

AFTER RECORDING RETURN TO:  
SHELTER BAY COMPANY  
1000 SHOSHONE DRIVE  
LA CONNER, WA 98257



200508250118

Skagit County Auditor

8/25/2005 Page

1 of

4 3:30PM

Tax# P84040 & P 6295

117474-SAE  
LAND TITLE OF SKAGIT COUNTY

## SHELTER BAY ASSIGNMENT OF SUBLEASE

KNOW ALL MEN BY THESE PRESENT THAT:

**BRIAN S. PADGETT**, a single person and **VERONIKA M. MALLEN**, a single person

Lessee(s) of a certain sublease dated the 1<sup>st</sup> day of November, 1976 wherein SHELTER BAY COMPANY, a Washington corporation, appears as Lessor, recorded on the 22<sup>nd</sup> day of November, 1976 in accordance with Short Form Sublease No. CC-5 (Master Lease No. 5020, Contract No. 14-20-0500-2949) in records of Skagit County, Auditor's Filing No. 846363, Volume --- Pages --- hereinafter known as Assignor, for and in consideration of the sum of ten dollars and other valuable considerations paid for assignment of said sublease, receipt of which is hereby acknowledged by

**BRIAN S. PADGETT**, a single person and **VERONIKA M. MALLEN**, a single person

Assignor(s), whose address is: 2 Kootenai Place, La Conner, WA

ASSIGNOR assigned and set over, and by these presents does grant, assign and set over unto the said **ROBERT L. OLSON** and **MARILYN E. OLSON**, husband and wife

Assignee(s), whose address is: 4831 Yorktown Drive, Salt Lake City, UT 84117

the within indenture of Sublease, and all right, title and interest now owned or hereafter acquired, of said Assignor(s), in said Sublease including any buildings and appurtenances thereto, and also all estate, right, title, term of years yet to come, claim and demand whatsoever of, in to or out of the same, to have and to hold the said estate and right, title and interest of the Lessee(s) as a member of Shelter Bay Community, Inc., a non-profit Washington corporation in accordance with and subject to the Articles of Incorporation and By-Laws and rules and regulations of Shelter Bay Community, Inc., all above to cover that portion of total property conveyed by referenced Sublease as is described in Exhibit 'A' attached hereto. As a part of the consideration the Assignee(s) assumes and agrees to pay the annual lease payments provided for in said sublease and the maintenance fees and assessments, if any, of Shelter Bay Community, Inc. from time to time as they become due. The next annual sublease payment payable to Shelter Bay Community, Inc., in the amount of \$493.59 is due and payable on the 1<sup>st</sup> day of July 2005.

PRIOR ASSIGNMENT of Sublease from:

Thomas D. Fouts and Judith H. Fouts to Brian S. Padgett and Veronika M. Mallen under Auditor's Filing No. 200407060162.

# 46017  
SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

THE REAL ESTATE described in said lease is as follows:

See "Exhibit A" as attached hereto and made a part hereof by this reference.

Tract I-1 and Tract I-2, "AMENDED SURVEY OF SHELTER BAY DIVISION NO. 5, Tribal and Allotted Lands of Swinomish Indian Reservation" as recorded on June 2, 1976, in Volume 1 of Surveys, Pages 184 to 186, records of Skagit County, Washington, under Auditor's Filing No. 836134.

AUG 25 2005  
381064  
Amount Paid \$  
By Skagit Co. Treasurer  
Deputy

Situate in the County of Skagit, State of Washington.

IN WITNESS WHEREOF the parties have hereto signed this instrument this 24<sup>th</sup> Day of Aug, 2005.

Assignor(s)

BRIAN S. PADGETT

VERONIKA M. MALLEN

Assignee(s)

ROBERT L. OLSON

MARILYN E. OLSON

**EXHIBIT 'A'**

**LEGAL DESCRIPTION**

**PARCEL "A":**

A leasehold interest in the following described tract:

TRACT "I-1" as shown on Survey recorded in Volume 3 of Surveys, as Auditor's File No. 8112180036, records of Skagit County, Washington; being a portion of that certain Tract "T" shown on "AMENDED SURVEY OF SHELTER BAY DIVISION 5, Tribal and Allotted Lands of Swinomish Indian Reservation", as recorded on June 2, 1976, in Volume 1 of Surveys, Pages 184 to 186, records of Skagit County, Washington, under Auditor's File No. 836134, described as follows:

Beginning at the Southwest corner of said Tract "T";  
thence North 23° 15' West along the Westerly line of said Tract "T", 59.87 feet to the Northwestern corner thereof;  
thence North 62° 56' 45" East along the Northerly line of said Tract "T", 127.84 feet;  
thence South 8° 20' 52" East, a distance of 111.89 feet to the Southerly line of said Tract "T";  
thence South 76° 26' 01" West, a distance of 19.13 feet;  
thence North 88° 40' 10" West, a distance of 87.89 feet to the point of beginning.

TOGETHER WITH an easement for ingress, egress and utilities over, under and through a portion of Tract "H" shown on "SURVEY OF SHELTER BAY DIVISION 3, Tribal and Allotted Lands of Swinomish Indian Reservation" as recorded in Volume 43 of Official Records, pages 839 to 842, inclusive, records of Skagit County, Washington, under Auditor's File No. 737014, described as follows:

Beginning at the Southeasterly corner of said Tract "H";  
thence North 23° 15' West along the Easterly line thereof, 47.55 feet to the point of beginning of Tract "I-1" described above and the point of beginning of this description;  
thence North 88° 40' 10" West along the Westerly projection of the South line of Tract "I-1" described above, a distance of 24.45 feet to the Easterly right-of-way line of Spokane Drive;  
thence Northerly along said right-of-way line to its intersection with the Westerly projection of the North line of Tract "I-1", described above;  
thence North 62° 56' 45" East, a distance of 0.51 feet to the Northwest corner of said Tract "I-1";  
thence South 23° 15' East, a distance of 59.87 feet to the point of beginning.

Situate in the County of Skagit, State of Washington.

**PARCEL "B"**

A leasehold interest in the following described tract:

TRACT "I-2" as shown on Survey recorded in Volume 3 of Surveys, as Auditor's File No. 8112180036, records of Skagit County, Washington; being a portion of that certain Tract "T" shown on "AMENDED SURVEY OF SHELTER BAY DIVISION 5, Tribal and Allotted Lands of Swinomish Indian Reservation", as recorded on June 2, 1976, in Volume 1 of Surveys, Pages 184 to 186, records of Skagit County, Washington, under Auditor's File No. 836134, described as follows:

Beginning at the Northeast corner of said Tract "T";  
thence North 87° 02' 30" West along the North line thereof, a distance of 128.93 feet to the point of beginning of this description;  
thence North 87° 02' 30" West along said North line a distance of 51.07 feet;  
thence South 62° 56' 45" West a distance of 70.59 feet;  
thence South 8° 20' 52" East a distance of 111.89 feet to the South line of said Tract "T";  
thence North 76° 26' 01" East a distance of 94.15 feet;  
thence North 2° 57' 30" East, a distance of 118.25 feet to the point of



200508250118  
Skagit County Auditor

TOGETHER WITH a 20 foot wide easement for ingress, egress and utilities, the East line of which is described as follows:

Beginning at the Northeast corner of Tract "I-2" as described above;  
thence North 2° 57' 30" East, a distance of 34.45 feet to the South right-of-way line of Kootenai Place and the terminal point of this line description.

Situate in the County of Skagit, State of Washington.



200508250118  
Skagit County Auditor

STATE OF

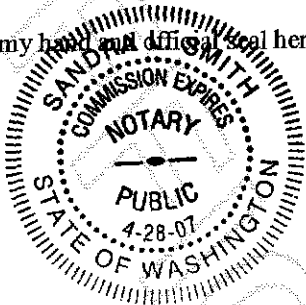
COUNTY OF

SS.

On this 23rd day of Aug, 2005 before me, the undersigned, a Notary Public in and for the State of Ia, duly commissioned and sworn, personally appeared BRIAN S. PADGETT and VERONIKA K. MALLEN

to me known to be the individuals described in and who executed the foregoing instrument and acknowledged to me that they signed and sealed the said instrument as their free and voluntary act and deed for the uses and purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year in the certificate above written.



Notary public in and for the State of

Residing at  
My Commission Expires

STATE OF

COUNTY OF

SS.

On this 16th day of August, 2005 before me, the undersigned, a Notary Public in and for the State of Utah, duly commissioned and sworn, personally appeared ROBERT L. OLSON and MARILYNN E. OLSON

to me known to be the individuals described in and who executed the foregoing instrument and acknowledged to me that they signed and sealed the said instrument as their free and voluntary act and deed for the uses and purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.

Notary Public in and for the State of

Residing at  
My Commission Expires:

#### CONSENT OF LESSOR

SHELTER BAY COMPANY, Seller in the above described Sublease, does hereby consent to the above assignment of the aforesaid Sublease, subject to payments being made from time to time by the Assignee(s) hereof in accordance with said sublease to cover purchase of sublease, annual lease payments and maintenance fees and assessments for Shelter Bay Community, Inc. as they become due. This consent does not relieve the Assignor(s) from the obligation to make said payments in the event the Assignee(s) does not make said payment, and by this consent Shelter Bay Company does hereby consent to the assignment of member ship in Shelter Bay Community, Inc. to the Assignee(s) subject to the approval of the Board of Trustees of Shelter Bay Community, Inc.

Date: 8/24/05



SHELTER BAY COMPANY

Judy L. Grosvenor  
Judy L. Grosvenor, Manager



8/25/2005 Page

4 of

4 3:30PM