCE NORTH 0°04'00" EAST 7.18 FEET; THENCE NORTH 89°56'00" EAST WEST 90.00 FEET; THENCE NORTH 0°04'00" EAST 204.00 FEET; THENCE SOUTH 89°56'00" EAST 90.00 FEET; THENCE NORTH 0°04'00" EAST 5.00 FEET; TO A POINT THAT IS NORTH 89°37'43" WEST FROM THE POINT OF BEGINNING; THENCE SOUTH 89°37'43" EAST 221.82 FEET TO THE POINT OF BEGINNING.

SITUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON.



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EXHIBIT A - 2

TOTAL PARCEL DESCRIPTION  
FOR THE CEDARS CONDOMINIUM PROJECT

Parcel A:

The East ½ of Tract 78, "PLAT OF THE BURLINGTON ACREAGE PROPERTY", as per plat recorded in Volume 1 of Plats, page 49, records of Skagit County, Washington, EXCEPT that portion thereof described as follows:

Beginning at a point on the North line of said tract, which is 987.5 feet East of the Northwest corner of said tract; thence continue East along the North line of said tract and the South line of Gilkey Road, a distance of 120 feet; thence South at right angles to said Gilkey Road, a distance of 365 feet; thence West parallel with the South line of said Gilkey Road, a distance of 120 feet; thence North 365 feet to the point of beginning.

Parcel B:

That portion of Tract 78, "PLAT OF THE BURLINGTON ACREAGE PROPERTY", as per plat recorded in Volume 1 of Plats, page 49, records of Skagit County, Washington, described as follows:

Beginning at a point on the North line of said tract which is 987.5 feet East of the Northwest corner of said tract; thence continue East along the North line of said tract and the South line of the Gilkey Road 120 feet; thence South at right angles to said Gilkey Road 365 feet; thence West parallel with the South line of said Gilkey Road 120 feet; thence North 365 feet to the point of beginning.

Parcel "C"

The East ½ of the West ½ of Tract 78, "PLAT OF THE BURLINGTON ACREAGE PROPERTY", as per plat recorded in Volume 1 of Plats, page 49, records of Skagit County, Washington.

Parcel "D"

The East ½ of Tract 81 and the East 31.1 feet of the West ½ of said Tract 81, "PLAT OF THE BURLINGTON ACREAGE PROPERTY", as per plat recorded in Volume 1 of Plats, page 49, records of Skagit County, Washington.

Parcel "E"

That portion of the North 224 feet of the West ½ of the West ½ of Tract 78, "PLAT OF BURLINGTON ACREAGE PROPERTY", as per plat recorded in Volume 1 of Plats, page 49, (also being a portion of Tract "A", Skagit County Short Plat No. 37-73), records of Skagit County, Washington, described as follows:



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EXHIBIT A - 3

**TOTAL PARCEL DESCRIPTION  
FOR THE CEDARS CONDOMINIUM PROJECT  
(continued)**

Beginning at the Northwest corner of said Tract 78; thence South 89°38'00" East along the North line of said Tract 78, a distance of 199.57 feet, to the Northwest corner of Tract "A", Short Plat No. 37-73; thence continue South 89°38'00" East for a distance of 114.88 feet along the North line of said Tract "A", Short Plat No. 37-73 to the Northeast corner thereof; thence South 00°29'00" East a distance of 194.00 feet along the East of said Tract "A", Short Plat No. 37-73 to the TRUE POINT OF BEGINNING; thence continue South 00°29'00" East a distance of 30 feet to the Southeast corner of said Tract "A"; thence North 89°38'00" West a distance of 314.77 feet along the South line of said Tract "A" to the Southwest corner thereof, also being the West line of said Tract 78; thence North 00°24'00" West along the West line of said Tract 78 a distance of 30.00 feet to the Southwest corner of Tract "B", Short Plat No. 37-73; thence South 89°38'00" East a distance of 199.86 feet along the South line of said Tract "B" to the Southeast corner thereof; thence continue South 89°38'00" East a distance of 114.88 feet to the TRUE POINT OF BEGINNING.

EXCEPTING from all of the above described Parcels "A", "B", "C", and "D", that portion described as follows:

BEGINNING at the Northeast corner of said Tract 78; thence South 0°39'17" East 24.56 feet along the East line of said Tract 78 to a cusp; thence along the arc of a curve concave to the Southwest having radius of 25.00 feet and an initial tangent bearing of North 0°39'17" West, through a central angle of 88°58'26", an arc distance of 38.82 feet to a point of compound curvature; thence along the arc of said curve to the left having a radius of 59.60 feet, through a central angle of 22°03'29", an arc distance of 22.95 feet to a point of tangency; thence South 68°18'48" West 51.36 feet to a point of curvature; thence along the arc of said curve to the right having a radius of 360.00 feet, through a central angle of 33°36'15", an arc distance of 211.14 feet to a point of tangency; thence North 78°04'58" West 153.77 feet to a point of curvature; thence along the arc of said curve to the left having a radius of 590.00 feet, through a central angle of 11°32'45", and arc distance of 118.89 feet to a cusp on the North line of said Tract 78; thence South 89°37'43" East 570.53 feet along said North line to the POINT OF BEGINNING.

All being Situate in the County of Skagit, State of Washington.



**EXHIBIT A - 4**

**THE CEDARS CONDOMINIUM  
FUTURE PHASE LAND**

Total parcel description as set forth on Pages 4 and 5 (Exhibit A - 2 and A - 3), except Phase 1 and Phase 2.

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**EXHIBIT B**

1. Recreational Facilities. Clubhouse and R.V./boat storage area. The Clubhouse is now complete. The R.V./boat storage area is currently under construction.
2. Moorage Slips. None.
3. Parking. The total number of parking spaces will be determined by the type of unit building within each unit. One or two garage stalls with Cottage type unit buildings and/or one uncovered car parking space beside single garages for units with Cottage type unit building. Double attached garages within unit buildings for units with Bungalow type unit buildings.
4. Description of Unit Building Types.

COTTAGES					
Unit Type	# Bathrooms	# Bedrooms	# Fireplaces	Type of Heat	Approximate Unit Building Square Footage
C-1 – Saratoga	1	1+den/bedroom	none	gas forced air	600 sq. ft.
C-2 – Cornet	1	1+den/bedroom	none	gas forced air	750 sq. ft.
C-3 – Crescent	1 ¾	1+den/bedroom	none	gas forced air	864 sq. ft.
C-4 – Drayton	1 ¾	2 bedroom	none	gas forced air	928 sq. ft.
C-5 - Townsend	1 ¾	2 bedroom	None	gas forced air	1,133 sq. ft.
BUNGALOWS					
B-1 – Stuart	1	1	optional	gas forced air	818 sq. ft.
B-2 – Cypress	2	2	optional	gas forced air	1,042 sq. ft.
B-3 – Shaw	2	2	optional	gas forced air	1,261 sq. ft.
B-4 – Orcas	2	2	optional	gas forced air	1,447 sq. ft.
B-5 – Lopez	2 ½	2+den & rec. room	optional	gas forced air	1,618 sq. ft.
B-6 – San Juan	2 ½	2+rec. room	optional	gas forced air	2,118 sq. ft.
B-7 – Blakely	1 ¾	2+optional space	optional	gas forced air	1,592 sq. ft.

Units 35 through 50 in Phase 1 are restricted to Cottages and Units 51 through 70 in Phase 2 are restricted to Cottages.



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EXHIBIT C - 1

Unit #	Unit Area	Floor Location	Unit Building Type	Declared Value \$	Allocated Interests (%)	# Attached Garage Parking Spaces	# Open Parking Spaces
1	3619	1	B-2	\$129,950	1.3158	2	none
2	3619				1.3158		none
3	5433				1.3158		none
4	8436	1	B-2	\$129,950	1.3158	2	none
5	5699	1	B-4	\$149,950	1.3158	2	none
6	3360	1	B-2	\$129,950	1.3158	2	none
7	3600	1	B-3	\$139,950	1.3158	2	none
8	4560	1 & 2	B-6	\$169,950	1.3158	2	none
9	3596	1 & 2	B-5	\$159,950	1.3158	2	none
10	3666	1	B-4	\$149,950	1.3158	2	none
11	3666				1.3158		none
12	3666				1.3158		none
13	3666				1.3158		none
14	3790	1	B-7	\$159,950	1.3158	2	none
15	3598				1.3158		none
16	3525				1.3158		none
17	3455				1.3158		none
18	4429	1	B-7	\$159,950	1.3158	2	none
19	4720	1	B-7	\$159,950	1.3158	2	none
20	4489	1	B-4	\$149,950	1.3158	2	none
21	4100	1	B-3	\$139,950	1.3158	2	none
22	4692	1	B-7	\$159,950	1.3158	2	none
23	4130				1.3158		none
24	4023	1	B-4	\$149,950	1.3158	2	none
25	3659				1.3158		none
26	4105	1	C-5	\$123,129	1.3158	2	none
27	3817	1	B-2	\$129,950	1.3158	2	none
28	4377	1	B-4	\$149,950	1.3158	2	none
29	4342	1	B-2	\$129,950	1.3158	2	none
30	4101	1	B-4	\$149,950	1.3158	2	none
31	4196	1	B-2	\$129,950	1.3158	2	none
32	4080	1	B-4	\$149,950	1.3158	2	none
33	4080	1	B-6	\$169,950	1.3158	2	none
34	4080	1	B-7	\$159,950	1.3158	2	none
35	4297	1	C-5	\$123,129	1.3158	2	none
36	2950	1	C-5	\$123,129	1.3158	2	none
37	2950	1	C-3	\$109,950	1.3158	1	none
38	2950	1	C-3	\$109,950	1.3158	1	none
39	2950	1	C-3	\$109,950	1.3158	1	none
40	2950	1	C-4	\$116,136	1.3158	1	none
41	2950	1	C-2	\$ 99,950	1.3158	1	none

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**EXHIBIT C - 2**  
(continued)

Unit #	Unit Area	Floor Location	Unit Building Type	Declared Value \$	Allocated Interests (%)	# Attached Garage Parking Spaces	# Open Parking Spaces
42	2950	1	C-4	\$116,136	1.3158	1	none
43	2950	1	C-2	\$ 99,950	1.3158	1	none
44	2950	1	C-2	\$ 99,950	1.3158	1	none
45	2950				1.3158		none
46	2950	1	C-2	\$ 99,950	1.3158	1	none
47	2950	1	C-3	\$109,950	1.3158	1	none
48	2950	1	C-5	\$123,129	1.3158	2	none
49	2950	1	C-3	\$109,950	1.3158	1	none
50	2950	1	C-3	\$109,950	1.3158	1	none
51	2834				1.3158		none
52	3371				1.3158		none
53	3371				1.3158		none
54	3371				1.3158		none
55	3371				1.3158		none
56	2843				1.3158		none
57	3371				1.3158		none
58	3371				1.3158		none
59	3371				1.3158		none
60	3371				1.3158		none
61	2851				1.3158		none
62	3371				1.3158		none
63	3371				1.3158		none
64	3371				1.3158		none
65	3371				1.3158		none
66	2860				1.3158		none
67	3371				1.3158		none
68	3371				1.3158		none
69	3371				1.3158		none
70	3371				1.3158		none
71	4682				1.3158		none
72	4590				1.3158		none
73	4590	1	B-7	\$159,950	1.3158	2	none
74	4590				1.3158		none
75	4590	1	B-7	\$159,950	1.3158	2	none
76	4590				1.3158		none

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**EXHIBIT C – 3**  
**(continued)**

**NOTES**

1. The Declarant reserves the right to create up to 180 total units in Phase 1, Phase 2 and all future phases of the condominium.
2. Unit buildings are presently built and complete only for 41 units for which unit building type information is inserted above. Exhibit C and Article 22.8 of the Declaration will be amended to add additional unit building information as unit buildings are built.



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EXHIBIT D - 1

THE CEDARS, A CONDOMINIUM - PHASE 1

Unit #	Parcel #
1	4705-000-001-0000
2	4705-000-002-0000
3	4705-000-003-0000
4	4705-000-004-0000
5	4705-000-005-0000
6	4705-000-006-0000
7	4705-000-007-0000
8	4705-000-008-0000
9	4705-000-009-0000
10	4705-000-010-0000
11	4705-000-011-0000
12	4705-000-012-0000
13	4705-000-013-0000
14	4705-000-014-0000
15	4705-000-015-0000
16	4705-000-016-0000
17	4705-000-017-0000
18	4705-000-018-0000
19	4705-000-019-0000
20	4705-000-020-0000
21	4705-000-021-0000
22	4705-000-022-0000
23	4705-000-023-0000
24	4705-000-024-0000
25	4705-000-025-0000
26	4705-000-026-0000
27	4705-000-027-0000
28	4705-000-028-0000
29	4705-000-029-0000
30	4705-000-030-0000
31	4705-000-031-0000
32	4705-000-032-0000
33	4705-000-033-0000
34	4705-000-034-0000
35	4705-000-035-0000
36	4705-000-036-0000
37	4705-000-037-0000
38	4705-000-038-0000
39	4705-000-039-0000
40	4705-000-040-0000
41	4705-000-041-0000

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**EXHIBIT D - 2**

**THE CEDARS, A CONDOMINIUM - PHASE 1  
(continued)**

Unit #	Parcel #
42	4705-000-042-0000
43	4705-000-043-0000
44	4705-000-044-0000
45	4705-000-045-0000
46	4705-000-046-0000
47	4705-000-047-0000
48	4705-000-048-0000
49	4705-000-049-0000
50	4705-000-050-0000
	4705-000-900-0000
	4705-000-900-0100
	4705-000-900-0200
	4705-000-900-0300
	4705-000-900-0400

**THE CEDARS, A CONDOMINIUM  
PHASE 2 (THIRD AMENDMENT) AND FUTURE PHASES**

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