



200411150148

Skagit County Auditor

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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 SE1/4 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: Rita J Johnson

By: William L Johnson

Date: 10-28-04

LRDTD JOHNSON PARTNERSHIP,
a Washington General Partnership:

By: Danny Johnson

By: David E Johnson

By: Ly 2 Joh



200411150148

Skagit County Auditor

STATE OF WASHINGTON

COUNTY OF SKAGIT

On this day personally appeared before me Rita Lee 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 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.

SUBSCRIBED AND SWORN to before me on this 28th day of October, 2004.

Name Susie Spaeth
Notary Public for the State of Washington
Residing at: Mt. Vernon
My Commission Expires: 2/14/2006

STATE OF WASHINGTON

COUNTY OF SKAGIT

On this day personally appeared before me Danny 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 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.

SUBSCRIBED AND SWORN to before me on this 28th day of October, 2004.

Name Susie Spaeth
Notary Public for the State of Washington
Residing at: Mt. Vernon
My Commission Expires: 2/14/2006

STATE OF WASHINGTON

COUNTY OF SKAGIT

On this day personally appeared before me Terry 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 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.

SUBSCRIBED AND SWORN to before me on this 28th day of October, 2004.

Name Susie Spaeth
Notary Public for the State of Washington
Residing at: Mt. Vernon
My Commission Expires: 2/14/2006



200411150148
Skagit County Auditor

STATE OF WASHINGTON

COUNTY OF SKAGIT

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 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.

SUBSCRIBED AND SWORN to before me on this 28th day of October, 2004.

Name Janie Spoth
Notary Public for the State of Washington
Residing at: mt. Vernon
My Commission Expires: 2/14/2006

STATE OF WASHINGTON

COUNTY OF SKAGIT

On this day personally appeared before me _____ 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.

SUBSCRIBED AND SWORN to before me on this _____ day of _____, 2004.

Name _____
Notary Public for the State of Washington
Residing at: _____
My Commission Expires: _____



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Owners of Lot 4 of Plat:

Date: 10-25-04

Vance L. Ellingson
Vance L. Ellingson

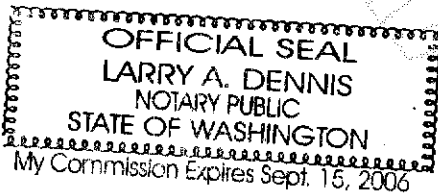
Janis Ellingson

STATE OF WASHINGTON

COUNTY OF SKAGIT

LD On this day personally appeared before me VANCE L. ELLINGSON
and BURROUGHS known to me to be the individuals described in and who executed the
foregoing instrument and acknowledged to me that they are the record owners of LOT _____ 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.

OC SUBSCRIBED AND SWORN to before me on this 26th day of
_____, 2004.



Name: [Signature]
Notary public for the State of Washington
Residing at: _____
My Commission Expires: _____

Owners of Lot 5 of Plat:

Date: 10-25-04

Walter Nick Burroughs
Walter Nick Burroughs

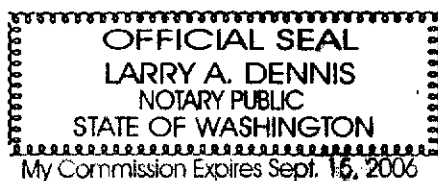
Caryl Burroughs
Caryl Burroughs

STATE OF WASHINGTON

COUNTY OF SKAGIT

On this day personally appeared before me WALTER N B CARYL
and BURROUGHS known to me to be the individuals described in and who executed the
foregoing instrument and acknowledged to me that they are the record owners of LOT _____ 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.

OC SUBSCRIBED AND SWORN to before me on this 26th day of
_____, 2004.



Name: [Signature]
Notary public for the State of Washington
Residing at: _____
My Commission Expires: _____



Skagit County Auditor

Owners of Lot 6 of Plat:

Date: _____

Michael S. McCauley
Michael S. McCauley

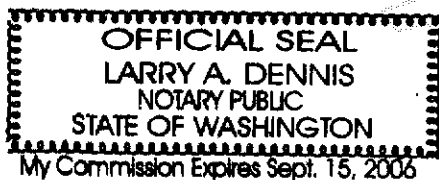
Evelyn M McCauley

STATE OF WASHINGTON

COUNTY OF SKAGIT

On this day personally appeared before me DAVID McMath
and ANNATHEA McMath known to me to be the individuals described in and who executed the
foregoing instrument and acknowledged to me that they are the record owners of LOT _____ 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.

SUBSRIED AND SWORN to before me on this 26th day of
OCTOBER, 2004.



Name: Larry A. Dennis
Notary public for the State of Washington
Residing at: SEATTLE
My Commission Expires: _____

Owners of Lot 7 of Plat

Date: 10/25/04

David McMath
David McMath

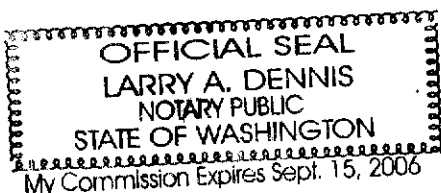
Annathea McMath
Annathea McMath

STATE OF WASHINGTON

COUNTY OF SKAGIT

On this day personally appeared before me Michael S. McCauley
and _____ known to me to be the individuals described in and who executed the
foregoing instrument and acknowledged to me that they are the record owners of LOT _____ 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.

SUBSRIED AND SWORN to before me on this 26th day of
OCT, 2004.



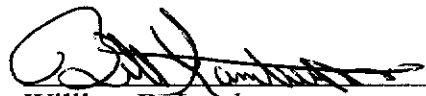
Name: Larry A. Dennis
Notary public for the State of Washington
Residing at: _____
My Commission Expires: _____




Skagit County Auditor

Owners of Lot 8 of Plat

Date: 11/10/04


William D. Lambert


Rachel Ramsey

STATE OF WASHINGTON

COUNTY OF SKAGIT

On this day personally appeared before me _____
and _____ known to me to be the individuals described in and who executed the
foregoing instrument and acknowledged to me that they are the record owners of LOT _____ 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
_____, 2004.

Name: _____
Notary public for the State of Washington
Residing at: _____
My Commission Expires: _____

Owners of Lot 9 of Plat

Date: 11/10/04

Rhonda Johnson

STATE OF WASHINGTON

COUNTY OF SKAGIT

On this day personally appeared before me _____
and _____ known to me to be the individuals described in and who executed the
foregoing instrument and acknowledged to me that they are the record owners of LOT _____ 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
_____, 2004.

Name: _____
Notary public for the State of Washington
Residing at: _____
My Commission Expires: _____



200411150148
Skagit County Auditor

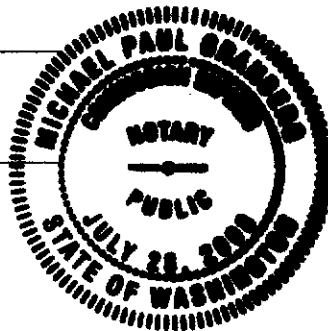
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Owners of Lots 12 & 13 of Plat

Date: 11-11-04

Doyle s. Guffie

Mary Guffie



STATE OF WASHINGTON

COUNTY OF SKAGIT

On this day personally appeared before me Mike Granberg
and _____ known to me to be the individuals described in and who executed the
foregoing instrument and acknowledged to me that they are the record owners of LOT _____ 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.

SUBSRIED AND SWORN to before me on this 11 day of
Nov., 2004.

Name: Mike Granberg

Notary public for the State of Washington

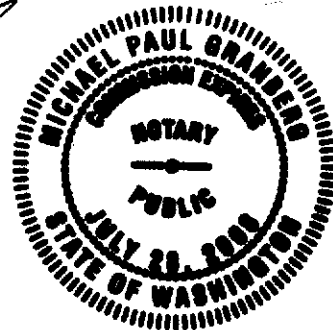
Residing at: Skagit County

My Commission Expires: 7/28/08

Owners of Lot 14 of Plat

Date: _____

Bresnan Family Ltd. Partnership: By



STATE OF WASHINGTON

COUNTY OF SKAGIT

On this day personally appeared before me Mike Granberg
and _____ known to me to be the individuals described in and who executed the
foregoing instrument and acknowledged to me that they are the record owners of LOT _____ 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.

SUBSRIED AND SWORN to before me on this 11 day of
NOV., 2004.

Name: Mike Granberg

Notary public for the State of Washington

Residing at: Skagit County

My Commission Expires: 7/28/08



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Owners of Lot 15 of Plat

Date: 10/25/04

Jeff W. Whitlock
Jeff W. Whitlock

Tonya M. Whitlock
Tonya M. Whitlock

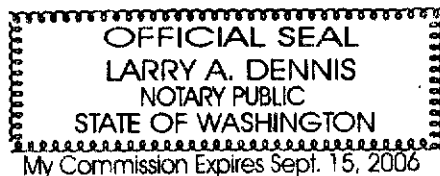
STATE OF WASHINGTON

COUNTY OF SKAGIT

On this day personally appeared before me Jeff Whitlock
and Tonya Whitlock known to me 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.

SUBSIBED AND SWORN to before me on this 26th day of
Oct, 2004.

Name: [Signature]
Notary public for the State of Washington
Residing at: _____
My Commission Expires: _____



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Owner of Lot 16 of Plat

Date: 11/1/04

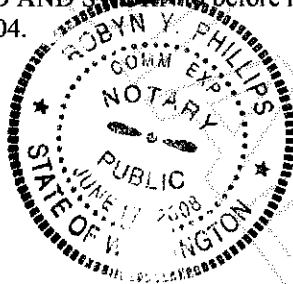
Brian Ensley
BRIAN ENSLEY

STATE OF WASHINGTON

COUNTY OF SKAGIT

On this day personally appeared before me Brian Ensley
and n/a known to me to be the individuals described in and who executed the
foregoing instrument and acknowledged to me that they are the record owners of LOT 16 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 1st day of
NOV. 1, 2004.



Name: Robyn Phillips
Notary public for the State of Washington
Residing at: Sedro Woolley
My Commission Expires: 6/17/08

Owner of Lot 17 of Plat

Date: 11-3-04

R. KALE SAUR
Kristen Saur
Kristen Saur

STATE OF WASHINGTON

COUNTY OF SKAGIT

On this day personally appeared before me R. Kale Saur
and Kristen Saur known to me to be the individuals described in and who executed the
foregoing instrument and acknowledged to me that they are the record owners of LOT 17 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 4th day of
Nov, 2004.



Name: Sylvia Anderson
Notary public for the State of Washington
Residing at: 2940 Newmarket St. Suite 103 Bellingham, WA
My Commission Expires: Feb 6, 2007

FOURTH AMENDMENT TO RESTRICTIONS AND COVENANTS OF



200411150148
Skagit County Auditor

Owners of Lot 18 of Plat

Date: _____

Donald E. Winget
Donald E. Winget

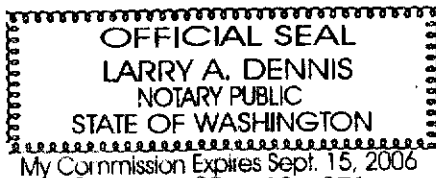
Constance F. Miller
Constance F. Miller

STATE OF WASHINGTON

COUNTY OF SKAGIT

On this day personally appeared before me Constance F. Miller
and _____ known to me to be the individuals described in and who executed the
foregoing instrument and acknowledged to me that they are the record owners of LOT 18 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.

OCT 7, 2004, SUBSRIED AND SWORN to before me on this 26th day of



Owners of Lot 19 of Plat
Date: _____

Name: _____
Notary public for the State of Washington
Residing at: _____
My Commission Expires: _____

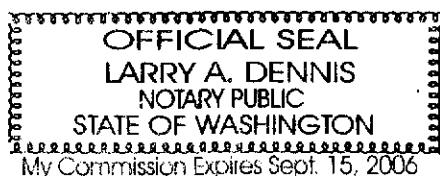
Donald E. Winget
Donald E. Winget
Constance F. Miller
Constance F. Miller

STATE OF WASHINGTON

COUNTY OF SKAGIT

On this day personally appeared before me Constance F. Miller
and _____ known to me to be the individuals described in and who executed the
foregoing instrument and acknowledged to me that they are the record owners of LOT 19 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.

OCT 7, 2004, SUBSRIED AND SWORN to before me on this 26th day of



Name: Larry A. Dennis
Notary public for the State of Washington
Residing at: _____
My Commission Expires: _____



Skagit County Auditor

Owner of Lot 20 of Plat
Date: 11-12-04

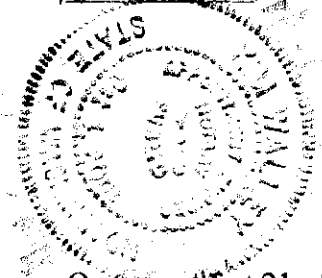
Shirley Lemley
Shirley Lemley

STATE OF WASHINGTON

COUNTY OF SKAGIT

On this day personally appeared before me Shirley Lemley
and She known to me to be the individuals described in and who executed the
foregoing instrument and acknowledged to me that they are the record owners of LOT 20 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.

SUBSIBED AND SWORN to before me on this 12 day of
November, 2004.



Name: Kim Wailey
Notary public for the State of Washington
Residing at: Wells Fargo
My Commission Expires: 10-08-08

Owners of Lot 21 of Plat
Date: 10-25-04

Anthony K. Dickman
Anthony K. Dickman

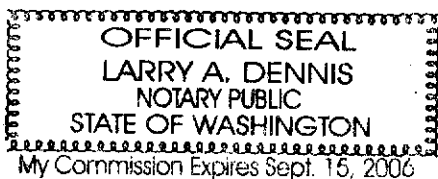
April C. Dickman
April C. Dickman

STATE OF WASHINGTON

COUNTY OF SKAGIT

On this day personally appeared before me Anthony Dickman
and April Dickman known to me to be the individuals described in and who executed the
foregoing instrument and acknowledged to me that they are the record owners of LOT _____ 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.

SUBSIBED AND SWORN to before me on this 26 day of
Oct, 2004.



Name: Kim Wailey
Notary public for the State of Washington
Residing at: Wells Fargo
My Commission Expires: 10-08-08



200411150148
Skagit County Auditor

Owners of Lot 22 of Plat

Date: _____

STATE OF WASHINGTON

COUNTY OF SKAGIT

On this day personally appeared before me _____
and _____ known to me to be the individuals described in and who executed the
foregoing instrument and acknowledged to me that they are the record owners of LOT _____ 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.

SUBSRIED AND SWORN to before me on this _____ day of
_____, 2004.

Name: _____

Notary public for the State of Washington

Residing at: _____

My Commission Expires: _____

Owners of Lot 24 of Plat

Date: 10/25/04

[Signature]

Gaethle, Ricky D.

Gaethle, Rachida

STATE OF WASHINGTON

COUNTY OF SKAGIT

On this day personally appeared before me GAETHLE, RICKY D
and _____ known to me to be the individuals described in and who executed the
foregoing instrument and acknowledged to me that they are the record owners of LOT _____ 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.

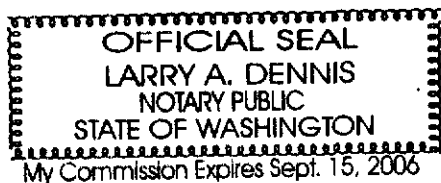
SUBSRIED AND SWORN to before me on this 26th day of
OCT, 2004.

Name: [Signature]

Notary public for the State of Washington

Residing at: _____

My Commission Expires: _____



Skagit County Auditor

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Owners of Lot 23 of Plat

Date: 10/25/04

Lawrence E. Sandelin
Lawrence E. Sandelin

Clara C. Sandelin
Clara C. Sandelin

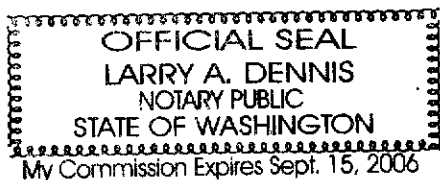
STATE OF WASHINGTON

COUNTY OF SKAGIT

On this day personally appeared before me CLARA C. SANDELIN
and ~~for Lawrence E. Sandelin~~ known to me to be the individuals described in and who executed the
foregoing instrument and acknowledged to me that they are the record owners of LOT _____ 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.

SUBSRIBED AND SWORN to before me on this 26th day of
Oct, 2004.

Name: [Signature]
Notary public for the State of Washington
Residing at: _____
My Commission Expires: _____



Skagit County Auditor

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Owners of Lot 25 of Plat

Date: 11-8-04

Melissa R. Hyatt
Melissa R. Hyatt

Ronald L. Hyatt
Ronald L. Hyatt

STATE OF WASHINGTON

COUNTY OF SKAGIT

On this day personally appeared before me _____
and _____ known to me to be the individuals described in and who executed the
foregoing instrument and acknowledged to me that they are the record owners of LOT _____ 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.

SUBSIBED AND SWORN to before me on this _____ day of
_____, 2004.

Name: _____
Notary public for the State of Washington
Residing at: _____
My Commission Expires: _____



200411150148

Skagit County Auditor

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