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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

# FOR THE CEDARS, A CONDOMINIUM

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

Grantor(s): HOMESTEAD NW DEV. CO.

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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 Fourth 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, a Second Amendment thereto was filed under Skagit County Auditor File No. 9907130112 and a Third Amendment thereto was filed under Skagit County Auditor File No. 199909170116.

The Amended Declaration is hereby amended a fourth 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 to herein consists of	s as prepared by SI of Skagit County Washi	EMRAU ENGINEERING &
/// ///	•	
///	•.	
FOURTH AMENDMENT TO THE AMENDED AND RESTATAND COVENANTS, CONDITIONS, RESTRICTIONS AND RESTR	TED DECLARATION RESERVATIONS	

IN WITNESS WHEREOF the undersigned Declarant has executed this Amendment at Lynden, Washington, this \_\_\_\_ day of August, 2000. DECLARANT: HOMESTEAD NW DEV. CO. 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. day of August, 2000. of Washington, residing at Lande

FOURTH AMENDMENT TO THE AMENDED AND RESTATED DECLARATION AND COVENANTS, CONDITIONS, RESTRICTIONS AND RESERVATIONS FOR THE CEDARS, A CONDOMINIUM - 2 of 12 P:\Rita\CONDO\Cedars 4th Amendment - CCR's.doc



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#### EXHIBIT A - 1

## THE CEDARS CONDOMINIUM PHASE 3 DESCRIPTION

(Per Fourth 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, 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, AND THE "THIRD AMENDMENT TO THE CEDARS, A CONDOMINIUM", PER PLANS RECORDED IN VOLUME \_\_\_\_\_\_ OF PLATS, PAGES \_\_\_\_\_\_, UNDER AUDITOR'S FILE NUMBER 199909170116 RECORDS OF SKAGIT COUNTY, WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

#### PARCEL A:

The East Half of Tract 78, PLAT OF BURLINGTON ACREAGE PROPERTY, according to the plat thereof recorded in Volume 1 of Plats, page 49, records of Skagit County, Washington.

#### PARCEL B:

The East Half of the West Half of Tract 78, PLAT OF BURLINGTON ACREAGE PROPERTY, according to the plat thereof recorded in Volume 1 of Plats, page 49, records of Skagit County, Washington.

#### PARCEL C:

The East Half of Tract 81 and the East 31.1 feet of the West Half of said Tract 81, PLAT OF BURLINGTON ACREAGE PROPERTY, according to the plat thereof recorded in Volume 1 of Plats, page 49, records of Skagit County, Washington;

EXCEPT that portion of the above Parcels A and B described as follows:

Beginning at the Northeast corner of said Tract 78;

Thence South 00°39'17" East a distance of 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 a radius of 25.00 feet and an initial tangent bearing of North 00°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 a distance of 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 a distance of 13.57 feet;

Thence North 89°37'43" West a distance of 628.83 feet parallel with the North line of said Tract 78 to the West line of said East Half of the West Half of Tract 78; Thence North 00°25'41" West a distance of 40.00 feet along said West line to the Northwest corner thereof:

Thence South 89°37'43" East a distance of 944.47 feet along said North line to the point of beginning:

200008240077 Kathy Hill, Skagit County Auditor 8/24/2000 Page 3 of 14 2:30:56PM EXCEPT from the above described Parcels A, B and C that portion lying with the Cedars, a Condominium, according to Amended Declaration thereof recorded February 5, 1998, under Auditor's File No. 9802050054, records of Skagit County, Washington, and Amended Survey Map and Plans thereof recorded in Volume 16 of Plats, pages 214 through 219, records of Skagit County, Washington,

AND EXCEPT from the above described Parcels A, B and C that portion lying within the Cedars, a Condominium, according to Second Amended Declaration thereof recorded July 13, 1999, under Auditors' File No. 9907130111, records of Skagit County, Washington, and Second Amended Survey Map and Plans thereof recorded in Volume 17 of Plats, pages 81 through 85, records of Skagit County, Washington;

AND ALSO EXCEPT from the above described Parcels A, B and C that portion lying within the Cedars, a condominium, according to Third Amended Declaration thereof recorded September 17, 1999, under Auditor's File No. 199909170116, records of Skagit County, Washington, and Third Amended Survey Map and Plans thereof recorded September 17, 1999, under Auditor's File No. 199909170115, records of Skagit County, Washington.

Situate in Skagit County, Washington

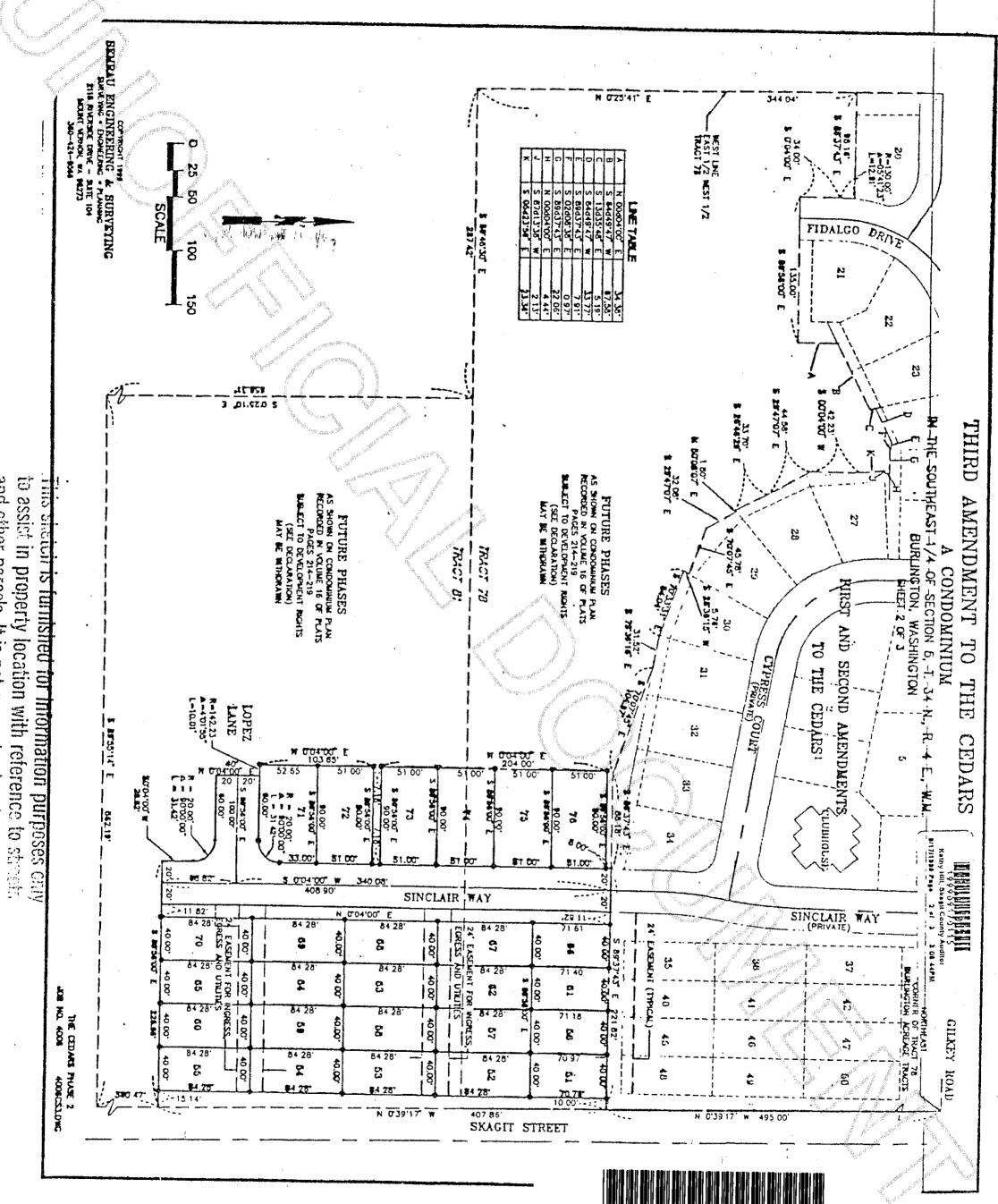


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occurring by reason of reliance thereon

and the Company assumes no liability for any loss

and other parcels. It is not guaranteed as to accomm



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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.

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### 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, Phase 2, and Phase 3.

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#### **EXHIBIT B**

- 1. Recreational Facilities. Clubhouse and R.V./boat storage area. The Clubhouse and R.V./boat storage area are now complete.
- 2. <u>Moorage Slips</u>. None.
- 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. <u>Description of Unit Building Types.</u>

COTTAGES					
Unit Type	# Bathrooms	# Bedrooms	*# Fireplaces	Type of Heat	Approximate Unit Building Square Footage
C-1 – Saratoga	1	1+den/bedroom	optional	gas forced air	600 sq. ft.
C-2 – Cornet	1	2/bedroom	optional	gas forced air	750 sq. ft.
C-3 – Crescent	1 3/4	2/bedroom	optional	gas forced air	864 sq. ft.
C-4 – Drayton	1 3/4	2 bedroom	optional	gas forced air	928 sq. ft.
C-5 - Townsend	1 3/4	2 bedroom	optional	gas forced air	1,133 sq. ft.
		September Septem			
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 3/4	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

	I · · · · · · · · · · · · · · · · · · ·	1					
	granistic contraction of the second	-			Allocated	# Attached	# Open
Unit#	Unit	Floor Location	Unit Building	Declared	Interests	Garage Parking	Parking
	Area		Type	Value \$	(%)	Spaces	Spaces
1	3619	1	B-2	\$129,950	1.3158	2	none
2	3619	A			1.3158		none
3	5433	hipping to the			1.3158		none
4	8436 · ·	1 / 7	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	I	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	The second second	B-4	\$149,950	1.3158		none
13	3666	The second of th	Alle Marie Marie		1.3158		none
14	3790	1	B-7	\$159,950	1.3158	2	none
15	3598	1,000	B-4	\$149,950	1.3158		none
16	3525				1.3158		none
17	3455		and the same of th		1.3158		none
18	4429	1	B-4		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		B-4	The second secon	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	
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		none
41	2950	1	C-2	\$ 99,950	1.3158	L	none
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## EXHIBIT C – 2 (continued)

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	And the second state of the second		,		Allocated	# Attached	# Open
Unit#	Unit	Floor Location	Unit Building	Declared	Interests	Garage Parking	Parking
	Area		Type	Value \$	(%)	Spaces	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		C-2	\$ 99,950	1.3158	1	none
45	2950	The same of the same			1.3158		none
46	2950	4.644	C-2	\$ 99,950	1.3158	1	none
47	2950		C-3	\$109,950	1.3158	1	none
48	2950	1	C-5	\$123,129	1.3158	2	none
49	2950	Target and the second	C-3	\$109,950	1.3158	1	none
50	2950	I programme and the	C-3	\$109,950	1.3158	1	none
51	2834	1	C-5		1.3158	2	none
52	3371	1	C-5		1.3158	2	none
53	3371	The same of the sa	C-5	·	1.3158	2	none
54	3371	I and the second	C-5		1.3158	2	none
55	3371	1	C-1		1.3158	1	none
56	2843	Mine we	and the second		1.3158		none
57	3371	**************************************			1.3158		none
58	3371		A Design of the second		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			The same of the sa	1.3158		none
66	2860			A Secretary of the Secr	1.3158		none
67	3371				1.3158		none
68	3371				1.3158		none
69	3371	1	C-5	\$125,950	1.3158	2	none
70	3371	1	C-5	\$125,950	1.3158	2	none
71	4682	1	B-4	\$149,950	1.3158	2	none
72	4590	1	B-7	\$159,950	1.3158	2	none
73	4590	1	B-7	\$159,950	1.3158	2	none
74	4590	1	B-4	\$149,950	1.3158	2	none
75	4590	1	B-7	\$159,950	1.3158	2	none
76	4590	1	B-4	\$149,950	1.3158	2	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 Phase 3 and all future phases of the condominium.
- 2. Unit buildings are presently built and complete only for 57 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.

FOURTH AMENDMENT TO THE AMENDED AND RESTATED DECLARATION AND COVENANTS, CONDITIONS, RESTRICTIONS AND RESERVATIONS FOR THE CEDARS, A CONDOMINIUM - 10 of 12 P:\Rita\CONDO\Cedars 4th Amendment - CCR's.doc



### EXHIBIT D-1

## THE CEDARS, A CONDOMINIUM – PHASE 1, PHASE 2 AND PHASE 3

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
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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, PHASE 2 AND PHASE 3 (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
<b>5</b> 0	4705-000-050-0000
52	4739-000-052-0000
53	4739-000-053-0000
54	4739-000-054-0000
55	4739-000-055-0000
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57	4739-000-057-0000
58	4739-000-058-0000
59	4739-000-059-0000
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67	4739-000-067-0000
68	4739-000-068-0000
69	4739-000-069-0000
70	4739-000-070-0000
71	4739-000-071-0000
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	4705-000-900-0400

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