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Skagit County Auditor

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RETURN TO:

**LAW OFFICE**

of

BRADFORD E. FURLONG, P.S.  
825 CLEVELAND AVENUE  
MOUNT VERNON, WASHINGTON 98273  
(360) 336-6508

116653-8  
LAND TITLE OF SKAGIT COUNTY

Document Title: Second Amendment to Protective Covenants and Declaration of Conditions, Covenants and Restrictions for Hopper Road Business Park (F/K/A RIVERBEND BUSINESS PARK)

Reference number of documents assigned or released: 200301300163

Grantor/Declarant: Port of Skagit County, a Washington municipal corporation

Grantee: Public

Partial Legal Description: (full legal description on document)

Portion of Lot 23, Hopper Road Bus. Park Revised BSP

Assessor's Parcel/Tax I.D. Number: 8025-000-023-0000/P116596

**SECOND AMENDMENT TO PROTECTIVE COVENANTS AND  
DECLARATION OF CONDITIONS, COVENANTS AND RESTRICTIONS FOR  
HOPPER ROAD BUSINESS PARK  
(F/K/A RIVERBEND BUSINESS PARK)**

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21<sup>st</sup> **THIS SECOND AMENDMENT TO PROTECTIVE COVENANTS** is made this day of June 2005, by the Port of Skagit County, a Washington municipal corporation ("Declarant"), with reference to the following facts:

**RECITALS**

A. The Port of Skagit County is the Declarant under that document entitled "RECISSION OF PROTECTIVE COVENANTS AND DECLARATION OF CONDITIONS, COVENANTS AND RESTRICTIONS FOR HOPPER ROAD BUSINESS PARK (F/K/A RIVERBEND INDUSTRIAL PARK)" ("CC&Rs"), filed under Skagit County Auditor's file number 200301300163;

B. Attached to said CC&Rs is a "Site Plan" (also described as "Exhibit A" in the CC&Rs) which describes the property subject to said CC&Rs ("Subject Property"). A portion of the Subject Property depicted in Exhibit 1 hereto is being sold to a third person and will no longer be a functioning portion of the Site Plan to which the CC&Rs apply;

C. The Declarant therefore wishes to modify the CC&Rs such that the legal description of the Subject Property subject to the CC&Rs shall be amended to delete that the portion of the Subject Property being sold.

D. The entrance signs to the Subject Property have been removed and the Declarant has determined that there is no surviving need to include the entrance signs and the landscaping associated therewith as part of the definition of Common Area Maintenance.

**ARTICLE 1**

The CC&Rs are hereby amended as follows:

A. The Site Plan (also described as "Exhibit A" in the CC&Rs) is modified to delete there from the following described property:

That portion of Lot 23, "HOPPER ROAD BUSINESS PARK, REVISED BINDING SITE PLAN," recorded January 30, 2003, under Auditor's File No. 200301300162, records of Skagit County, Washington, said portion being described as follows:

Beginning at the Southwest corner of said Lot 23;  
thence South 88°50'04" East 73.70 feet along the South line of said Lot 23;  
thence North 00°26'30" West 436.53 feet;



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thence South 88°50'04" East 77.50 feet;  
thence North 41°18'33" East 14.30 feet;  
thence North 07°31'59" East 49.65 feet;  
thence North 35°53'09" East 54.41 feet;  
thence South 88°50'04" East 29.00 feet to the East line of said Lot 23;  
thence Northerly along said East line on the arc of a curve to the left  
having a radius of 470.00 feet, the center of which is North 80°13'58"  
West from said initial point, through a central angle of 07°20'48", an arc  
distance of 60.26 feet to the Northeast corner of said Lot 23;  
thence North 88°50'04" West 232.74 feet along the North line of said Lot 23 to  
the Northwest corner of said Lot 23;  
thence South 00°09'29" East 601.52 feet to the point of beginning.

Situate in the County of Skagit, State of Washington.

B. Paragraph 1.3 is deleted and replaced with the following:

**Common Maintenance Areas.**

The term "Common Maintenance Areas" means: (1) Landscape Buffer Areas; and (2) the entire stormwater conveyance and detention system outside of individual Lot-specific stormwater system improvements. The storm water conveyance and detention system is set out on the Site Plan. "Landscape Buffer Areas" means all that area between the sidewalks and the street curbs. Responsibility for initial installation of landscaping and other facilities within the Common Maintenance Areas is described in Section 2.5, entitled "Landscaping and Stormwater Facilities," of this Declaration, and responsibility for maintenance of landscaping and facilities once installed within the Common Maintenance Areas is described in Section 2.7, entitled "Maintenance of Grounds," of this Declaration.

**ARTICLE 2**

In all other respects, the balance of the CC&Rs shall remain in full force and effect.

**IN WITNESS WHEREOF** Declarant has caused this Second Amendment to CC&Rs executed as of the 21st day of June 2005.

PORT OF SKAGIT COUNTY

  
JEROLD W. HELLER, Executive Director

Second Amendment to Protective CC&Rs for Hopper Road Business Park  
(f/k/a Riverbend Business Park)



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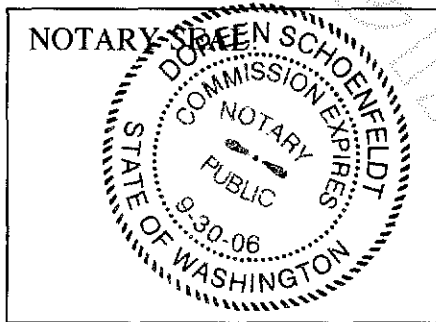
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STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF SKAGIT )

On this 21st day of June 2005 before me, the undersigned, a Notary Public in and for the state of Washington, duly commissioned and sworn, personally appeared Jerold W. Heller, to me known to be the executive director of the Port of Skagit County, a Washington municipal corporation, the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument,

Witness my hand and official seal hereto affixed the say and year first above written.

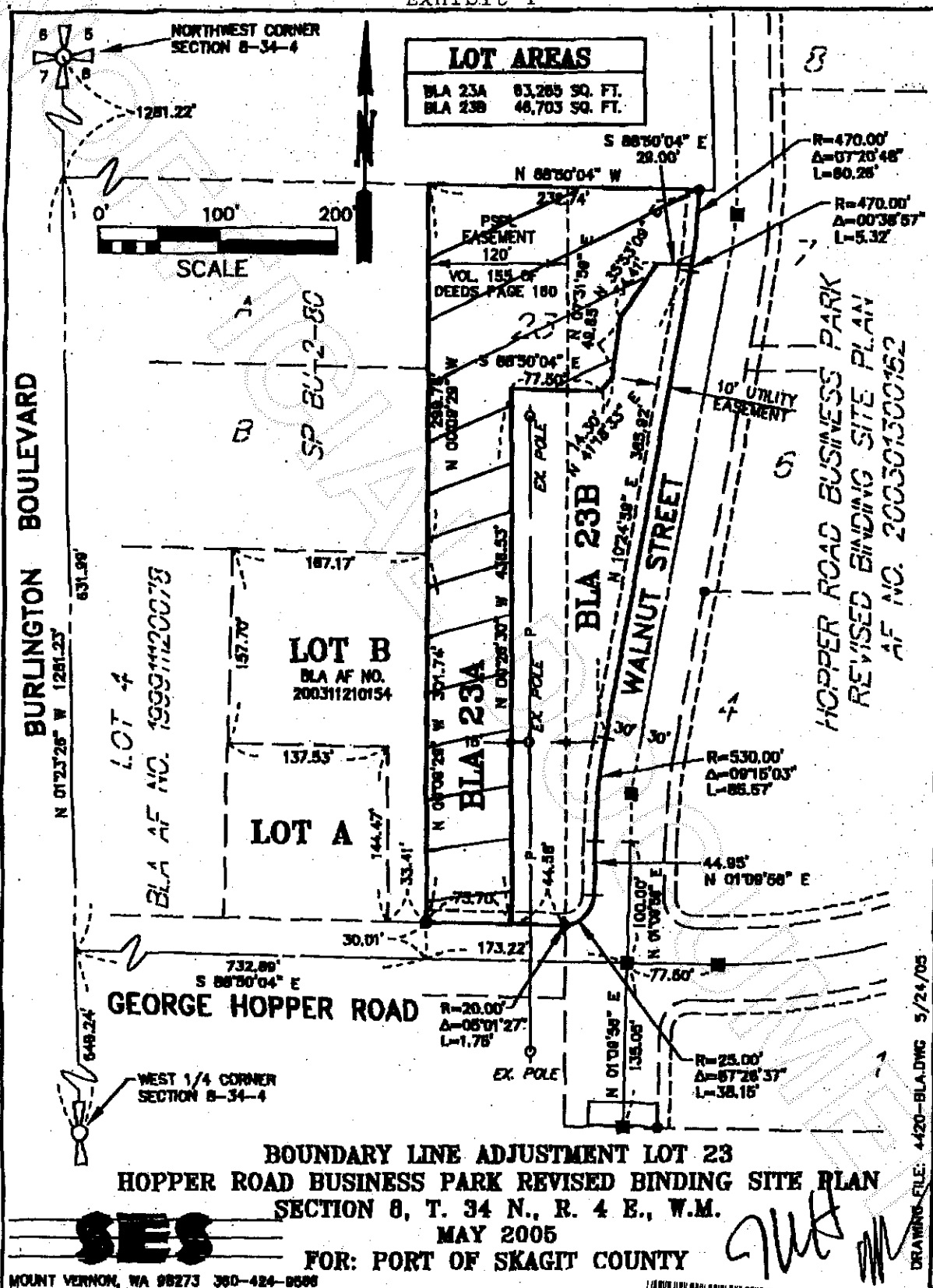


  
DOREEN SCHOENFELDT  
Notary Public in and for the state of  
Washington, residing at Sedro-Woolley  
My commission expires: 09/30/06

Second Amendment to Protective CC&Rs for Hopper Road Business Park  
(f/k/a Riverbend Business Park)



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**DRAWING FILE: 4420-BLA.DWG 5/24/05**

**MOUNT VERNON, WA 98273 360-424-9588**

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