

When recorded return to:

Skagit Land Trust
P. O. Box 1017
Mt. Vernon, WA 98273



200112280132

Skagit County Auditor

12/28/2001 Page 1 of 4 1:29PM

Grantor: George and Sue Mehler
Grantee: Skagit Land Trust

Brief Legal Description: Portions of the Northeast 1/4 of the Northwest 1/4 in
Section 25, Township 35 North, Range 1 East, W.M.

Assessor's Tax ID / Parcel Number: 3787-001-023-0004 / P57183
350125-2-008-0007 / P32212
350125-2-001-0004 / P32192

Conservation Easement
SKAGIT COUNTY WAS. HINGTON
SAVING RESTATE EXCISE TAX
From Tentative House Tax

Document Reference: Auditor's file No. 9512290144

DEC 28 2001
DEC 28 2001

Amount Paid \$ 0
Skagit County Treasurer
By *man* Deputy

CONSERVATION EASEMENT AMENDMENT

THIS CONSERVATION EASEMENT AMENDMENT is made this 27 day of December 2001 by George and Sue Mehler, husband and wife, co-trustees of the Mehler Living Trust executed on the 12th day of September 1990 by the said George J. Mehler, Sr. and Sue R. Mehler, husband and wife as trustors, residing 1820 32nd Street, Anacortes, WA 98221, (hereinafter referred to as Grantors), in favor of the Skagit Land Trust, a Washington nonprofit corporation qualified to do business in Washington, having an address at P. O. Box 1017, Mt. Vernon, WA 98273 (hereinafter referred to as "Grantee").

WHEREAS, Grantor has previously granted a Conservation Easement on certain real property on December 29, 1995, having Skagit County Auditor's File Number 9512290144, hereafter, "Mehler 1995 Conservation Easement,"; and

WHEREAS, Grantor has granted a second Conservation Easement on adjacent real property on this 27 day of December, 2001 and recorded under Skagit County Auditor's File Number 200112280131, hereafter, "Mehler 2001 Conservation Easement"; and

WHEREAS, it is the purpose of this Amendment to ensure consistency between the Mehler 1995 Conservation Easement and Mehler 2001 Conservation Easement, and to protect the identified Conservation Values on said easements; and

WHEREAS, Section XIII of the Mehler 1995 Conservation Easement states that the Grantor and Grantee are free to jointly amend the easement if appropriate, and nothing herein is inconsistent with the provisions of said Section; and

NOW, THEREFORE, Section VI.B ("Permitted Uses") of the Mehler 1995 Conservation Easement is hereby amended to read as follows:

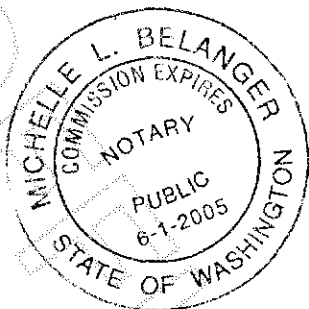
B. Subdivision. The legal or "defacto" subdivision of the Protected Property is allowed as described below in subsections (a) through (d) of this section. At the present time, the Protected Property, and the adjacent eleven acres to the west, ("Mehler 2001 Conservation Easement"), are entirely owned by the Grantor; and, combined, the property is approximately 22.4 acres in size. The Residential Homesite allowed on the Protected Property, and the Residential Homesite allowed in the Mehler 2001 Conservation Easement shall be known as "Allowed Homesites". The 22.4 acres excluding the Allowed Homesites creates a combined protected open space of approximately 19.5 acres, which shall be known as "Open Space". The Open Space may be subdivided only as follows:

- a. The Open Space in its entirety may be included in a subdivision to aggregate it to either one of the Allowed Homesites.
- b. The Open Space may be divided into two (2) parcels if each resulting parcel is aggregated to, or remains with, an Allowed Homesite.
- c. The Open Space may be segregated from both Allowed Homesites so long as it is not itself divided, and so long as it is owned by, or transferred to, an entity which is dedicated to managing it as a natural area such as the Anacortes Parks Department or a non-profit organization.
- d. Any subdivision must be in compliance with federal, state and local regulations, and shall be subject to prior written approval by the Grantee.

IN ALL OTHER RESPECTS, the Mehler 1995 Conservation Easement shall remain in full force and effect. Any provision in the Mehler 1995 Conservation Easement inconsistent with this amendment shall construed to carry out the provisions of this amendment.



IN WITNESS WHEREOF, the undersigned Grantor has executed this instrument this
27 day of December, 2001



George J. Mehler Sr.
George J. Mehler Sr., Grantor

Sue R. Mehler
Sue R. Mehler, Grantor

State of Washington)
County of Skagit) ss.

On this day personally appeared before me, George J. Mehler Sr. and Sue R. Mehler, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as a free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 27th day of December, 2001.

Michelle L. Belanger
Notary Public in and for said State of Washington

Michelle L. Belanger
Printed Name

Residing at 111 Vernon

My commission expires: 6-1-2005



THE SKAGIT LAND TRUST does hereby accept the above Conservation Easement Amendment.

Dated: 12-28-2001

Andrea Xaver
Skagit Land Trust, Grantee

By ANDREA XAVER

Its President

State of Washington)
County of Skagit) ss.

I certify that I know or have satisfactory evidence that Andrea Xaver is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as the President of the Skagit Land Trust to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 12-28-01

Maria K Ragan
Notary Public

Susan K Ragan
Printed Name
My appointment expires
8-01-2002