



200205300175

Skagit County Auditor

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**Return Address:**

BALL JANIK LLP ATTN: LAURA CRASKA COOPER  
15 SW COLORADO, SUITE K  
BEND, OR 97702



*First American Title  
Insurance Company*

<b>DOCUMENT TITLE(S)</b> (for transactions contained therein): 1. MEMORANDUM OF TENANCY IN COMMON AGREEMENT 2. 3. 4.	<b>FIRST AMERICAN TITLE CO.</b> 60480-2
<b>Reference Number(s)</b> of Documents assigned or released: (on page ___ of document(s))	
<b>Grantor(s)</b> 1. MPH I LLC, AN OREGON LIMITED LIABILITY COMPANY 2. SHH I LLC, AN OREGON LIMITED LIABILITY COMPANY 3. BMH I LLC, AN OREGON LIMITED LIABILITY COMPANY 4.	
Additional Names on page ___ of document.	
<b>Grantee(s)</b> 1. 2. 3. 4.	
Additional Names on page ___ of document.	
<b>Legal Description</b> (abbreviated i.e. lot, block, plat or section, township, range) NORTHWEST QUARTER, SECTION 8, TOWNSHIP 35N, RANGE 6E, SKAGIT COUNTY, WA	
Additional legal is on page 5 of document.	
<b>Assessor's Property Tax Parcel/Account Number</b> 350608-2-004-0007 (P40858), 350608-2-002-0009 (P40856), 350608-2-001-0000 (P40855)	
The Auditor/Recorder will rely on information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.	

Recorded at the Request of  
and after Recording Return to:

Ball Janik LLP  
15 SW Colorado, Suite K  
Bend, Oregon 97702  
Attn: Laura Craska Cooper

### MEMORANDUM OF TENANCY IN COMMON AGREEMENT

THIS MEMORANDUM OF TENANCY IN COMMON AGREEMENT (this "Memorandum") is made as of May 20, 2002, by and among MPH I LLC, an Oregon limited liability company ("MPH"), SHH I LLC, an Oregon limited liability company ("SHH") and BMH I LLC, an Oregon limited liability company ("BMH").

MPH, SHH and BMH are parties to that certain Tenancy in Common Agreement of even date herewith (the "Tenancy in Common Agreement"). The Tenancy in Common Agreement affects the parties undivided interests in the real property located in Skagit County, Washington, which is legally described on the attached **Exhibit A** (the "Property").

This Memorandum is for informational purposes only and nothing contained herein shall be deemed to in any way modify or otherwise affect any of the terms and conditions of the Tenancy in Common Agreement, all of which are incorporated herein by reference.

This Memorandum may be executed in any number of counterparts, all of which together shall constitute one and the same document.

IN WITNESS WHEREOF, the parties have executed this Memorandum as of the day and year first above written.

"MPH":

MPH I LLC,  
an Oregon limited liability company

By: Michael P. Hollern

Michael P. Hollern, Manager

"SHH":

SHH I LLC,  
an Oregon limited liability company

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

Sheila H. Herbert, Manager

"BMH":

BMH I LLC,  
an Oregon limited liability company

By: Brooks M. Hollern

Brooks M. Hollern, Manager



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# MEMORANDUM OF TENANCY IN COMMON AGREEMENT

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This Memorandum is for informational purposes only and nothing contained herein shall be deemed to in any way modify or otherwise affect any of the terms and conditions of the Tenancy in Common Agreement, all of which are incorporated herein by reference.

This Memorandum may be executed in any number of counterparts, all of which together shall constitute one and the same document.

IN WITNESS WHEREOF, the parties have executed this Memorandum as of the day and year first above written.

"MPH":

MPH I LLC,  
an Oregon limited liability company

By: \_\_\_\_\_  
Michael P. Hollern, Manager

"SHH":

SHH I LLC,  
an Oregon limited liability company

By: Sheila H. Herbert  
Sheila H. Herbert, Manager

"BMH":

BMH I LLC,  
an Oregon limited liability company

By: \_\_\_\_\_  
Brooks M. Hollern, Manager



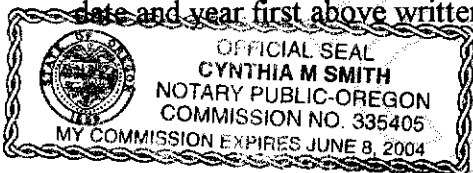
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Skagit County Auditor

STATE OF Oregon )  
 ) ss.  
County of Deschutes )

On this day personally appeared before me Michael P. Hollern, to me known to be the manager of MHP I LLC that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said company, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

In Witness Whereof, I have hereunto set my hand and affixed my official seal the date and year first above written.



Cynthia M. Smith  
Notary Public in and for the state of OR,  
residing at 15 SW Colorado, Ste K, Bend, OR 97702  
Commission Expires June 8, 2004

STATE OF \_\_\_\_\_ )  
 ) ss.  
County of \_\_\_\_\_ )

On this day personally appeared before me Sheila H. Herbert, to me known to be the manager of SHH I LLC that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said company, for the uses and purposes therein mentioned, and on oath stated that she was authorized to execute said instrument.

In Witness Whereof, I have hereunto set my hand and affixed my official seal the date and year first above written.

\_\_\_\_\_  
Notary Public in and for the state of \_\_\_\_\_,  
residing at \_\_\_\_\_



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STATE OF \_\_\_\_\_ )  
 ) ss.  
County of \_\_\_\_\_ )

On this day personally appeared before me Michael P. Hollern, to me known to be the manager of MHP I LLC that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said company, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

In Witness Whereof, I have hereunto set my hand and affixed my official seal the date and year first above written.

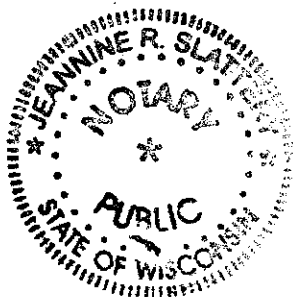
\_\_\_\_\_  
Notary Public in and for the state of \_\_\_\_\_,  
residing at \_\_\_\_\_


STATE OF WISCONSIN )  
 ) ss.  
County of SAWYER )

On this day personally appeared before me Sheila H. Herbert, to me known to be the manager of SHH I LLC that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said company, for the uses and purposes therein mentioned, and on oath stated that she was authorized to execute said instrument.

In Witness Whereof, I have hereunto set my hand and affixed my official seal the date and year first above written.

Jeannine R. Slattery  
Notary Public in and for the state of W.,  
residing at Drummond




  
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STATE OF Washington )  
 ) ss.  
County of King )

On this day personally appeared before me Brooks M. Hollern, to me known to be the manager of BMH I LLC that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said company, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

In Witness Whereof, I have hereunto set my hand and affixed my official seal the date and year first above written.

  
Notary Public in and for the state of WA,  
residing at Seattle WA



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**EXHIBIT A  
TO  
MEMORANDUM OF TENANCY IN COMMON AGREEMENT**

**LEGAL DESCRIPTION**

**Parcel A:**

The Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ ; the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , and the Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ ; all in Section 8, Township 35 North, Range 6 East, W.M., in Skagit County, Washington;

EXCEPT the West 15 feet of the South 30 feet of said Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ ; conveyed to Skagit County for road purposes by deed dated September 20, 1944 and recorded October 10, 1944, under Auditor's File No. 375068, in Skagit County, Washington.

**Parcel B:**

The East 30 feet of the South 50 feet of the Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ ; Section 8, township 35 North, Range 6 East, W.M., EXCEPT the South 30 feet thereof conveyed to Skagit County for road purposes by deed dated September 20, 1944, under Auditor's File No. 375068, in Skagit County, Washington



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