

1 of 15 2:56PM

#### DECLARATION OF COVENANTS

THE FOURTH AMENDMENT to the Declaration of Covenants, Conditions and Restrictions of Ankney Heights is executed by the undersigned owners of record of 19 of the 28 platted lots located within the Plat of Ankney Heights recorded under the Skagit County Auditor file number, 200108230090 records of Skagit County, Washington (herein "the Plat".)

Legal Description: PLAT OF ANKNEY HEIGHTS located in a portion of the NW 1/4 of the SE/1/4 and in the NE1/4 of the SW1/4 and in the NW1/4 of the SW1/4 of Section 13, Township 35N. Range 4E., WM., Skagit County, Washington.

Assessor's Tax parcel Number(s):P36363

(Additional Legal is on pages 10 through 13 of document.)

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

An Amendment to the Covenants dated January 28, 2002 was recorded under Auditors File No. 200201310042, records of Skagit County, Washington (the First Amendment to Covenants").

A Second Amendment to the Covenants was recorded on November 27, 2002 under Auditor's File No. 200211270215, records of Skagit County, Washington ("the Second Amendment to Covenants").

A Third Amendment to the Covenants was recorded on June 25, 2004 under Auditors File No. 200406250159, records of Skagit County, Washington ("the Third Amendment to Covenants").

The Original Covenants, the First Amendment to Covenants, the Second Amendment to Covenants and the Third Amendment to Covenants are collectively referred to hereinafter as "the Covenants."

The Covenants authorize amendment upon the affirmative vote or written consent of two thirds of the owners of the Plat of Ankney Heights.

The undersigned owners of 19 of the platted lots in the Plat constitute at least two thirds of the owners of the 28 lots in the plat and wish to amend the Covenants to increase the height limit, as initially established in the Original Covenants, of any dwelling constructed on Lot 20 of the Plat from 14 to 20 feet.

## FOURTH AMENDMENT TO RESTRICTIONS AND COVENANTS OF PLAT

Now, Therefore, the undersigned record owners of 19 of the 28 lots located within the Plat hereby agree to amend the Covenants as follows:

Section 1. Subsection 2.3.4.1. of the Covenants shall be amended in it's entirety and as amended shall read as follows:

2.3.4.1. Maximum roof ridge height shall not exceed a height to be measured from a pre determined location for each of the following Lots: Lots 16 through 19 shall not exceed a height of fourteen (14) feet, and Lot 20 shall not exceed a height of twenty feet, as measured, for each of said Lots, from the highest surface of the sidewalk located at the northwest corner of each of the Lots respectively. Plans showing proposed building heights must be reviewed and approved before commencement of any construction activity on the affected Lot.

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 the execution by at east two-thirds of the owners of the 28 lots located within the Plat, which is a minimum of 19 lots.

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 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 1,2,3,10,11,26,27,28

By: William of Johnson

Date: 10-28-04

LRDTD JOHNSON PARTNERSHIP, a Washington General Partnership:

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By: Danid & Johnson

By: 4 2/h

200411150148 Skagit County Auditor

11/15/2004 Page

2 of 15 2:56PM

### STATE OF WASHINGTON

# COUNTY OF SKAGIT

On this day personally appeared before me hat he January to me known to be a general partner of LRDTD Johnson Partnership, a Washington general partnership, the partnership who executed the foregoing instrument and acknowledge to me that the partnership is the record owner of Lots 1,2,3,10,11,26,27,28 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.

the same as the free and voluntary act and deed of the mentioned.	ne partnership, for the uses and purposes therein
SUBSCRIBED AND SWORN to before m	e on this 28th day of
	Notary Public for the State of Washington
	Residing at: M-Nemon
	My Commission Expires: 214204
STATE OF WASHINGTON	
COUNTY OF SKAGIT	
partner of LRDTD Johnson Partnership, a Washingt the foregoing instrument and acknowledge to me that 1,2,3,10,11,26,27,28 of the plat described in the fore the same as the free and voluntary act and deed of the	egoing instrument and acknowledged that he/she signed
mentioned.	
SUBSCRIBED AND SWORN to before m	e on this 28th day of
	Name State of Washington
	Residing at: Mk Venun
STATE OF WASHINGTON	My Commission Expires: 2141206
COUNTY OF SKAGIT	
partner of LRDTD Johnson Partnership, a Washingt the foregoing instrument and acknowledge to me that	going instrument and acknowledged that he/she signed
SUBSCRIBED AND SWORN to before m	e on this 28Hh day of
	Name Sudie Smoth
	Notary Public for the State of Washington

200411150148 Skagit County Auditor

11/15/2004 Page

3 of 15 2:56PM

Residing at: Malernon
My Commission Expires: 2114

### STATE OF WASHINGTON

### COUNTY OF SKAGIT

On this day personally appeared before me DVid & TONSO to me known to be a general partner of LRDTD Johnson Partnership, a Washington general partnership, the partnership who executed the foregoing instrument and acknowledge to me that the partnership is the record owner of Lots 1,2,3,10,11,26,27,28 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.

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	المراقع المراق
	Name Stoic Spoots
	Notary Public for the State of Washington
	Residing at: Mt. Verno
	My Commission Expires: 2/14/2006
STATE OF WASHINGTON	
	And the state of t
COUNTY OF SKAGIT	
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the foregoing instrument and acknowledge to me that	
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the same as the free and voluntary act and deed of the	ne partnership, for the uses and purposes therein
mentioned.	
SUBSCRIBED AND SWORN to before m	e on this day of
, 2004.	
***************************************	
	Name
	Notary Public for the State of Washington
	Residing at:
	My Commission Expires:

200411150148 Skagit County Auditor

11/15/2004 Page

4 of 1

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Owners of Lot 4 of Plat:	16 2 (5)
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	Vance L. Ellingson
	Ionia Ellingaan
	Janis Ellingson
STATE OF WASHINGTON	C
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COUNTY OF SKAGIT	VANCED & Flying SON / Le D
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	ppeared before me to be the individuals described in and who executed the
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	strument, and they signed the same as their free and voluntary act and
deed, for the uses and purposes th	
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SUBSRIBED AND SW	ORN to before me on this 26 day of
<u>J ( )</u> ,2004.	
	Name:
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LADDY A DELICAL	Residing at:
NOTARY PURIC	My Commission Expires:
STATE OF WASHINGTON	
OFFICIAL SEAL  LARRY A. DENNIS  NOTARY PUBLIC  STATE OF WASHINGTON  ANY Commission Expires Sept. 15, 2	
Owners of Lot 5 of Plat:	
Date: 10-25-04	(Northern / ich S. round
<u></u>	Walter Nick Purroughs
	Cary Duringhi
	Caryl Burroughs
	Carly Defroughs
STATE OF WASHINGTON	
COUNTY OF SKAGIT	(( /, /, / / / / / / / / / / / / / / /
On this day paraonally a	ppeared before me WALTEDN BCARY
and 12(20 0.09 kg)	known to me to be the individuals described in and who executed the
foregoing instrument and acknow	ledged to me that they are the record owners of LOT of the
Plat described in the foregoing in	strument, and they signed the same as their free and voluntary act and
deed, for the uses and purposes th	erein mentioned.
CHOCOIDED AND CW	ORN to before me on this 26 H day of
. 2004.	JKN to before the on this 30 C day of
	Name:
<sup>®</sup> RRARRRRRRRRRRRRRRRRRRRRRRRRRRRRRRRRRR	Notary public for the State of Washington
© OFFICIAL SEAL	Residing at:
E CHAICIAL SEAL E LARRY A. DENNIS E NOTARY PUBLIC E STATE OF WASHINGTON	My Commission Expires:
STATE OF WASHINGTON	
My Commission Expires Sept. 16, 2006	
,	A MARIA NA M

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Owners of Lot 6 of Plat: Date:	Muchan Sm Cailly
	Michael S. McCauley
	Evelyn M McCauley
STATE OF WASHINGTON	
COUNTY OF SKAGIT	
foregoing instrument and acknow Plat described in the foregoing in deed, for the uses and purposes the	ppeared before me DA VID MCM AT A common to me to be the individuals described in and who executed the eledged to me that they are the record owners of LOT of the strument, and they signed the same as their free and voluntary act and derein mentioned.
SUBSRIBED AND SW	ORN to before me on this $\mathcal{J}$ 6 th day of
Emmunitum CEVICIAN CEVIC	Name: Juny 1
LARRY A. DENNIS NOTARY PUBLIC STATE OF WASHINGTOR My Commission Expires Sept. 15,	.1 <b>1</b>
Owners of Lot 7 of Plat	
Date: 10/25/04	David McMath
	Annathea McMath  Annathea McMath
STATE OF WASHINGTON	
COUNTY OF SKAGIT	
On this day personally a and	ppeared before me MIChre WMCCAUPC
foregoing instrument and acknow	ledged to me that they are the record owners of LOT of the strument, and they signed the same as their free and voluntary act and
C SUBSRIBED AND SWO	ORN to before me on this 16 day of
ALEGGERRAFIERREFERREFERREFERREFERREFERREFERRE	Name: Notary public for the State of Washington
	Residing at:  My Commission Expires:
LARRY A. DENNIS NOTARY PUBLIC STATE OF WASHINGTON	
My Commission Expires Sept. 15, 2	

Owners of Lot 8 of Plat	
Date: \\\\0\ 0 \( \( \)	The statement the
	William D. Lambert
	()
	Kachel Kamsux
	Rachel Ramsey
	·
STATE OF WASHINGTON	
COUNTY OF SKAGIT	
On this day personally app	eared before me
and kn	own to me to be the individuals described in and who executed the
foregoing instrument and acknowle	dged to me that they are the record owners of LOT of the
	ument, and they signed the same as their free and voluntary act and
deed, for the uses and purposes ther	ein mentioned.
SUBSPIRED AND SWOT	RN to before me on this day of
, 2004.	day of
**	Name:
	Notary public for the State of Washington
	Residing at:  My Commission Expires:
	My Commission Expires:
Owners of Lot 9 of Plat	
Date:	
	Rhonda Johnson
STATE OF WASHINGTON	Kilolida Jollisoli
STATE OF WILSTRINGTON	
COUNTY OF SKAGIT	
On this day personally app	
	own to me to be the individuals described in and who executed the dged to me that they are the record owners of LOT of the
	dged to me that they are the record owners of LOT of the ument, and they signed the same as their free and voluntary act and
deed, for the uses and purposes then	
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, 2004.	
	Name: Notary public for the State of Washington
•	Residing at:
	My Commission Expires:
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Owners of Lots 12 & 13 o	I Plat	o LOBAN -		MINITED TO STATE OF THE PARTY O
Date: [1-[1-0]	Doyle s. Guff			Val.
	Doyle S. Guli			
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	Mary Guffre	7 - 00	1	
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STATE OF WASHINGTON				21.2
COUNTY OF SKAGIT			1/1/10	WASHING
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deed, for the uses and purposes		signed the same as the	ii iice and voidina	y act and
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<b>7404.</b> , 2004.			/_/_	
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		Notary public for the	State of Washing	on
		Residing at: Ska	git Coupty	- ·
	Section of the sectio	My Commission Ex	pires: 7/ZY/	<u>0</u> 0
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		10/1/		
Owners of Lot 14 of Plat		M		Will be the state of the state
Date:		Mal 12		
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STATE OF WASHINGTON			and the state of t	
COUNTY OF SKAGIT				WASHINITE WASHINITE
		Mrv.	h.,	. Million.
On this day personally	appeared before me	the individuals describ		nuén d éb a
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Plat described in the foregoing				
deed, for the uses and purposes	therein mentioned.			
SUBSRIBED AND SY	VODN to before me	on this	day of	<u> </u>
<b>NOV.</b> , 2004.	WORN to before the	on this	day 01	
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		Name	2337	
		Notary public for the Residing at: SK		on ( \)
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200411150148 Skagit County Auditor

11/15/2004 Page

8 of 15 2:56PM

Owners of Lot 15 of Plat	11 Mr. 11 MI V
Date: 10 25 04	Jeff Millord
	Jeff W. Whitlock
	1 may Will hart Mch
	Tonya M. Whitlock
STATE OF WASHINGTON	
STATE OF WASHINGTON	
COUNTY OF SKAGIT	
	appeared before me DeH whitlock
and ten A WATTOCK	known to me to be the individuals described in and who executed the
foregoing instrument and acknow	wledged to me that they are the record owners of LOT; 5 of the
	strument, and they signed the same as their free and voluntary act and
deed, for the uses and purposes the	herein mentioned.
SUBSRIBED AND SW	ORN to before me on this $26$ day of
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	None Hand of
	Name:  Notary public for the State of Washington
	Residing at:
OFFICIAL SEAL	My Commission Expires:
LARRY A. DENNIS	
NOTARY PUBLIC STATE OF WASHINGTON	
Commission Expires Sept. 15, 2006	
y CONTRIBUION EXPRESS SEPT. 10, 2005	

9 of 15 2:56PM

and the same		
	Owner of Lot 16 of Plat	
	Date: // / / / /	
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	STATE OF WASHINGTON	
	COUNTY OF SKAGIT	
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	Plat described in the foregoing instrument, and they signed the	
	deed, for the uses and purposes therein mentioned.	
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	SUBSRIBED AND SWORN to before me on this	<u>/S+</u> day of
	SO NAME OF THE PARTY OF THE PAR	On ATTA
	NOTAS Name:	
		blic for the State of Washington at: Secro Weolley
		nission Expires: 617/09
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	NG REFERENCE	
	Owner of Lot 17 of Plat	
	Date: 11 - 3 - 07	
C	D V A	
	1/ -1	SAUL
	huster X	Tus
	Kristen Sc	War 7
	STATE OF WASHINGTON	
	COUNTY OF SKAGIT	
	On this day personally appeared before me	
	On this day personally appeared before me No Killian Sauv known to me to be the individual	
	foregoing instrument and acknowledged to me that they are the	record owners of LOT 17 of the
C)		ame as their free and voluntary act and
	deed, for the uses and purposes therein mentioned.	
	SUBSRIBED AND SWORN to before me on this	4th day of
	<u></u>	
	harrie and the state of the sta	estiva Anderson
	Notary ni	tilic for the State of Washington
	Residing a	n: 2940 Newmarket St. Secte 103 Bellingham
	My Comn	blic for the State of Washington ht: 2940 Newmarket St. Scite 103 Bellinghan hission Expires: Jeb 6, 2007 W.
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FOURTH AMENDMENT TO RESTRICTIONS AND CONVENANTS OF

200411150148 Skagit County Auditor

11/15/2004 Page 10 of 15 2:56PM

Owners of Lot 18 of Plat Date:	- Jane 1 5 11/50
	Donald E. Winget
	0 1 $1$ $1$ $1$
	Pristance + Miller
	Constance F. Miller
STATE OF WASHINGTON	
COUNTY OF SKAGIT	
	Constant F Millon
On this day personally ap	peared before me Constance F Miller nown to me to be the individuals described in and who executed the
	edged to me that they are the record owners of LOT \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \
Plat described in the foregoing inst	trument, and they signed the same as their free and voluntary act and
deed, for the uses and purposes the	
SUBSRIBED AND SWO	ORN to before me on this <u>J</u> 6 day of
<u></u>	
The second s	
<u> </u>	Name: Notary public for the State of Washington
F OFFICIAL SEAL	Residing at:
OFFICIAL SEAL LARRY A. DENNIS NOTARY PUBLIC STATE OF WASHINGTON	My Commission Expires:
NOTARY PUBLIC	
E STATE OF WASHINGTON	
My Cornmission Expires Sept. 15, 2006 Owners of Lot 19 of Plat	
Date:	Inde E. ( Us
	Donald E. Winget
	Constant Landon
	Constance F. Miller
	Constance 1. Ivinici
STATE OF WASHINGTON	
COUNTY OF SKAGIT	
On this day personally app	peared before me Constance F. Miller
andkr	nown to me to be the individuals described in and who executed the
foregoing instrument and acknowle	edged to me that they are the record owners of LOT_(C) of the rument, and they signed the same as their free and voluntary act and
deed, for the uses and purposes the	
· · ·	
SUBSRIBED AND SWO	PRN to before me on this 16 M day of
, 2004.	
	Name: Jurney Jan
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OFFICIAL SEAL LARRY A. DENNIS NOTARY PUBLIC STATE OF WASHINGTON	Residing at:
E LARRY A. DENNIS NOTARY PUBLIC	My Commission Expires:
STATE OF WASHINGTON	
My Composition Expires Sport 15, 2006	.pd

Owner of Lot 20 of Plat	
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Date: 11-12-04	5 xulu many
	hirley Lemley
	initely Lenney
	1
STATE OF WASHINGTON	·
COUNTY OF SKAGIT	,
On this day personally appea	ared before me Shilley Lember
	vn to me to be the individuals described in and who executed the
	ged to me that they are the record owners of LOT_20_ of the
Plat described in the foregoing instru	ment, and they signed the same as their free and voluntary act and
deed, for the uses and purposes therei	
acou, for the coop that purposes there.	** ***********************************
SUBSRIBED AND SWORM	to before me on this day of
1 UVC miner , 2004.	
	Name: Kim Walley
	Notary public for the State of Washington
	Residing at: WEUS +2140
	My Commission Expires: 10 09 -09
	My Commission Expires. 10 08 - 08
Owners of Lot 21 of Plat	
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*Date: $(0-25-04)$	
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4	intriory R. Diokinan
\ A	pril C. Dickman
STATE OF WASHINGTON	
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COUNTY OF SKAGIT	
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Plat described in the foregoing instru	nent, and they signed the same as their free and voluntary act and
deed, for the uses and purposes therei	n mentioned.
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<u> </u>	
	Name: Au 1
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S CELCIVI CEVI	Notary public for the State of Washington
§ OFFICIAL SEAL	Residing at: WEAS Fara
E LARRY A. DENNIS	My Commission Expires: 13 08
NOTARY PUBLIC	3 Mry Colliniasion Expires. 100000
©FFICIAL SEAL LARRY A, DENNIS NOTARY PUBLIC STATE OF WASHINGTON	
My Commission Expires Sept. 15, 2006	

Owners of Lot 22 of Plat	
Date:	
Market and the second of the s	
STATE OF WASHINGTON	
COUNTY OF SKAGIT	
On this day personally appeared before me	
	the individuals described in and who executed the
foregoing instrument and acknowledged to me that	
	signed the same as their free and voluntary act and
deed, for the uses and purposes therein mentioned.	
SUBSRIBED AND SWORN to before me	on this day of
, 2004.	
	Name:
and the second s	Notary public for the State of Washington
	Residing at:
	My Commission Expires:
and the second of the second o	
Owners of Lot 24 of Plat	1\ a_111
Date: 10/25/04	
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Carothol	
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STATE OF WASHINGTON Caethle	i Rod Sa
STATE OF WASHINGTON GREATILE	-/ \\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\
COUNTY OF SKAGIT	
COUNTY OF BIANGIT	
On this day personally appeared before me	CAETALIST RICKI)
and known to me to be	the individuals described in and who executed the
foregoing instrument and acknowledged to me that	
	signed the same as their free and voluntary act and
deed, for the uses and purposes therein mentioned.	
CUDODIDED AND CWODN 4- Lafana	on this $26$ day of
SUBSRIBED AND SWORN to before me	on this day of
, 2004.	
	Name: kur
ARESERFEREERERERERERERERERERERERE	Notary public for the State of Washington
OFFICIAL SEAL	Residing at:
LARRY A. DENNIS	My Commission Expires:
E OFFICIAL SEAL LARRY A. DENNIS NOTARY PUBLIC STATE OF WASHINGTON	
**************************************	<i></i>
My Commission Expires Sept. 15, 2006	

200411150148 Skagit County Auditor

11/15/2004 Page

13 of

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Owners of Lot 23, of Plat	$\mathcal{L}(\mathcal{L}_{\mathcal{L}}, \mathcal{L}_{\mathcal{L}})$
	wrence & Sandelen
	rence E. Sandelin By PO Flora Conheles
	lain Sanacer
	Mra Candelia
Clar	a C. Sandelin
STATE OF WASHINGTON	. C. Duitevilli
COUNTY OF SKAGIT	
	Chare CHARELIN
On this day personally appeared	before me CARA C, SH WDE IN  o me to be the individuals described in and who executed the  o me that they are the record owners of LOT of the
and LAVRANCE SUMMY known to	o me to be the individuals described in and who executed the o me that they are the record owners of LOT of the
Diet described in the forcesing instrument	and they signed the same as their free and voluntary act and
deed, for the uses and purposes therein me	
SUBSRIBED AND SWORN to	before me on this $26.00$ day of
<i>CC</i> ∕ ,2004.	
The second of th	
	Name:
enungang sanggang panggang panggang sanggang san	Notary public for the State of Washington Residing at:
OFFICIAL SEAL	My Commission Expires:
LARRY A. DENNIS	Try Commission Expires.
NOTARY PUBLIC 3	
y Commission Expires Sept. 15, 2006	
y CORTHENDSON EXPRES SEPT. 10, 2000	



Owners of Lot 25 of Plat	0.1
Date: 11-8-04 <u>M</u>	Clesse K. Hypett
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(// <i>-</i>	5
* //	<u> </u>
Keno	eld L. Hyciet
STATE OF WASHINGTON	S
COUNTY OF SKAGIT	
On this day personally appeared before	
	e to be the individuals described in and who executed the e that they are the record owners of LOT of the
foregoing instrument and acknowledged to me	d they signed the same as their free and voluntary act and
deed, for the uses and purposes therein mention	
SUBSRIBED AND SWORN to befo	ore me on thisday of
, 2004.	
	Name:
	Notary public for the State of Washington
	Residing at:
7/	My Commission Expires:
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