



200210090113

Skagit County Auditor

10/9/2002 Page 1 of 4 9:55AM

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Please print or type information **WASHINGTON STATE RECORDER'S COVER SHEET**
(RCW 65.04)**Document Title(s) (or transactions contained therein):** (all areas applicable to your document must be filled in)

1. First Amendment to Amended Declaration of Covenants, Conditions, and Easements for Marine Heights

2.

Reference Number(s) of Documents assigned or released: 199909130145☐ Additional reference numbers on page no. of document**Grantor(s)** (Last name first, then first name and initials)

1. Marine Heights Homeowners Association

2.

☐ Additional names on page no. of document**Grantee(s)** (Last name first, then first name and initials)

1. N/A

2.

☐ Additional names on page no. of document**Legal Description** (Abbreviated: i.e., lot, block, plat or section, township, range)☐ Lots 1-14 inclusive, and 21-49 inclusive, Plat of Marine Heights, recorded in Volume 16 of Plats, pages 173-175, under Auditor's File No. 9707220058; Lots 2 and 3 of Macy Short Plat, Auditor's File No. 200204190137; Lots 15E, 16D, 18C, 19b, 20A of Marine Heights per Boundary Line Adjustment, Auditor's File No. 200107110195.☐ Additional legal on page no. 2-3 of document**Assessor's Property Tax Parcel/Account Numbers:** 4695-000-001-0000 through 4695-000-051-0000; 4695-000-900-0000; 4695-000-900-0100; 4695-000-900-0200; and 4695-000-900-0300.☐ The Auditor/Recorder will rely on the information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

**FIRST AMENDMENT TO AMENDED DECLARATION OF COVENANTS,
CONDITIONS, AND EASEMENTS FOR MARINE HEIGHTS**

THIS FIRST AMENDMENT TO AMENDED DECLARATION OF COVENANTS, CONDITIONS, AND EASEMENTS FOR MARINE HEIGHTS is made this _____ day of September, 2002, by the MARINE HEIGHTS HOMEOWNERS ASSOCIATION ("Association" herein).

RECITALS

A. The Marine Heights community initially came into existence in 1997, with the recording of the Plat of Marine Heights, in Vol. 16 of Plats, pages 173-175 under Auditor's File No. 9707220058. The Plat was simultaneously subject to the Declaration of Covenants, Conditions, and Easements for Marine Heights. In September 1999, Marine Heights, LLC, as Declarant under the initial declaration, filed an Amended Declaration of Covenants, Conditions, and Easements for Marine Heights, recorded under Auditor's File No. 199909130145, records of Skagit County, Washington ("**Amended Declaration**" herein).

B. With the end of the Development Period, members of the Association recognize a need to clarify and amend certain provisions of the Amended Declaration to ensure the orderly development and maintenance of the community.

NOW, THEREFORE, pursuant to a vote taken at a duly noted meeting on September 9, 2002, the Association hereby covenants, agrees and declares that the Amended Declaration shall be first amended as set forth herein.

AMENDMENTS

1. Section 2.5 of the Amended Declaration shall be amended to read as follows:

Section 2.5. Initial Number of Votes. From and after the date of this First Amendment, there shall be a total of 50 outstanding votes in the Association, representing one (1) vote for each of the Lots. This represents an addition of one (1) vote from the number originally established and results from (a) the elimination of Lot 17 and the associated reconfiguration of Lots 15-20 into Lots 15E, 16D, 18C, 19B and 20A pursuant to a Boundary Line Adjustment recorded under Auditor's File No. 200107110195, records of Skagit County, Washington; and (b) the addition of Lots 2 and 3 of the Macy short plat, filed for record on April 19, 2002 under Auditor's File No. 200204190137, records of Skagit County, Washington, as Lots 50 and 51 of the Plat of Marine Heights.

2. Schedule 1 to the Master Plan, entitled "Height Restrictions," shall be amended to add a new height limit map for Lot 27, which is attached hereto and made a part of the Master Plan by this reference, and the paragraph entitled "Height Restrictions" in the Master Plan shall be amended to add a new subparagraph as follows:

The maximum height of any structure on Lot 50 shall be three hundred fifty-four feet (354') above sea level. The maximum height of any structure on Lot 51 shall be three hundred sixty-nine feet (369') above sea level.

3. The Definitions set forth in the Amended Declaration shall apply to the use of terms herein and, except as amended herein, all other provisions of the Amended Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, THIS FIRST AMENDMENT TO THE AMENDED DECLARATION HAS BEEN EXECUTED AS OF THE DAY AND YEAR FIRST ABOVE WRITTEN.

Easement
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

OCT 09 2002

Amount Paid \$0
Skagit Co. Treasurer
By *man*

MARINE HEIGHTS HOMEOWNERS
ASSOCIATION

By: *Ben Short*
President

Attested to this 2 day of ^{October} ~~September~~, 2002

By: *Susan M Harris*
Secretary

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

On this 2 day of ^{Oct.} ~~September~~, 2002, before me personally appeared *Ben Short* and *Susan Harris* to me known to be the President and Secretary, respectively, of the Marine Heights Homeowners Association, that they executed the foregoing instrument and acknowledged said instrument to be their free and voluntary act and deed of said Association, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute said instrument and that the seal affixed is the corporate seal of said corporation.

DATED: Oct. 2nd, 2002

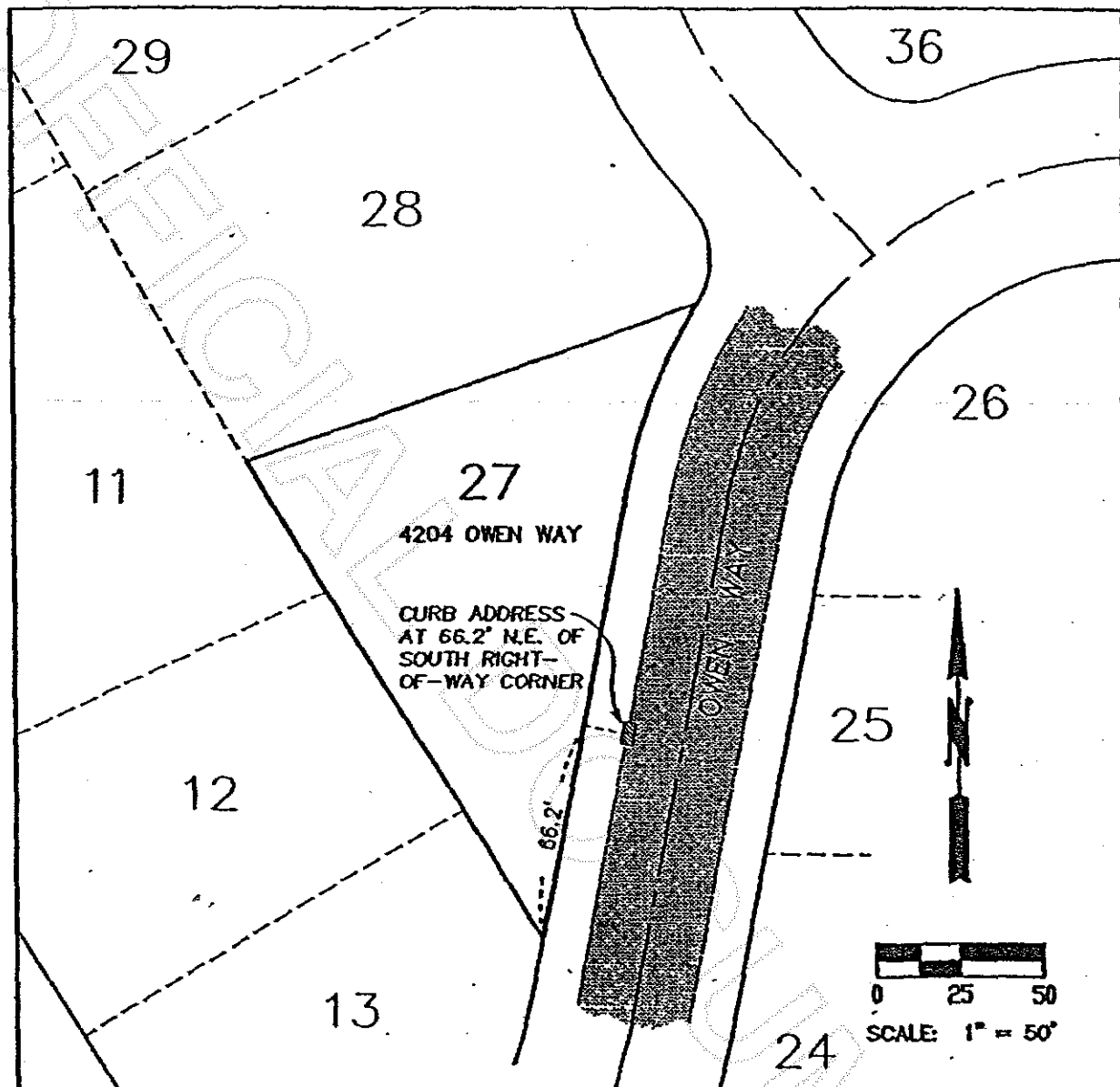
Seldon Dale King II
Print Name: Seldon Dale King II

NOTARY PUBLIC for the State of
Washington, residing at 1909 Skyline Way
My appointment expires: April 8, 2006



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Skagit County Auditor



LOT 27
PLAT of MARINE HEIGHTS
ROOF HEIGHT ABOVE TOP OF CURB
AT ADDRESS NUMBER
SHALL NOT EXCEED 18.0 FEET



Leonard, Boudinot & Skodje Inc.
PROFESSIONAL ENGINEERS & LAND SURVEYORS
603 South First Street, P.O. Box 1228
Mount Vernon, WA 98273
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