

After filing, return to:  
Stephen A. Brandli  
3320 126<sup>th</sup> Ave. NE  
Bellevue, WA 98005



200501260062  
Skagit County Auditor

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**Commercial Waiver Agreement  
between  
Fox Hollow Lane Community Association  
and  
Michael and Linda Nemnich**

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DOCUMENT SUMMARY

Grantors: Fox Hollow Lane Community Association  
Grantee: Michael and Linda Nemnich  
Abbrev. Legal Description: Portion of the NE ¼ NE ¼ of Sec. 24, a Portion of the NE ¼ of Sec. 13, T36N R3E; and a Portion of the NW ¼ NW ¼ of Sec. 19, a Portion of the W ½ of Sec. 18, T36N R4E.  
Tax Parcel Numbers: P47842, P47859, P48141, P49370, P49371, P49372, P49443, P49458, P115707, P115709, P115710, P115711, P115712, P115715, P115716, P118588, P118589, P118590, P118653, P118654, P118655, P119066, P119069, P119070, P119150  
Document Affected: None.

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This Commercial Waiver Agreement (the "Agreement") between the Fox Hollow Lane Community Association, a Washington Corporation (the "Association"), and Michael and Linda Nemnich, husband and wife (the "Owner"), is entered into this 20 day of AUGUST, 2003, as follows:

WHEREAS the Owner owns property known as 18077 Fox Hollow Lane, Bow, situate in Skagit County, Washington, also known as Parcel 6 and portions of Parcels 3 and 7 of the Fox Hollow Lane development, encompassing approximately 30 acres (the "Property");

WHEREAS use of the Property is restricted by certain Covenants, Conditions, Restrictions and Reservations for the Fox Hollow Lane Community Association (the "Covenants"), last amended on March 24, 2003, such restrictions including restrictions on "commercial use", as defined in Section 5.1.2 of the Covenants, of the Property without express waiver by the Association;

WHEREAS Owner wishes to apply for, and the Association wishes to grant, pursuant to Section 5.2 of the Covenants, a waiver for commercial use under the terms and restrictions herein;

WHEREAS the Members of the Association have received proper notice, pursuant to Section 5.2.5 of the Covenants, of the Association's intent to enter into this Agreement; and

WHEREAS the Board of Directors of the Association, in a meeting on the 20th day of August, 2003, have duly approved this Agreement;

THEREFORE the Association hereby grants to the Owner an express waiver of Section 5.1.2 of the Covenants prohibiting "commercial use" of the Property under the following terms and conditions:

1. The Owner may raise cattle on the Property for sale. The Owner may hold cattle on the Property up to but not over the densities currently allowed by the Covenants. No other commercial use of the Property is authorized. This Agreement covers the Property only, and not any other holdings, now or in the future, of the Owner.
2. A maximum of one head of cattle per year may be slaughtered on the Property, but must be slaughtered out of sight of the other homes of the Association, and during school hours.
3. Cattle may not be sold on the Property, and must be sold off-site. The Property shall not be open to the public.
4. The Property shall be assessed for Road Expenses, pursuant to Section 4.2 of the Covenants, as if a residential building permit has been obtained for the Property.
5. The impact of the foregoing commercial use on the Fox Hollow Lane shall be concomitant with residential use of the Property. The Owner shall repair, at their own expense, any damage to Fox Hollow Lane resulting from additional use of the road.
6. This Agreement constitutes the entire agreement waiving commercial use of the Property. All terms of the Covenants not expressly waived in this Agreement remain in full force and effect. This Agreement is between the Association and the Owner, and does not run with the land.

Executed the day first written above:



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President Signature Page to Nemnich Commercial Waiver Agreement:

*Randall Schultz*  
Randall Schultz

STATE OF WASHINGTON )

:SS

COUNTY OF Skagit )

I certify that I know or have satisfactory evidence that Randall Schultz is the person who appeared before me and signed this instrument, and on oath stated that he was authorized to execute the instrument as the President of the Fox Hollow Lane Community Association.

DATED: this 20<sup>th</sup> day of August, 2003.

*Kenneth Mannon*

NOTARY PUBLIC for the State of Washington.

My commission expires 9-30-06



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Nemnich Signature Page to Nemnich Commercial Waiver Agreement:

*Michael Nemnich*

Michael Nemnich

*Linda Nemnich*

Linda Nemnich

STATE OF WASHINGTON )

:SS

COUNTY OF Skagit )

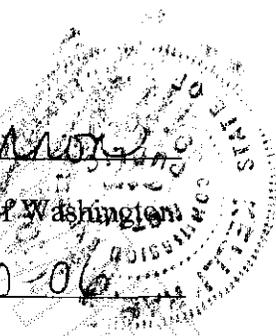
I certify that I know or have satisfactory evidence that Michael Nemnich and Linda Nemnich are the persons who appeared before me and signed this instrument, and that they acknowledged it to be their free and voluntary act for the uses and purposes mentioned in this instrument.

DATED: this 20<sup>th</sup> day of August, 2003.

*Lilli Rae Mannon*

NOTARY PUBLIC for the State of Washington

My commission expires 9-30-06



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