



200201310042

Skagit County Auditor

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Filed for Record at Request of  
Dale K. Roundy  
P.O. Box 1500  
Coupeville, WA 98239

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**AMENDMENT TO DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS FOR  
ANKNEY HEIGHTS**

200108100314

**Grantor(s):** LRDTD Johnson Partnership, a Washington general partnership;  
Hugh Schmidt and Jean Schmidt, husband and wife;  
Doyle S. Guffie and Mary Guffie, husband and wife;  
Bresnan Family Limited Partnership;  
Jeff W. Whitlock and Tonya M. Whitlock, husband and wife

**Grantee(s):** LRDTD Johnson Partnership, a Washington general partnership;  
Hugh Schmidt and Jean Schmidt, husband and wife;  
Doyle S. Guffie and Mary Guffie, husband and wife;  
Bresnan Family Limited Partnership;  
Jeff W. Whitlock and Tonya M. Whitlock, husband and wife

**Legal Description:** Lots 1 through 28, Plat of Ankney Heights  
(Additional legal is on Pages 10 through 13 of document.)

**Assessor's Tax Parcel Number:** 4779-000-001-0000 R118246; 4779-000-002-0000  
R118247; 4779-000-003-0000 R118248; 4779-000-004-0000 R118249;  
4779-000-005-0000 R118250; 4779-000-006-0000 R118251; 4779-000-  
007-0000 R118252; 4779-000-008-0000 R118253; 4779-000-009-0000  
R118254; 4779-000-010-0000 R118255; 4779-000-011-0000 R118256;  
4779-000-012-0000 R118257; 4779-000-013-0000 R118258; 4779-000-  
014-0000 R118259; 4779-000-015-0000 R118260; 4779-000-016-0000  
R118261; 4779-000-017-0000 R118262; 4779-000-018-0000 R118263;  
4779-000-019-0000 R118264; 4779-000-020-0000 R118265; 4779-000-  
021-0000 R118266; 4779-000-022-0000 R118267; 4779-000-023-0000  
R118268; 4779-000-024-0000 R118269; 4779-000-025-0000 R118270;  
4779-000-026-0000 R118271; 4779-000-027-0000 R118272; 4779-000-  
028-0000 R118273

**Reference Numbers of Documents Assigned or Released:** [N/A]

THIS AMENDMENT to Declaration of Covenants, Conditions and  
Restrictions for Ankney Heights is executed by the undersigned owners of  
record of the platted lots located within the Plat of Ankney Heights, recorded

under Skagit County Auditor file number 200108230090, records of Skagit County, Washington (herein "the Plat").

**RECITALS:**

A. LRDTD Johnson Partnership (herein "LRDTD") is the owner of Lots 1 through 6, 8 through 11, and 16 through 28, more particularly described in Exhibit A attached hereto.

B. LRDTD is also the Declarant named in the Covenants (defined below).

C. Hugh Schmidt and Jean Schmidt, husband and wife (herein "Schmidt") are the owners of Lot 7, more particularly described in Exhibit A attached hereto.

D. Doyle S. Guffie and Mary Guffie, husband and wife (herein "Guffie") are the owners of Lots 12 and 13, more particularly described in Exhibit A attached hereto.

E. The Bresnan Family Limited Partnership (herein "Bresnan") is the owner of Lot 14, more particularly described in Exhibit A hereto.

F. Jeff W. Whitlock and Tonya M. Whitlock, husband and wife (herein "Whitlock") are the owners of Lot 15, more particularly described in Exhibit A hereto.

G. A Declaration of Covenants, Conditions and Restrictions for Ankney Heights dated August 10, 2001 was recorded on August 10, 2001 under Auditor's File No. 200108100314, records of Skagit County, Washington ("the Covenants").

H. The Covenants authorize amendment upon the affirmative vote or written consent of at least two-thirds of the owners and the consent of the Declarant until such time as the Declarant has sold all of the Lots.

I. The undersigned owners of platted lots in the Plat constitute at least two-thirds of the owners of all lots in the Plat and wish to amend the Covenants to reduce the minimum size of dwellings constructed on each lot from 1,800 to 1,500 square feet.

**AMENDMENT TO RESTRICTIONS AND COVENANTS OF PLAT**

NOW, THEREFORE, the undersigned record owners of the lots located within the Plat hereby agree to amend the Covenants as follows:



Section 1. Subsection 2.3.2 of the Covenants shall be amended in its entirety and as amended shall read as follows:

2.3.2. Minimum Area. Unless a variance is granted, residential units, all of which are single family dwellings, shall not be less than 1,500 square feet without specific approval of the ACC for good cause.

Section 2. It is understood and agreed by each of the undersigned owners of lots within the Plat that the amendment contemplated by this instrument shall be effective only upon its execution by at least two-thirds of the owners of all lots located within the Plat and the signed Consent of the Declarant.

Section 3. This Amendment shall not cause any other provision of the Covenants to be modified.

Section 4. By executing this Amendment to Declaration, LRDTD hereby evidences its consent as the Declarant to this Amendment.

This instrument has been executed on the date shown opposite the signatures of the undersigned owners of record of the Plat.

Owners of Lots 1 through 6, 8 through 11 and  
16 through 28 of Plat

Date: 1-28-02

LRDTD JOHNSON PARTNERSHIP, a  
Washington general partnership

By: William L Johnson  
Partner

By: Rita J. Johnson  
Partner

By: Ray L Johnson  
Partner

By: David E Johnson  
Partner

By: Danny N Johnson  
Partner



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**Owners of Lot 7 of Plat**

Date: \_\_\_\_\_

\_\_\_\_\_  
Hugh Schmidt

\_\_\_\_\_  
Jean Schmidt

**Owners of Lots 12 and 13 of Plat**

Date: \_\_\_\_\_

\_\_\_\_\_  
Doyle S. Guffie

\_\_\_\_\_  
Mary Guffie

**Owner of Lot 14 of Plat**

BRESNAN FAMILY LIMITED  
PARTNERSHIP

Date: \_\_\_\_\_

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

**Owners of Lot 15 of Plat**

Date: \_\_\_\_\_

\_\_\_\_\_  
Jeff W. Whitlock

\_\_\_\_\_  
Tonya M. Whitlock

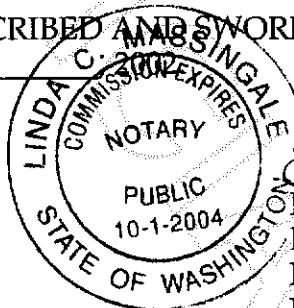


200201310042  
Skagit County Auditor

STATE OF WASHINGTON )  
 )  
 ) SS:  
COUNTY OF Skagit )

On this day personally appeared before me William L. Johnson  
to me known to be a general partner of LRDTD JOHNSON PARTNERSHIP, a  
Washington general partnership, the partnership who executed the foregoing  
instrument and acknowledged to me that the partnership is the record owner of  
Lot 1 through 6, 8 through 11 and 16 through 28 of the Plat described in the  
foregoing instrument, and acknowledged that he/she signed the same as the free  
and voluntary act and deed of the partnership, for the uses and purposes therein  
mentioned.

SUBSCRIBED AND SWORN to before me on this 28<sup>th</sup> day of  
Jan

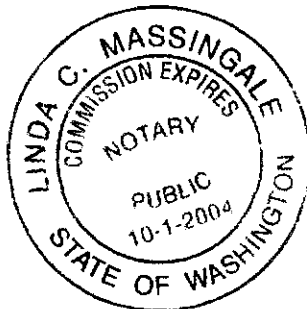


Linda C. Massingale  
Print Name: Linda C. Massingale  
Notary Public for the State of Washington  
Residing at: Sedro Woolley  
My Commission Expires: 10-1-04

STATE OF WASHINGTON )  
 )  
 ) SS:  
COUNTY OF )

On this day personally appeared before me Rita J. Johnson  
to me known to be a general partner of LRDTD JOHNSON PARTNERSHIP, a  
Washington general partnership, the partnership who executed the foregoing  
instrument and acknowledged to me that the partnership is the record owner of  
Lot 1 through 6, 8 through 11 and 16 through 28 of the Plat described in the  
foregoing instrument, and acknowledged that he/she signed the same as the free  
and voluntary act and deed of the partnership, for the uses and purposes therein  
mentioned.

SUBSCRIBED AND SWORN to before me on this 28<sup>th</sup> day of  
Jan, 2002.



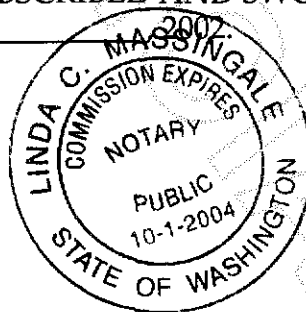
Linda C. Massingale  
Print Name: Linda C. Massingale  
Notary Public for the State of Washington  
Residing at: Sedro Woolley  
My Commission Expires: 10-1-04



STATE OF WASHINGTON )  
 )  
 )  
COUNTY OF )  
 )  
 )

On this day personally appeared before me Terry L. Johnson  
to me known to be a general partner of LRDTD JOHNSON PARTNERSHIP, a  
Washington general partnership, the partnership who executed the foregoing  
instrument and acknowledged to me that the partnership is the record owner of  
Lot 1 through 6, 8 through 11 and 16 through 28 of the Plat described in the  
foregoing instrument, and acknowledged that he/she signed the same as the free  
and voluntary act and deed of the partnership, for the uses and purposes therein  
mentioned.

SUBSCRIBED AND SWORN to before me on this 28<sup>th</sup> day of  
Jan 2002.

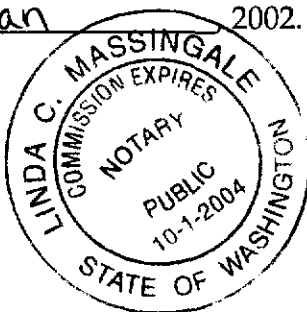


Linda C Massingale  
Print Name: Linda C Massingale  
Notary Public for the State of Washington  
Residing at: Sedro Woolley  
My Commission Expires: 10-1-04

STATE OF WASHINGTON )  
 )  
 )  
COUNTY OF )  
 )  
 )

On this day personally appeared before me David E Johnson  
to me known to be a general partner of LRDTD JOHNSON PARTNERSHIP, a  
Washington general partnership, the partnership who executed the foregoing  
instrument and acknowledged to me that the partnership is the record owner of  
Lot 1 through 6, 8 through 11 and 16 through 28 of the Plat described in the  
foregoing instrument, and acknowledged that he/she signed the same as the free  
and voluntary act and deed of the partnership, for the uses and purposes therein  
mentioned.

SUBSCRIBED AND SWORN to before me on this 28<sup>th</sup> day of  
Jan 2002.



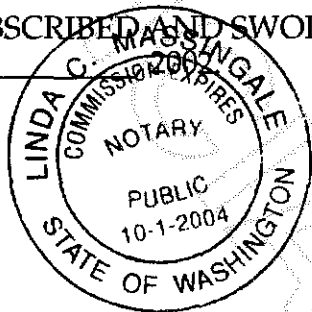
Linda C Massingale  
Print Name: Linda C Massingale  
Notary Public for the State of Washington  
Residing at: Sedro Woolley  
My Commission Expires: 10-1-04



STATE OF WASHINGTON )  
 )  
 ) SS:  
COUNTY OF )

On this day personally appeared before me Danny N. Johnson to me known to be a general partner of LRDTD JOHNSON PARTNERSHIP, a Washington general partnership, the partnership who executed the foregoing instrument and acknowledged to me that the partnership is the record owner of Lot 1 through 6, 8 through 11 and 16 through 28 of the Plat described in the foregoing instrument, and acknowledged that he/she signed the same as the free and voluntary act and deed of the partnership, for the uses and purposes therein mentioned.

SUBSCRIBED AND SWORN to before me on this 28<sup>th</sup> day of



Linda C. Massingale  
Print Name: Linda C. Massingale  
Notary Public for the State of Washington  
Residing at: Sedro Woolley  
My Commission Expires: 10-1-04

STATE OF WASHINGTON )  
 )  
 ) SS:  
COUNTY OF \_\_\_\_\_ )

On this day personally appeared before me HUGH SCHMIDT and JEAN SCHMIDT, to me known to be the individuals described in and who executed the foregoing instrument and acknowledged to me that they are the record owners of Lot 7 of the Plat described in the foregoing instrument, and they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

SUBSCRIBED AND SWORN to before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

Print Name: \_\_\_\_\_  
Notary Public for the State of Washington  
Residing at: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_



**Skagit County Auditor**

STATE OF WASHINGTON )  
 )  
 ) ss:  
COUNTY OF \_\_\_\_\_ )

On this day personally appeared before me DOYLE S. GUFFIE and MARY GUFFIE, to me known to be the individuals described in and who executed the foregoing instrument and acknowledged to me that they are the record owners of Lots 12 and 13 of the Plat described in the foregoing instrument, and they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

SUBSCRIBED AND SWORN to before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
Print Name: \_\_\_\_\_  
Notary Public for the State of Washington  
Residing at: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

STATE OF WASHINGTON )  
 )  
 ) ss:  
COUNTY OF \_\_\_\_\_ )

On this day personally appeared before me \_\_\_\_\_  
to me known to be a \_\_\_\_\_ of BRESNAN FAMILY LIMITED  
PARTNERSHIP, the partnership who executed the foregoing instrument, and  
acknowledged that he/she signed the same as the free and voluntary act and  
deed of the partnership, for the uses and purposes therein mentioned.

SUBSCRIBED AND SWORN to before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
Print Name: \_\_\_\_\_  
Notary Public for the State of Washington  
Residing at: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_



200201310042

Skagit County Auditor



STATE OF WASHINGTON )  
 )  
 ) ss:  
COUNTY OF \_\_\_\_\_ )

On this day personally appeared before me TODD W. WHITLOCK and TONYA M. WHITLOCK, to me known to be the individuals described in and who executed the foregoing instrument and acknowledged to me that they are the record owners of Lot 15 of the Plat described in the foregoing instrument, and they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

SUBSCRIBED AND SWORN to before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
Print Name: \_\_\_\_\_  
Notary Public for the State of Washington  
Residing at: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_



**EXHIBIT A**

Lots owned by LRDTD:

Lot 1, PLAT OF ANKNEY HEIGHTS, according to the plat thereof, recorded under Auditor's File No. 200108230090, records of Skagit County, Washington.

Tax Account No. 4779-000-001-0000 P118246

Lot 2, PLAT OF ANKNEY HEIGHTS, according to the plat thereof, recorded under Auditor's File No. 200108230090, records of Skagit County, Washington.

Tax Account No. 4779-000-002-0000 P118247

Lot 3, PLAT OF ANKNEY HEIGHTS, according to the plat thereof, recorded under Auditor's File No. 200108230090, records of Skagit County, Washington.

Tax Account No. 4779-000-003-0000 P118248

Lot 4, PLAT OF ANKNEY HEIGHTS, according to the plat thereof, recorded under Auditor's File No. 200108230090, records of Skagit County, Washington.

Tax Account No. 4779-000-004-0000 P118249

Lot 5, PLAT OF ANKNEY HEIGHTS, according to the plat thereof, recorded under Auditor's File No. 200108230090, records of Skagit County, Washington.

Tax Account No. 4779-000-005-0000 P118250

Lot 6, PLAT OF ANKNEY HEIGHTS, according to the plat thereof, recorded under Auditor's File No. 200108230090, records of Skagit County, Washington.

Tax Account No. 4779-000-006-0000 P118251

Lot 8, PLAT OF ANKNEY HEIGHTS, according to the plat thereof, recorded under Auditor's File No. 200108230090, records of Skagit County, Washington.

Tax Account No. 4779-000-008-0000 P118253



Lot 9, PLAT OF ANKNEY HEIGHTS, according to the plat thereof, recorded under Auditor's File No. 200108230090, records of Skagit County, Washington.

Tax Account No. 4779-000-009-0000 P118254

Lot 10, PLAT OF ANKNEY HEIGHTS, according to the plat thereof, recorded under Auditor's File No. 200108230090, records of Skagit County, Washington.

Tax Account No. 4779-000-010-0000 P118255

Lot 11, PLAT OF ANKNEY HEIGHTS, according to the plat thereof, recorded under Auditor's File No. 200108230090, records of Skagit County, Washington.

Tax Account No. 4779-000-011-0000 P118256

Lot 16, PLAT OF ANKNEY HEIGHTS, according to the plat thereof, recorded under Auditor's File No. 200108230090, records of Skagit County, Washington.

Tax Account No. 4779-000-016-0000 P118261

Lot 17, PLAT OF ANKNEY HEIGHTS, according to the plat thereof, recorded under Auditor's File No. 200108230090, records of Skagit County, Washington.

Tax Account No. 4779-000-017-0000 P118262

Lot 18, PLAT OF ANKNEY HEIGHTS, according to the plat thereof, recorded under Auditor's File No. 200108230090, records of Skagit County, Washington.

Tax Account No. 4779-000-018-0000 P118263

Lot 19, PLAT OF ANKNEY HEIGHTS, according to the plat thereof, recorded under Auditor's File No. 200108230090, records of Skagit County, Washington.

Tax Account No. 4779-000-019-0000 P118264

Lot 20, PLAT OF ANKNEY HEIGHTS, according to the plat thereof, recorded under Auditor's File No. 200108230090, records of Skagit County, Washington.

Tax Account No. 4779-000-020-0000 P118265



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Lot 21, PLAT OF ANKNEY HEIGHTS, according to the plat thereof, recorded under Auditor's File No. 200108230090, records of Skagit County, Washington.

Tax Account No. 4779-000-021-0000 P118266

Lot 22, PLAT OF ANKNEY HEIGHTS, according to the plat thereof, recorded under Auditor's File No. 200108230090, records of Skagit County, Washington.

Tax Account No. 4779-000-022-0000 P118267

Lot 23, PLAT OF ANKNEY HEIGHTS, according to the plat thereof, recorded under Auditor's File No. 200108230090, records of Skagit County, Washington.

Tax Account No. 4779-000-023-0000 P118268

Lot 24, PLAT OF ANKNEY HEIGHTS, according to the plat thereof, recorded under Auditor's File No. 200108230090, records of Skagit County, Washington.

Tax Account No. 4779-000-024-0000 P118269

Lot 25, PLAT OF ANKNEY HEIGHTS, according to the plat thereof, recorded under Auditor's File No. 200108230090, records of Skagit County, Washington.

Tax Account No. 4779-000-025-0000 P118270

Lot 26, PLAT OF ANKNEY HEIGHTS, according to the plat thereof, recorded under Auditor's File No. 200108230090, records of Skagit County, Washington.

Tax Account No. 4779-000-026-0000 P118271

Lot 27, PLAT OF ANKNEY HEIGHTS, according to the plat thereof, recorded under Auditor's File No. 200108230090, records of Skagit County, Washington.

Tax Account No. 4779-000-027-0000 P118272

Lot 28, PLAT OF ANKNEY HEIGHTS, according to the plat thereof, recorded under Auditor's File No. 200108230090, records of Skagit County, Washington.

Tax Account No. 4779-000-028-0000 P118273



Lot Owned by Schmidt:

Lot 7, PLAT OF ANKNEY HEIGHTS, according to the plat thereof, recorded under Auditor's File No. 200108230090, records of Skagit County, Washington.

Tax Account No. 4779-000-007-0000 P118252

Lots Owned by Guffie:

Lots 12 and 13, PLAT OF ANKNEY HEIGHTS, according to the plat thereof, recorded under Auditor's File No. 200108230090, records of Skagit County, Washington.

Tax Account Nos. 4779-000-012-0000 P118257  
4779-000-013-0000 P118258

Lot Owned by Bresnan Family Limited Partnership:

Lot 14, PLAT OF ANKNEY HEIGHTS, according to the plat thereof, recorded under Auditor's File No. 200108230090, records of Skagit County, Washington.

Tax Account No. 4779-000-014-0000 P118259

Lot Owned by Whitlock:

Lot 15, PLAT OF ANKNEY HEIGHTS, according to the plat thereof, recorded under Auditor's File No. 200108230090, records of Skagit County, Washington.

Tax Account No. 4779-000-015-0000 P118260

