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Skagit County Auditor

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After Recording Return To:

SKAGIT LAW GROUP, PLLC
227 Freeway Drive, Suite B/P. O. Box 336
Mount Vernon, WA 98273

103256-P

TITLE OF DOCUMENT: AMENDMENT OF COVENANTS, CONDITIONS,
RESTRICTIONS, AND RESERVATIONS FOR
BAY RIDGE BUSINESS PARK

GRANTOR: BOUSLOG, John; BOUSLOG, Melvin; TATE, Sue
Ellen; OHRT, Karla; BAZANT, Barbara; BOUSLOG,
June A.; BOUSLOG INVESTMENTS, LLC; and
JBK INVESTMENTS, LLC

GRANTEE: THE GENERAL PUBLIC

Partial Legal Description: Full Legal on Exhibit "A" hereto.

Ptn of Lot 2H, Bay Ridge Business Park BSP No. PL-03-0706 in 3-34-3
E. W.M.

Assessor's Tax Parcel No: 8054-000-008-0100/P122848

THIS AMENDMENT is to that certain Declaration of Covenants, Conditions, Restrictions, and Reservations for Bay Ridge Business Park ("Business Park") dated November 20, 1997, and recorded December 8, 1997, under Skagit County Auditor's File No. 9712080099 ("Declaration").

**AMENDMENT OF CCR&Rs FOR
BAY RIDGE BUSINESS PARK**

RECITALS

WHEREAS, the initial Declarants, **JOHN BOUSLOG, MELVIN BOUSLOG, SUE ELLEN MOORE, A/K/A SUE ELLEN TATE, KARLA OHRT, BARBARA BAZANT**, and **JUNE A. BOUSLOG** subsequently conveyed by deeds dated October 13, 1997, and recorded December 16, 1997, their interest in the lands described in the Declaration to **BOUSLOG INVESTMENTS, LLC** and **JBK INVESTMENTS, LLC** as limited liability companies formed under the laws of the state of Washington; and

WHEREAS, the initial Declarants desire by this amendment to assign all rights of the Declarants in the Declaration to **BOUSLOG INVESTMENTS, LLC** and **JBK INVESTMENTS, LLC** as the successors to the Declarants as provided below; and

WHEREAS, the Declarants have entered into an agreement for the sale of unimproved land within the Business Park to the Port of Skagit County in lieu of condemnation and subject to a contingency that the land be removed by the Declarants from the Business Park; and

WHEREAS, the Declarants hereby exercise their right to amend the Declaration for the withdrawal of property as provided in Section 3.3 of the Declaration and in the manner prescribed in Article XVII for the unilateral amendment of the Declaration by the Declarants pursuant Section 17.5 of the Declaration.

NOW, THEREFORE, the undersigned Declarants hereby amend the Declaration as follows:

A. Assignment of Declarants' Rights. **JOHN BOUSLOG, MELVIN BOUSLOG**, and **SUE ELLEN MOORE, A/K/A SUE ELLEN TATE**, do hereby transfer, convey, and assign all their rights as Declarants in the Declaration without warranty to **BOUSLOG INVESTMENTS, LLC**, a limited liability company formed under the laws of the state of Washington. **KARLA OHRT, BARBARA BAZANT**, and **JUNE A. BOUSLOG** do hereby transfer, convey, and assign all their rights as Declarants in the Declaration without warranty to **JBK INVESTMENTS, LLC**, a limited liability company formed under the laws of the state of Washington.

B. Withdrawal of RPZ Property. The Declarants do hereby withdraw the land area, the legal description for which is attached as Exhibit "A" and as depicted in Exhibit "B," from the Business Park. Further, for purposes of Section 16.5.7 (Liability Upon Withdrawal), it is acknowledged and agreed that the property withdrawn for the sale to the Port of Skagit County for use as a Runway Protection Zone ("RPZ") will not benefit from

AMENDMENT OF CCR&RS FOR BAY RIDGE BUSINESS PARK



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the utility and roadway easements benefiting the Business Park and therefore shall not, following withdrawal, in the absence of any such benefit be obligated under Section 16.5.7 of the Declaration to participate in and pay based on said use as a RPZ any subsequent costs incurred by the Declarants, the Owners' Association, or its successors for subsequent repairs or maintenance in the operation of utilities or roadways benefiting owners of the Business Park.

EXCEPT as expressly modified by this amendment, all other terms and conditions of the Declaration shall remain in full force and effect.

John L. Bouslog
JOHN L. BOUSLOG
Date: 6/22/05

MELVIN BOUSLOG

By: John L. Bouslog
JOHN L. BOUSLOG, his attorney-in-fact
Date: 6/22/05

SUE ELLEN MOORE
A/K/A SUE ELLEN TATE

By: John L. Bouslog
JOHN L. BOUSLOG, her attorney-in-fact
Date: 6/22/05

BOUSLOG INVESTMENTS, LLC

John L. Bouslog
JOHN L. BOUSLOG, Member
Date: 6/22/05

SUE ELLEN MOORE, Member
A/K/A SUE ELLEN TATE

By: John L. Bouslog
JOHN L. BOUSLOG, her attorney-in-fact
Date: 6/22/05

Barbara A. Bazant
BARBARA BAZANT
Date: 6/22/05

KARLA OHRT

By: Barbara A. Bazant
BARBARA BAZANT, her attorney-in-fact
Date: 6/22/05

JUNE A. BOUSLOG

By: Barbara A. Bazant
BARBARA BAZANT, her attorney-in-fact
Date: 6/22/05

JBK INVESTMENTS, LLC

Barbara A. Bazant
BARBARA BAZANT, Member
Date: 6/22/05

KARLA OHRT, Member

By: Barbara A. Bazant
BARBARA BAZANT, her attorney-in-fact
Date: 6/22/05

AMENDMENT OF CCR&RS FOR
BAY RIDGE BUSINESS PARK

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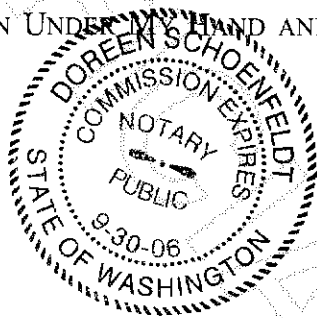
STATE OF WASHINGTON

COUNTY OF SKAGIT

SS.

I certify that I know or have satisfactory evidence that **JOHN L. BOUSLOG** is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it individually and as a Member of **BOUSLOG INVESTMENTS, LLC**, to be the free and voluntary act of such parties for the uses and purposes mentioned in the instrument.

GIVEN UNDER MY HAND AND OFFICIAL SEAL this 22nd day of June, 2005.



Printed Name Doreen Schoenfeldt
NOTARY PUBLIC in and for the state of Washington
My Commission Expires 09-30-06

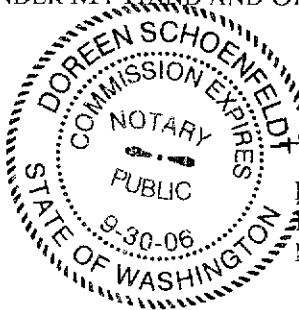
STATE OF WASHINGTON)

) ss.

COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that **JOHN L. BOUSLOG** is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the attorney-in-fact of **MELVIN BOUSLOG** to be the free and voluntary act of such party for the uses and purpose mentioned in the instrument.

GIVEN UNDER MY HAND AND OFFICIAL SEAL this 22nd day of June, 2005.



Printed Name Doreen Schoenfeldt
NOTARY PUBLIC in and for the state of Washington
My Commission Expires 09-30-06

**AMENDMENT OF CCR&RS FOR
BAY RIDGE BUSINESS PARK**

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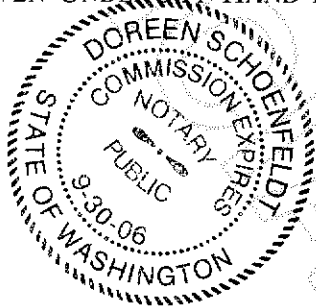
STATE OF WASHINGTON

COUNTY OF SKAGIT

SS.

I certify that I know or have satisfactory evidence that **JOHN L. BOUSLOG** is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the attorney-in-fact of **SUE ELLEN MOORE, A/K/A SUE ELLEN TATE**, to be the free and voluntary act of such party for the uses and purpose mentioned in the instrument.

GIVEN UNDER MY HAND AND OFFICIAL SEAL this 22nd day of June, 2005.



Doreen Schoenfeldt
Printed Name Doreen Schoenfeldt
NOTARY PUBLIC in and for the state of Washington
My Commission Expires 09-30-06

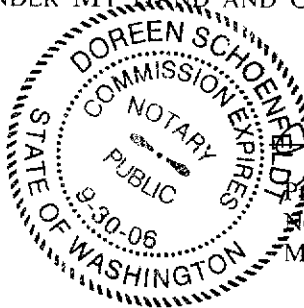
STATE OF WASHINGTON

COUNTY OF SKAGIT

SS.

I certify that I know or have satisfactory evidence that **BARBARA BAZANT** is the person who appeared before me, and said person acknowledged that she signed this instrument, on oath stated that she was authorized to execute the instrument and acknowledged it as the attorney-in-fact of **KARLA OHRT** to be the free and voluntary act of such party for the uses and purpose mentioned in the instrument.

GIVEN UNDER MY HAND AND OFFICIAL SEAL this 22nd day of June, 2005.



Doreen Schoenfeldt
Printed Name Doreen Schoenfeldt
NOTARY PUBLIC in and for the state of Washington
My Commission Expires 09-30-06

AMENDMENT OF CCR&Rs FOR
BAY RIDGE BUSINESS PARK

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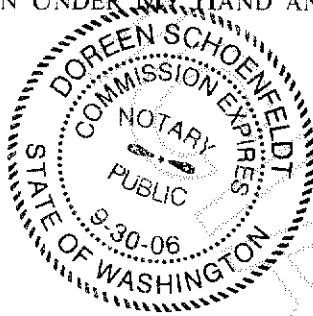
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STATE OF WASHINGTON
COUNTY OF SKAGIT

SS.

I certify that I know or have satisfactory evidence that **BARBARA BAZANT** is the person who appeared before me, and said person acknowledged that she signed this instrument, on oath stated that she was authorized to execute the instrument and acknowledged it individually and as a Member of **JBK INVESTMENTS, LLC**, to be the free and voluntary act of such parties for the uses and purposes mentioned in the instrument.

GIVEN UNDER MY HAND AND OFFICIAL SEAL this 22nd day of June, 2005.



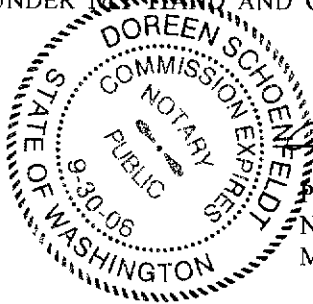
Doreen Schoenfeldt
Printed Name Doreen Schoenfeldt
NOTARY PUBLIC in and for the state of Washington
My Commission Expires 09-30-06

STATE OF WASHINGTON
COUNTY OF SKAGIT

SS.

I certify that I know or have satisfactory evidence that **BARBARA BAZANT** is the person who appeared before me, and said person acknowledged that she signed this instrument, on oath stated that she was authorized to execute the instrument and acknowledged it as the attorney-in-fact of **JUNE A. BOUSLOG** to be the free and voluntary act of such party for the uses and purpose mentioned in the instrument.

GIVEN UNDER MY HAND AND OFFICIAL SEAL this 22nd day of June, 2005.



Doreen Schoenfeldt
Printed Name Doreen Schoenfeldt
NOTARY PUBLIC in and for the state of Washington
My Commission Expires 09-30-06

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EXHIBIT A
(Legal Description)

That portion of Lot 2H, Bay Ridge Business Park Binding Site Plan No. PL-03-0706, as recorded July 9, 2004, under Auditor's File No. 200407090108, more particularly described as follows:

Beginning at the Northeast corner of said Section 3 as shown on Skagit Regional Airport Binding Site Plan, Phase 2, Division 1, as approved January 22, 2002, and recorded January 22, 2002, under Skagit County Auditor's File No. 200201220163;

thence South $0^{\circ}18'24''$ West, along the East line of said Section (called South $0^{\circ}16'51''$ West on said Skagit County Short Plat No. 96-012), 2,725.88 feet to the East $\frac{1}{4}$ corner of said Section (also being the Southeast corner of said Lot 4, Skagit County Short Plat No. 96-012);

thence North $88^{\circ}19'14''$ West, along the East-West centerline of said Section, 747.19 feet, more or less, to a point on the Southeasterly line of the Southeast Runway Protection Zone for Runway 10/28 and being the true point of beginning;

thence continue North $88^{\circ}19'14''$ West along said East-West centerline 570.34 feet, more or less, to the Southwest corner of said Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$;

thence North $0^{\circ}13'06''$ East along the West line of said subdivision, 1,159.60 feet, more or less, to the Northeasterly line of said Runway Protection Zone;

thence South $60^{\circ}53'48''$ East along said Northeasterly line, 1,179.29 feet, more or less, to an angle point in said Runway Protection Zone at a point bearing North $37^{\circ}38'02''$ East from the true point of beginning;

thence South $37^{\circ}38'02''$ West along said Southeasterly line of the Runway Protection Zone, 761.08 feet, more or less, to the true point of beginning.

SUBJECT TO a 30.00 foot wide easement for sanitary sewer and maintenance thereof, to be transferred to the City of Burlington via a future conveyance, being more particularly described as follows:

Beginning at the Southwest corner of the above described parcel;

thence North $0^{\circ}13'06''$ East along the West line of said parcel, 431.44 feet, to the true point of beginning;

thence continue North $0^{\circ}13'06''$ East, 38.18 feet;

thence North $52^{\circ}00'04''$ East, 655.81 feet, more or less, to the Northeasterly line of the above described parcel;

thence South $60^{\circ}53'48''$ East along said Northeasterly line, 32.57 feet, more or less, to a point bearing North $52^{\circ}00'04''$ East from the true point of beginning;

thence South $52^{\circ}00'04''$ West, 692.11 feet, more or less, to the true point of beginning.



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AND ALSO SUBJECT TO a storm drainage easement of varying widths for the construction and maintenance of existing and future storm water conveyance structures (ditches, pipes, ponds, etc.), over, under and across portions of the above described parcel being more particularly described as follows:

Beginning at the Southeast corner of the above-described parcel;

thence North 88°19'14" West along the South line of said parcel, also being the East-West centerline of said Section 3, 570.34 feet, more or less, to the Southeast corner of said parcel;
thence North 0°13'06" East along the West line of said parcel, 1,159.60 feet, to the Northerly most corner thereof;
thence South 60°53'48" East along the Northeasterly line of said parcel, 22.84 feet;
thence South 0°13'06" West, parallel with and 20.00 feet Easterly of the West line of said parcel, 1,089.06 feet, to a point 60.00 feet North (as measured perpendicular) of the South line of said parcel;
thence South 88°19'14" East, parallel with said South line, 339.27 feet; thence North 17°07'22" East, 56.23 feet;
thence North 23°56'20" East, 109.87 feet;
thence North 19°12'36" East, 187.53 feet;
thence North 12°30'01" East, 190.67 feet;
thence North 07°14'07" East, 215.16 feet;
thence North 22°02'06" West, 104.77 feet, more or less, to said Northeasterly line of said parcel;
thence South 60°53'48" East along said Northeasterly line, 47.81 feet;
thence South 22°02'06" East, 75.37 feet;
thence South 07°14'07" West, 224.38 feet;
thence South 12°30'01" West, 193.81 feet;
thence South 19°12'36" West, 190.53 feet;
thence South 23°56'20" West, 109.32 feet;
thence South 17°07'22" West, 46.16 feet, to a point 60.00 feet North (as measured perpendicular) of the South line of said parcel;
thence South 88°19'14" East, parallel with said South line, 163.22 feet;
thence North 37°38'02" East, 52.14 feet;
thence North 15°31'10" East, 154.26 feet;
thence North 26°46'09" East, 124.28 feet;
thence North 11°03'19" West, 499.96 feet, more or less, to the Northeasterly line of said parcel;
thence South 60°53'48" East along said Northeasterly line, 39.25 feet;
thence South 11°03'19" East, 487.94 feet;
thence South 31°16'03" East, 17.01 feet;
thence North 58°43'57" East, 238.47 feet, more or less, to the Southeasterly line of said parcel;
thence South 37°38'02" West along said Southeasterly line, 138.90 feet;
thence South 58°43'57" West, 190.46 feet;



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thence South 15°31'10" West, 182.12 feet, more or less, to the Southeasterly line of said parcel at a point bearing North 37°38'02" East from the point of beginning;
thence South 37°38'02" West along said Southeasterly line 99.78 feet, more or less, to the point of beginning.

AND ALSO SUBJECT TO a 20.00 foot wide easement for access and maintenance of an existing storm drainage pond located Northeasterly of and contiguous to the Northeasterly line of the above described parcel, said 20.00 foot wide easement being more particularly described as follows:

Beginning at the Northeasterly corner of the above described parcel;
thence North 60°53'48" West along the Northeasterly line of said parcel, 570.00 feet;
thence South 29°06'12" West, 20.00 feet;
thence South 60°53'48" East, 567.00 feet, more or less, to the Southeasterly line of said parcel at a point bearing South 37°38'02" West from the point of beginning;
thence North 37°38'02" East along said Southeasterly line, 20.22 feet, more or less, to the point of beginning.

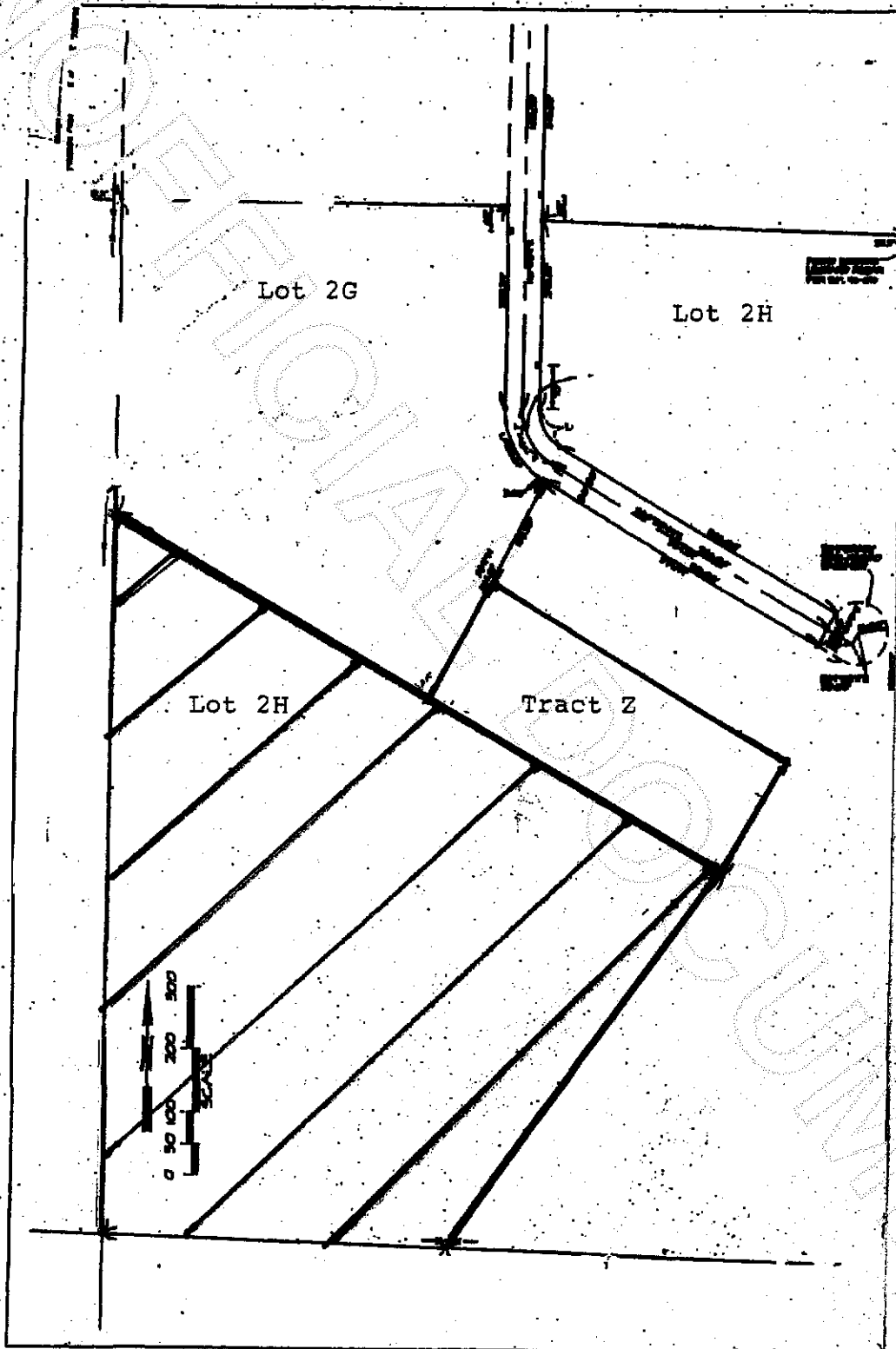
Situate in the County of Skagit, State of Washington.

End of EXHIBIT A



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Exhibit B



Bay Ridge Business Park Binding Site Plan
Phase 2 AF#200407090108



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