

After Recording Return To:  
Washington State, Department of Natural Resources  
Business Systems Support Division  
Attn: Special Lands Acquisition  
P.O. Box 47014  
Olympia, WA 98504-7014



200108300131  
Skagit County Auditor  
8/30/2001 Page 1 of 7 3:28:52PM

**ISLAND TITLE COMPANY**

**A162571**

**\*\*Additional signatures for Easement Amendment recorded  
under Auditor's File No. 200108140043**

Reference: Amendment to easement recorded under AFN 200004050002 & amended under  
AFN 200102150131

Grantor: J. & P. Richter, T. Weingarten, S. Weingarten, P. & T. Tye, R. & K. Candelario, Dept.  
of Natural Resources (see also page 2)

Grantee: Secret Harbor School & Dept. of Natural Resources

Legal: Ptn. of Govt. Lots 4 & 5 of Section 4, Township 35 North, Range 1 East, W.M. (more  
fully set forth in easement recorded under AFN 200004050002)

Tax Parcel Nos.: 350104-1-006-0602, 350104-1-006-0701 & 350104-1-006-0800

This agreement amends that certain easement recorded under Auditor's File No.  
200004050002 and amended under Auditor's File No. 200102150131, records of Skagit County,  
State of Washington (hereinafter referred to as "Easement").

**Recitals**

A. State of Washington, acting by and through the Department of Natural Resources  
(hereinafter referred to as "State"), wishes to purchase certain real property located in Skagit  
County, Washington, the legal description of which is set forth on Exhibit "A" attached hereto  
(hereinafter referred to as "Property") and incorporated by this reference herein. The Easement is  
appurtenant to the Property in addition to other parcels identified in Exhibit E to the Easement.

B. State does not anticipate a need to use the Highland Road as described in Auditor's  
File No. 200004050002 to access the Property and therefore does not wish to be subject to the  
obligations for maintenance and indemnification imposed on the Grantee under the easement.

C. Grantor and Grantee under the easement wish to encourage the State to purchase the  
Property and are willing to modify the terms of the easement as it affects the Property by  
releasing the State from obligations as set forth hereafter.

**Agreement**

For and in consideration of mutual benefits, receipt of which is hereby acknowledged, the  
parties agree as follows:

1. State, as owner of the Property or any portion thereof, is hereby released from the  
indemnification and liability insurance obligation under section 3(e). State is hereby released  
from the maintenance obligations imposed under section 3(f) for any period in which the State  
does not use the Highland Road or limits its use to foot traffic. During periods when the State  
uses this road to access the Property, the State shall share in the maintenance cost of the road in  
proportion to the State's use.
2. This agreement may be signed in counterpart.
3. This agreement shall become effective upon transfer of any portion of the  
Property to the State.

4. This agreement shall apply to any future acquisitions by the State of Grantor's or Grantee's property encumbered or served by the easement recorded under Auditor's File No. 200004050002.
5. If any portion of this Agreement shall be invalid, void or illegal, it shall in no way affect, impair or invalidate any of the other provisions hereof.

IN WITNESS HEREOF, the parties have executed this agreement the date and year set forth opposite their respective names.

Dated: \_\_\_\_\_, 20\_\_

JOACHIM RICHTER

Dated: \_\_\_\_\_, 20\_\_

PATRICIA RICHTER

Dated: 8/28/01, 20\_\_

*Thomas J. Weingarten*

THOMAS J. WEINGARTEN

Dated: 8/28/01, 20\_\_

*Susan M. Weingarten*

SUSAN M. WEINGARTEN

Dated: \_\_\_\_\_, 20\_\_

PATRICK CHARLES TYE

Dated: \_\_\_\_\_, 20\_\_

TONYA ROBISON TYE

Dated: \_\_\_\_\_, 20\_\_

FRANK ROBERT CANDELARIO

Dated: \_\_\_\_\_, 20\_\_

KRISTINA L. CANDELARIO

Dated: \_\_\_\_\_, 20\_\_

SECRET HARBOR SCHOOL

*Easement*  
SKAGIT COUNTY WASHINGTON  
Real Estate Excise Tax  
PAID

**AUG 30 2001**

Amount Paid *\$*  
Skagit County Treasurer  
By: *[Signature]* Deputy

By: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF WASHINGTON  
DEPARTMENT OF NATURAL RESOURCES

Dated: \_\_\_\_\_, 20\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Amendment  
Approved as to Form on  
\_\_\_\_\_, 20\_\_ by

James Schwartz  
Assistant Attorney General  
State of Washington



200108300131  
Skagit County Auditor

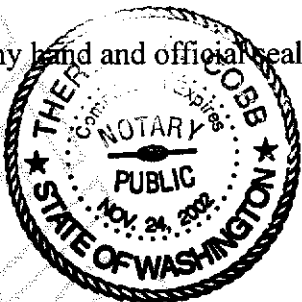
8/30/2001 Page 2 of 7 3:28:52PM

ACKNOWLEDGEMENTS

STATE OF WASHINGTON )  
 )ss  
COUNTY OF KING )

On this day personally appeared before me Thomas Weingarten, to me known to be the individual \_\_\_ described in and who executed the within and foregoing instrument and acknowledged that he/she/they signed the same as his/her/their free and voluntary act and deed for the uses and purposes therein mentioned.

Given under my hand and official seal this 28 day of Aug, 2001.

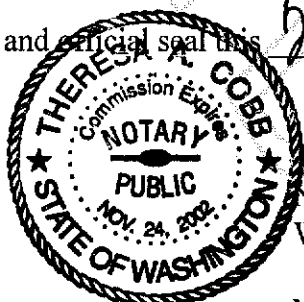


Theresa A. Cobb  
Notary Public in and for the State of  
Washington, residing at Seattle  
My appointment expires 11-24-02

STATE OF WASHINGTON )  
 )ss  
COUNTY OF KING )

On this day personally appeared before me Susan Weingarten, to me known to be the individual \_\_\_ described in and who executed the within and foregoing instrument and acknowledged that he/she/they signed the same as his/her/their free and voluntary act and deed for the uses and purposes therein mentioned.

Given under my hand and official seal this 28 day of Aug, 2001.



Theresa A. Cobb  
Notary Public in and for the State of  
Washington, residing at Seattle  
My appointment expires 11-24-02

STATE OF WASHINGTON )  
 )ss  
COUNTY OF )

On this day personally appeared before me \_\_\_\_\_, to me known to be the individual \_\_\_ described in and who executed the within and foregoing instrument and acknowledged that he/she/they signed the same as his/her/their free and voluntary act and deed for the uses and purposes therein mentioned.

Given under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public in and for the State of  
Washington, residing at \_\_\_\_\_  
My appointment expires \_\_\_\_\_



200108300131  
, Skagit County Auditor  
8/30/2001 Page 3 of 7 3:28:52PM

STATE OF WASHINGTON )  
 )ss  
COUNTY OF )

On this day personally appeared before me \_\_\_\_\_, to me known to be the individual \_\_ described in and who executed the within and foregoing instrument and acknowledged that he/she/they signed the same as his/her/their free and voluntary act and deed for the uses and purposes therein mentioned.

Given under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public in and for the State of  
Washington, residing at \_\_\_\_\_.

My appointment expires \_\_\_\_\_.

STATE OF WASHINGTON )  
 )ss  
COUNTY OF )

On this day personally appeared before me \_\_\_\_\_, to me known to be the individual \_\_ described in and who executed the within and foregoing instrument and acknowledged that he/she/they signed the same as his/her/their free and voluntary act and deed for the uses and purposes therein mentioned.

Given under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public in and for the State of  
Washington, residing at \_\_\_\_\_.

My appointment expires \_\_\_\_\_.

STATE OF WASHINGTON )  
 )ss  
COUNTY OF )

On this day personally appeared before me \_\_\_\_\_, to me known to be the individual \_\_ described in and who executed the within and foregoing instrument and acknowledged that he/she/they signed the same as his/her/their free and voluntary act and deed for the uses and purposes therein mentioned.

Given under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public in and for the State of  
Washington, residing at \_\_\_\_\_.

My appointment expires \_\_\_\_\_.



200108300131  
, Skagit County Auditor

8/30/2001 Page 4 of 7 3:28:52PM

STATE OF WASHINGTON )  
 )ss  
COUNTY OF )

On this day personally appeared before me \_\_\_\_\_, to me known to be the individual \_\_\_ described in and who executed the within and foregoing instrument and acknowledged that he/she/they signed the same as his/her/their free and voluntary act and deed for the uses and purposes therein mentioned.

Given under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public in and for the State of  
Washington, residing at \_\_\_\_\_.

My appointment expires \_\_\_\_\_.

STATE OF WASHINGTON )  
 )ss  
COUNTY OF )

On this day personally appeared before me \_\_\_\_\_, to me known to be the individual \_\_\_ described in and who executed the within and foregoing instrument and acknowledged that he/she/they signed the same as his/her/their free and voluntary act and deed for the uses and purposes therein mentioned.

Given under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public in and for the State of  
Washington, residing at \_\_\_\_\_.

My appointment expires \_\_\_\_\_.



200108300131

Skagit County Auditor

8/30/2001 Page 5 of 7 3:28:52PM

STATE OF WASHINGTON )  
 )ss  
COUNTY OF )

On this day personally appeared before me \_\_\_\_\_ to me known to be the \_\_\_\_\_ of Secret Harbor School, a Washington non-profit corporation, that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said non-profit corporation, for the uses and purposes therein mentioned, and on oath stated that he/she/was they were authorized to execute said instrument for said non-profit corporation.

Given under my hand and official seal this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Notary Public in and for the State of  
Washington, residing at \_\_\_\_\_.

My appointment expires \_\_\_\_\_.

STATE OF WASHINGTON )  
 )ss  
County of )

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, personally appeared before me DOUG SUTHERLAND, to me known to be the Commissioner of Public Lands, and ex officio administrator of the Department of Natural Resources of the State of Washington, the Department that executed the within and foregoing instrument on behalf of the State of Washington, and acknowledged said instrument to be the free and voluntary act and deed of the State of Washington for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument and that the seal affixed is the official seal of the Commissioner of Public Lands for the State of Washington.

IN WITNESS THEREOF, I have hereunto set my hand and seal the day and year first above written.

\_\_\_\_\_  
Notary Public in and for the State of  
Washington, residing at \_\_\_\_\_.

My appointment expires \_\_\_\_\_.



200108300131  
Skagit County Auditor

8/30/2001 Page 6 of 7 3:28:52PM

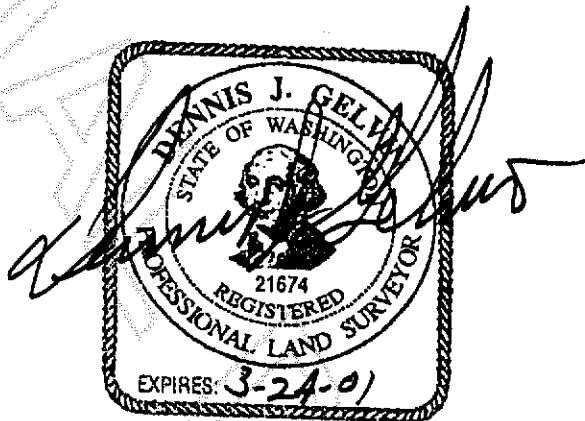
**EXHIBIT A**

**CYPRESS ISLAND NRCA**

**SECRET HARBOR SCHOOL  
PARCEL DESCRIPTION**

The west half of Government Lot 8, and Government Lot 9 of Section 4, Township 35 North, Range 1 East, Willamette Meridian, Skagit County, Washington, excepting from said Government Lot 9, the west 21.29 acres of said Government Lot, said west 21.29 acres being as monumented and shown on that survey recorded June 10, 1997 in Book 19 of Surveys at Page 127 under Auditor's File No. 9706100063, Skagit County Records,  
**TOGETHER WITH**

That portion of the tidelands of the second class described by document recorded April 3, 1915 under Auditor's File number 107270 lying in front of said Government Lot 9, excepting from said tidelands that portion lying in front of the west 21.29 acres of said Government Lot 9, said west 21.29 acres being as monumented and shown on said survey recorded under Auditor's File No. 9706100063, Skagit County Records.



Dennis J. Gelvin, PLS 21674  
Land Description & R/W Specialist  
State Land Survey Unit  
Resource Planning & Asset Management  
PO Box 47060  
Olympia, WA 98504-7060

Dated 4-13-01

FILENAME:L483LOT89TIDE