



200210230125

Skagit County Auditor

10/23/2002 Page 1 of 13 3:24PM

**AFTER RECORDING MAIL TO:**

James A. Wynstra  
HOMESTEAD NW DEV. CO.  
506 W. Grover St., Suite 101  
P.O. Box 409  
Lynden, WA 98264

**FIFTH AMENDMENT TO THE AMENDED AND RESTATED DECLARATION  
AND COVENANTS, CONDITIONS, RESTRICTIONS AND RESERVATIONS  
FOR THE CEDARS, A CONDOMINIUM**

Reference Numbers of related documents: 9712080065; 9802050054; 9907130112; 199908160158 and 200008240077

Grantor(s): HOMESTEAD NW DEV. CO.

Grantee(s): THE CEDARS, A CONDOMINIUM; THE PUBLIC

Legal Description (abbreviated): A PORTION OF TRACTS 78 AND 81, PLAT OF BURLINGTON ACREAGE PROPERTY

Assessor's Property Tax Parcel Account Number(s): SEE EXHIBIT D ATTACHED HERETO AND BY THIS REFERENCE INCORPORATED HEREIN.

This is the Fifth Amendment to the Amended and Restated Declaration and Covenants, Conditions, Restrictions and Reservations for The Cedars, A Condominium. The original Amended and Restated Declaration and Covenants, Conditions, Restrictions and Reservations for The Cedars, a Condominium (hereinafter "Amended Declaration"), was filed with the Auditor of Skagit County, Washington, under Skagit County Auditor File No. 9802050054. A First Amendment thereto was filed under Skagit County Auditor File No. 199908160158, a Second Amendment thereto was filed under Skagit County Auditor File No. 9907130112, a Third Amendment thereto was filed under Skagit County Auditor File No. 199909170116 and a Fourth Amendment thereto was filed under Skagit County Auditor File No. 200008240077.

The Amended Declaration is hereby amended a fifth time as follows:

**SEE EXHIBITS A, B AND C ATTACHED HERETO  
AND BY THIS REFERENCE INCORPORATED HEREIN.**

Reference to Survey Maps and Plans. The Survey Maps and Plans of Phase \_\_\_ of the Condominium referred to herein consists of \_\_\_\_\_ sheets as prepared by SEMRAU ENGINEERING & SURVEYING and were filed with the Auditor of Skagit County, Washington, simultaneously with the recording of this Amendment to the Declaration under File No. 200210230124 in Volume \_\_\_ of Plats, Pages \_\_\_ through \_\_\_ on October 23, 2002, 2002.

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**EXHIBIT A - 1**

**TOTAL PARCEL DESCRIPTION  
FOR THE CEDARS CONDOMINIUM PROJECT**

Parcel A:

The East half of Tract 78, "PLAT OF BURLINGTON ACREAGE PROPERTY", according to the plat thereof recorded in Volume 1 of Plats, page 49, records of Skagit County, Washington.

Parcel B:

The East half of the West half of Tract 78, "PLAT OF BURLINGTON ACREAGE PROPERTY", according to the plat thereof recorded in Volume 1 of Plats, page 49, Records of Skagit County, Washington.

Parcel "C"

The East half of Tract 81 and the East 31.1 feet of the West half of said Tract 81, "PLAT OF BURLINGTON ACREAGE PROPERTY", according to the plat thereof recorded in Volume 1 of Plats, page 49, records of Skagit County, Washington.

Parcel "D"

That portion of the North 224 feet of the West half of the West half of Tract 78, 'PLAT OF BURLINGTON ACREAGE PROPERTY', as per plat recorded in Volume 1 of Plats, Page 49, (also being a portion of Tract "A", Skagit County Short Plat No. 37-73), records of Skagit County, Washington, described as follows:

Beginning at the Northwest corner of said Tract 78; thence South 89°38'00" East along the North line of said Tract 78, a distance of 199.57 feet, to the Northwest corner of Tract "A", Short Plat No. 37-73; thence continue South 89°38'00" East for a distance of 114.88 feet along the North line of said Tract "A", Short Plat No. 37-73 to the Northeast corner thereof; thence South 00°29'00" East a distance of 194.00 feet along the East line of said Tract "A", Short Plat No. 37-73 to the TRUE POINT OF BEGINNING; thence continue South 00°29'00" East a distance of 30 feet to the Southeast corner of said Tract "A"; thence North 89°38'00" West a distance of 314.77 feet along the South line of said Tract "A" to the Southwest corner thereof, also being the West line of said Tract 78; thence North 00°24'00" West along the West line of said Tract 78 a distance of 30.00 feet to the Southwest corner of Tract "B", Short Plat No. 37-73; thence South 89°38'00" East a distance of 199.86 feet along the South line of said Tract "B" to the Southeast corner thereof; thence continue South 89°38'00" East a distance of 114.88 feet to the TRUE POINT OF BEGINNING.

EXCEPT that portion of the above Parcels A and B described as follows:

Beginning at the Northeast corner of said Tract 78; then south 00°39'17" East a distance of 24.56 feet along the East line of said Tract 78 to a cusp; thence along the arc of a curve concave to the



**EXHIBIT A-2**  
**(continued)**

Southwest having radius of 25.00 feet and an initial tangent bearing of North 00°39'17" West, through a central angle of 88°58'26", an arc distance of 38.82 feet to a point of compound curvature; thence along the arc of said curve to the left having a radius of 59.60 feet, through a central angle of 22°03'29", an arc distance of 22.95 feet to a point of tangency; thence South 68°18'48" West a distance of 51.36 feet to a point of curvature; thence South along the arc of said curve to the right having a radius of 360.00 feet, through a central angle of 33°36'15", an arc distance of 211.14 feet to a point of tangency; thence North 78°04'58" West a distance of 153.77 feet to a point of a curvature; thence along the arc of said curve to the left having a radius of 590.00 feet, through a central angle of 11°32'45", and arc distance of 118.89 feet to a cusp on the North line of said Tract 78; thence South 89°37'43" East a distance of 570.53 feet along said North line to the POINT OF BEGINNING.

AND ALSO EXCEPT from the above described Parcels, A, B and C that portion of Cedar Point, a Condominium, according to the Declaration thereof recorded January 10, 2002, under Auditor's File No. 200201100079, records of Skagit County, Washington, and Survey Map and Plans thereof recorded January 10, 2002, under Auditor's File No. 200201100078, records of Skagit County, Washington, said portion lying Southerly of the Third Amendment to The Cedars as shown on the Third Amended Survey Map and Plans thereof recorded September 17, 1999, under Auditor's File No. 199909170115, records of Skagit County, Washington, and also lying Southerly of the Fourth Amendment to The Cedars as shown on the Fourth Amended Survey Map and Plans thereof recorded August 24, 2000, under Auditor's File No. 200008240076, records of Skagit County, Washington.

All situated in Skagit County, Washington.



**EXHIBIT A - 3**

**THE CEDARS CONDOMINIUM  
FUTURE PHASE LAND**

None

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FOR THE CEDARS, A CONDOMINIUM -  
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200210230125

Skagit County Auditor

10/23/2002 Page 5 of 13 3:24PM

**EXHIBIT B**

1. Recreational Facilities. Clubhouse and R.V./boat storage area. The Clubhouse and R.V./boat storage area are now complete.
2. Moorage Slips. None.
3. Parking. The total number of parking spaces will be determined by the type of unit building within each unit. One or two garage stalls with Cottage type unit buildings and/or one uncovered car parking space beside single garages for units with Cottage type unit building. Double attached garages within unit buildings for units with Bungalow type unit buildings.
4. Description of Unit Building Types.

COTTAGES					
Unit Type	# Bathrooms	# Bedrooms	# Fireplaces	Type of Heat	Approximate Unit Building Square Footage
C-1 – Saratoga	1	1+den/bedroom	optional	gas forced air	600 sq. ft.
C-2 – Cornet	1	2/bedroom	optional	gas forced air	750 sq. ft.
C-3 – Crescent	1 ¾	2/bedroom	optional	gas forced air	864 sq. ft.
C-4 – Drayton	1 ¾	2 bedroom	optional	gas forced air	928 sq. ft.
C-5 - Townsend	1 ¾	2 bedroom	optional	gas forced air	1,133 sq. ft.
BUNGALOWS					
B-1 – Stuart	1	1	optional	gas forced air	818 sq. ft.
B-2 – Cypress	2	2	optional	gas forced air	1,042 sq. ft.
B-3 – Shaw	2	2	optional	gas forced air	1,261 sq. ft.
B-4 – Orcas	2	2	optional	gas forced air	1,447 sq. ft.
B-5 – Lopez	2 ½	2+den & rec. room	optional	gas forced air	1,618 sq. ft.
B-6 – San Juan	2 ½	2+rec. room	optional	gas forced air	2,118 sq. ft.
B-7 – Blakely	1 ¾	2+optional space	optional	gas forced air	1,592 sq. ft.

Units 35 through 50 in Phase 1 are restricted to Cottages and Units 51 through 70 in Phase 2 are restricted to Cottages.



**EXHIBIT C - 1**

Unit #	Unit Area	Floor Location	Unit Building Type	Declared Value \$	Allocated Interests (%)	# Attached Garage Parking Spaces	# Open Parking Spaces
1	3619	1	B-2	\$134,950	.9804	2	none
2	3619	1 & 2	B-5	\$172,950	.9804	2	none
3	5433	1	B-2	\$144,950	.9804	2	none
4	8436	1	B-2	\$129,950	.9804	2	none
5	5699	1	B-4	\$139,950	.9804	2	none
6	3360	1	B-2	\$130,000	.9804	2	none
7	3600	1	B-3	\$136,950	.9804	2	none
8	4560	1 & 2	B-6	\$162,950	.9804	2	none
9	3596	1 & 2	B-5	\$144,950	.9804	2	none
10	3666	1	B-4	\$139,415	.9804	2	none
11	3666	1	B-2	\$135,212	.9804	2	none
12	3666	1	B-4	\$162,552	.9804	2	none
13	3666	1	B-2	\$137,557	.9804	2	none
14	3790	1	B-7	\$154,605	.9804	2	none
15	3598	1	B-4	\$154,612	.9804	2	none
16	3525	1	B-3	\$142,000	.9804	2	none
17	3455	1	B-2	\$138,148	.9804	2	none
18	4429	1	B-4	\$149,737	.9804	2	none
19	4720	1	B-7	\$170,930	.9804	2	none
20	4489	1	B-4	\$142,375	.9804	2	none
21	4100	1	B-3	\$139,950	.9804	2	none
22	4692	1	B-7	\$165,471	.9804	2	none
23	4130	1	B-3	\$150,009	.9804	2	none
24	4023	1	B-4	\$139,950	.9804	2	none
25	3659	1	B-4	\$135,000	.9804	2	none
26	4105	1	C-5	\$123,129	.9804	2	none
27	3817	1	B-2	\$136,058	.9804	2	none
28	4377	1	B-4	\$157,158	.9804	2	none
29	4342	1	B-2	\$129,900	.9804	2	none
30	4101	1	B-4	\$149,800	.9804	2	none
31	4196	1	B-2	\$141,000	.9804	2	none
32	4080	1	B-4	\$165,189	.9804	2	none
33	4080	1 & 2	B-6	\$175,996	.9804	2	none
34	4080	1	B-7	\$175,000	.9804	2	none
35	4297	1	C-5	\$131,200	.7353	2	none
36	2950	1	C-5	\$123,950	.7353	2	none
37	2950	1	C-3	\$109,950	.7353	1	none
38	2950	1	C-3	\$107,400	.7353	1	none
39	2950	1	C-3	\$109,950	.7353	1	none
40	2950	1	C-4	\$114,950	.7353	1	none
41	2950	1	C-2	\$ 99,950	.7353	1	none

FIFTH AMENDMENT TO THE AMENDED AND RESTATED DECLARATION AND COVENANTS, CONDITIONS, RESTRICTIONS AND RESERVATIONS FOR THE CEDARS, A CONDOMINIUM -  
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200210230125  
 Skagit County Auditor

**EXHIBIT C - 2**  
**(continued)**

Unit #	Unit Area	Floor Location	Unit Building Type	Declared Value \$	Allocated Interests (%)	# Attached Garage Parking Spaces	# Open Parking Spaces
42	2950	1	C-4	\$110,000	.7353	1	none
43	2950	1	C-2	\$104,950	.7353	1	none
44	2950	1	C-2	\$102,900	.7353	1	none
45	2950	1	C-2	\$117,610	.7353	1	none
46	2950	1	C-2	\$104,950	.7353	1	none
47	2950	1	C-3	\$ 99,950	.7353	1	none
48	2950	1	C-5	\$126,450	.7353	2	none
49	2950	1	C-3	\$108,700	.7353	1	none
50	2950	1	C-3	\$114,400	.7353	1	none
51	2834	1	C-5	\$136,758	.7353	2	none
52	3371	1	C-5	\$132,675	.7353	2	none
53	3371	1	C-5	\$129,450	.7353	2	none
54	3371	1	C-5	\$137,360	.7353	2	none
55	3371	1	C-1	\$103,000	.7353	1	none
56	SOLD	1	C-5	\$131,874	.7353	2	none
57	SOLD	1	C-3	\$115,000	.7353	1	none
58	SOLD	1	C-5	\$129,950	.7353	2	none
59	SOLD	1	C-3	\$113,000	.7353	1	none
60	SOLD	1	C-5	\$131,175	.7353	2	none
61	SOLD	1	C-5	\$139,408	.7353	2	none
62	SOLD	1	C-4	\$122,950	.7353	2	none
63	SOLD	1	C-5	\$127,950	.7353	2	none
64	SOLD	1	C-4	\$124,653	.7353	2	none
65	SOLD	1	C-3	\$117,950	.7353	1	none
66	2860	1	C-5	\$145,557	.7353	2	none
67	3371	1	C-5	\$129,950	.7353	2	none
68	SOLD	1	C-5	\$138,178	.7353	2	none
69	3371	1	C-5	\$129,859	.7353	2	none
70	3371	1	C-5	\$124,779	.7353	2	none
71	4682	1	B-4	\$149,109	.9804	2	none
72	4590	1	B-7	\$148,318	.9804	2	none
73	4590	1	B-7	\$160,821	.9804	2	none
74	4590	1	B-4	\$157,000	.9804	2	none
75	4590	1	B-7	\$178,793	.9804	2	none
76	4590	1	B-4	\$150,751	.9804	2	none
77	SOLD	1	B-4	\$180,439	.9804	2	none
78	SOLD	1	B-5	\$198,660	.9804	2	none
79	4821	1	B-3	\$153,950	.9804	2	none
80	4924	1	B-4	\$163,950	.9804	2	none
81	SOLD	1	B-2	\$139,950	.9804	2	none
82	SOLD	1	B-2	\$140,550	.9804	2	none

FIFTH AMENDMENT TO THE AMENDED AND RESTATED DECLARATION  
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200210230125  
Skagit County Auditor



**EXHIBIT C-3  
(continued)**

Unit #	Unit Area	Floor Location	Unit Building Type	Declared Value \$	Allocated Interests (%)	# Attached Garage Parking Spaces	# Open Parking Spaces
83	4500	1	B-4	\$163,950	.9804	2	none
84	SOLD	1	B-2	\$143,092	.9804	2	none
85	SOLD	1	B-3	\$139,950	.9804	2	none
86	4500	1	B-2	\$142,000	.9804	2	none
87	4500	1	B-3	\$149,950	.9804	2	none
88	SOLD	1	B-2	\$142,223	.9804	2	none
89	4500	1	B-2	\$143,950	.9804	2	none
90	SOLD	1	B-7	\$174,524	.9804	2	none
91	4590	1	B-7	\$169,950	.9804	2	none
92	4590	1	B-7	\$190,087	.9804	2	none
93	SOLD	1	B-7	\$174,950	.9804	2	none
94	SOLD	1	B-7	\$186,565	.9804	2	none
95	SOLD	1	B-3	\$163,361	.9804	2	none
96	SOLD	1	C-5	\$154,150	.9804	2	none
97	4940	1	B-2	\$146,000	.9804	2	none
98	SOLD	1	B-7	\$191,224	.9804	2	none
99	SOLD	1	B-2	\$140,700	.9804	2	none
100	SOLD	1	B-4	\$170,000	.9804	2	none
101	SOLD	1	B-4	\$160,950	.9804	2	none
102	SOLD	1 & 2	B-5	\$181,050	.9804	2	none
103	SOLD	1	B-2	\$149,773	.9804	2	none
104	SOLD	1	B-2	\$150,427	.9804	2	none
105	SOLD	1	B-4	\$160,500	.9804	2	none
106	SOLD	1	B-7	\$173,739	.9804	2	none
107	SOLD	1	B-4	\$167,158	.9804	2	none
108	SOLD	1	B-2	\$142,950	.9804	2	none
109	4590	1	B-7	\$177,950	.9804	2	none
110	SOLD	1	B-4	\$164,950	.9804	2	none
111	SOLD	1	B-7	\$161,548	.9804	2	none

FIFTH AMENDMENT TO THE AMENDED AND RESTATED DECLARATION AND COVENANTS, CONDITIONS, RESTRICTIONS AND RESERVATIONS FOR THE CEDARS, A CONDOMINIUM -  
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200210230125  
Skagit County Auditor

**EXHIBIT C - 4**  
**(continued)**

**NOTES**

FIFTH AMENDMENT TO THE AMENDED AND RESTATED DECLARATION  
AND COVENANTS, CONDITIONS, RESTRICTIONS AND RESERVATIONS  
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200210230125  
Skagit County Auditor

EXHIBIT D - 1

THE CEDARS, A CONDOMINIUM - PHASE 1, PHASE 2 AND PHASE 3

Unit #	Parcel #
1	4705-000-001-0000
2	4705-000-002-0000
3	4705-000-003-0000
4	4705-000-004-0000
5	4705-000-005-0000
6	4705-000-006-0000
7	4705-000-007-0000
8	4705-000-008-0000
9	4705-000-009-0000
10	4705-000-010-0000
11	4705-000-011-0000
12	4705-000-012-0000
13	4705-000-013-0000
14	4705-000-014-0000
15	4705-000-015-0000
16	4705-000-016-0000
17	4705-000-017-0000
18	4705-000-018-0000
19	4705-000-019-0000
20	4705-000-020-0000
21	4705-000-021-0000
22	4705-000-022-0000
23	4705-000-023-0000
24	4705-000-024-0000
25	4705-000-025-0000
26	4705-000-026-0000
27	4705-000-027-0000
28	4705-000-028-0000
29	4705-000-029-0000
30	4705-000-030-0000
31	4705-000-031-0000
32	4705-000-032-0000
33	4705-000-033-0000
34	4705-000-034-0000
35	4705-000-035-0000
36	4705-000-036-0000
37	4705-000-037-0000
38	4705-000-038-0000
39	4705-000-039-0000
40	4705-000-040-0000
41	4705-000-041-0000

FIFTH AMENDMENT TO THE AMENDED AND RESTATED DECLARATION  
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S:\Rita\CONDO\Cedars 5th Amendment - CCR's.doc



200210230125  
Skagit County Auditor

EXHIBIT D-2

THE CEDARS, A CONDOMINIUM – PHASE 1, PHASE 2 AND PHASE 3  
(continued)

Unit #	Parcel #
42	4705-000-042-0000
43	4705-000-043-0000
44	4705-000-044-0000
45	4705-000-045-0000
46	4705-000-046-0000
47	4705-000-047-0000
48	4705-000-048-0000
49	4705-000-049-0000
50	4705-000-050-0000
51	4705-000-051-0000
52	4739-000-052-0000
53	4739-000-053-0000
54	4739-000-054-0000
55	4739-000-055-0000
56	4739-000-056-0000
57	4739-000-057-0000
58	4739-000-058-0000
59	4739-000-059-0000
60	4739-000-060-0000
61	4739-000-061-0000
62	4739-000-062-0000
63	4739-000-063-0000
64	4739-000-064-0000
65	4739-000-065-0000
66	4739-000-066-0000
67	4739-000-067-0000
68	4739-000-068-0000
69	4739-000-069-0000
70	4739-000-070-0000
71	4739-000-071-0000
72	4739-000-072-0000
73	4739-000-073-0000
74	4739-000-074-0000
75	4739-000-075-0000
76	4739-000-076-0000
77	4739-000-077-0000
78	4759-000-078-0000
79	4759-000-079-0000
80	4759-000-080-0000

FIFTH AMENDMENT TO THE AMENDED AND RESTATED DECLARATION  
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S:\Rita\CONDO\Cedars 5th Amendment - CCR's.doc



200210230125  
Skagit County Auditor

**EXHIBIT D-3**

**THE CEDARS, A CONDOMINIUM – PHASE 1, PHASE 2 AND PHASE 3  
(continued)**

Unit #	Parcel #
81	4759-000-081-0000
82	4759-000-082-0000
83	4759-000-083-0000
84	4759-000-084-0000
85	4759-000-085-0000
86	4759-000-086-0000
87	4759-000-087-0000
88	4759-000-088-0000
89	4759-000-089-0000
90	4759-000-090-0000
91	4759-000-091-0000
92	4759-000-092-0000
93	4759-000-093-0000
94	4759-000-094-0000
95	4759-000-095-0000
96	4759-000-096-0000
97	4759-000-097-0000
98	4759-000-098-0000
99	4759-000-098-0000
100	4759-000-100-0000
101	4759-000-101-0000
102	4759-000-102-0000
103	4759-000-103-0000
104	4759-000-104-0000
105	4759-000-105-0000
106	4759-000-106-0000
107	4759-000-107-0000
108	4759-000-108-0000
109	4759-000-109-0000
110	4759-000-110-0000
111	4759-000-111-0000



200210230125

Skagit County Auditor

10/23/2002 Page 13 of 13 3:24PM