

200606160052  
Skagit County Auditor

6/16/2006 Page

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3 10:31AM

**FIRST AMENDMENT TO  
LAND & BUILDING LEASE AGREEMENT  
(Lease B-1)**

THIS First Amendment to Land & Building Lease Agreement is made and entered into this 15<sup>th</sup> day of June, 2006, between Bay Meadows, LLC, a Washington Limited Liability Company ("Landlord"), and ALBERT W. BOETTCHER and CHARMAINE BOETTCHER, husband and wife (collectively "Tenant").

**RECITALS**

A. On or about November 7, 2003, ANDERSON ROAD, LLC and Tenant entered into a lease of certain real property including two residences (rental house and a residence) and two acres, more or less, located north of Wilson Road in Skagit County, Washington, (hereinafter the "lease"). The landlord's interest in the lease was subsequently assigned to Bay Meadows, LLC.

B. The parties have agreed to modify paragraph 1 "Property Description" of the original lease from two residences (rental house and a residence) and two acres, more or less, of real property, together with fixtures located thereon to Lots 13 and 14 of the Plat of Bay Meadows recorded November 28, 2005 under Skagit County AF #200511280180. Specifically, Skagit County Assessor Parcel I.D. #P123855 and P123856 as reflected on attached Exhibit A-1.

**NOW, THEREFORE, the parties hereto agree as follows:**

1. **Property Description.** The parties have agreed to modify paragraph 1 "Property Description" of the original lease from two residences (rental house and a residence) and two acres, more or less, of real property, together with fixtures located thereon to Lots 13 and 14 of the Plat of Bay Meadows recorded November 28, 2005 under Skagit County AF #200511280180. Specifically, Skagit County Assessor Parcel I.D. #P123855 and P123856 as reflected on attached Exhibit A-1, as amended and attached hereto.

2. **Ratification of Lease as Amended.** Except as modified and amended herein, the original lease recorded November 10, 2003, under AF #200311100004 is hereby ratified and affirmed.

BAY MEADOWS, LLC

By: Michael V. Fohn  
Michael V. Fohn  
Managing Member  
Landlord

*Loan Agreement*  
SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

JUN 16 2006

Amount Paid \$  
Skagit Co. Treasurer  
By mam Deputy

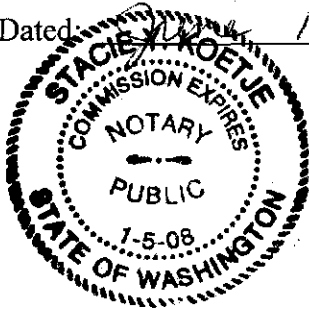
Albert W. Boettcher  
Albert W. Boettcher, Tenant

Charmaine Boettcher  
Charmaine Boettcher, Tenant

STATE OF WASHINGTON )  
COUNTY OF SKAGIT )

I certify that I know or have satisfactory evidence that Michael V. Fohn is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he is authorized to execute the instrument and acknowledged it as managing member of BAY MEADOWS, LLC, a Washington Limited Liability Company, to be the free and voluntary act of such parties for the uses and purposes mentioned in the instrument.

Dated: 15, 2006



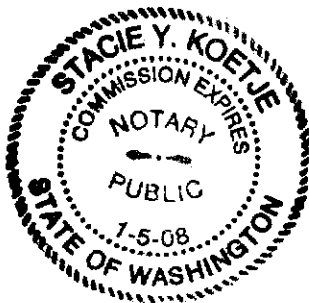
Stacie Y. Koetje

Printed Name: STACIE Y. KOETJE  
NOTARY PUBLIC in and for the State of Washington,  
residing at MTT VERNON  
My appointment expires: 1-5-08

STATE OF WASHINGTON )  
COUNTY OF SKAGIT )

I certify that I know or have satisfactory evidence that Albert W. Boettcher and Charmaine Boettcher, husband and wife, are the persons who appeared before me and that they signed this instrument and acknowledge it to be their free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: June 15, 2006



Stacie Y. Koetje

Printed Name: Stacey Koetje  
NOTARY PUBLIC in and for the State of Washington,  
residing at MTT VERNON  
My appointment expires: 1-5-08

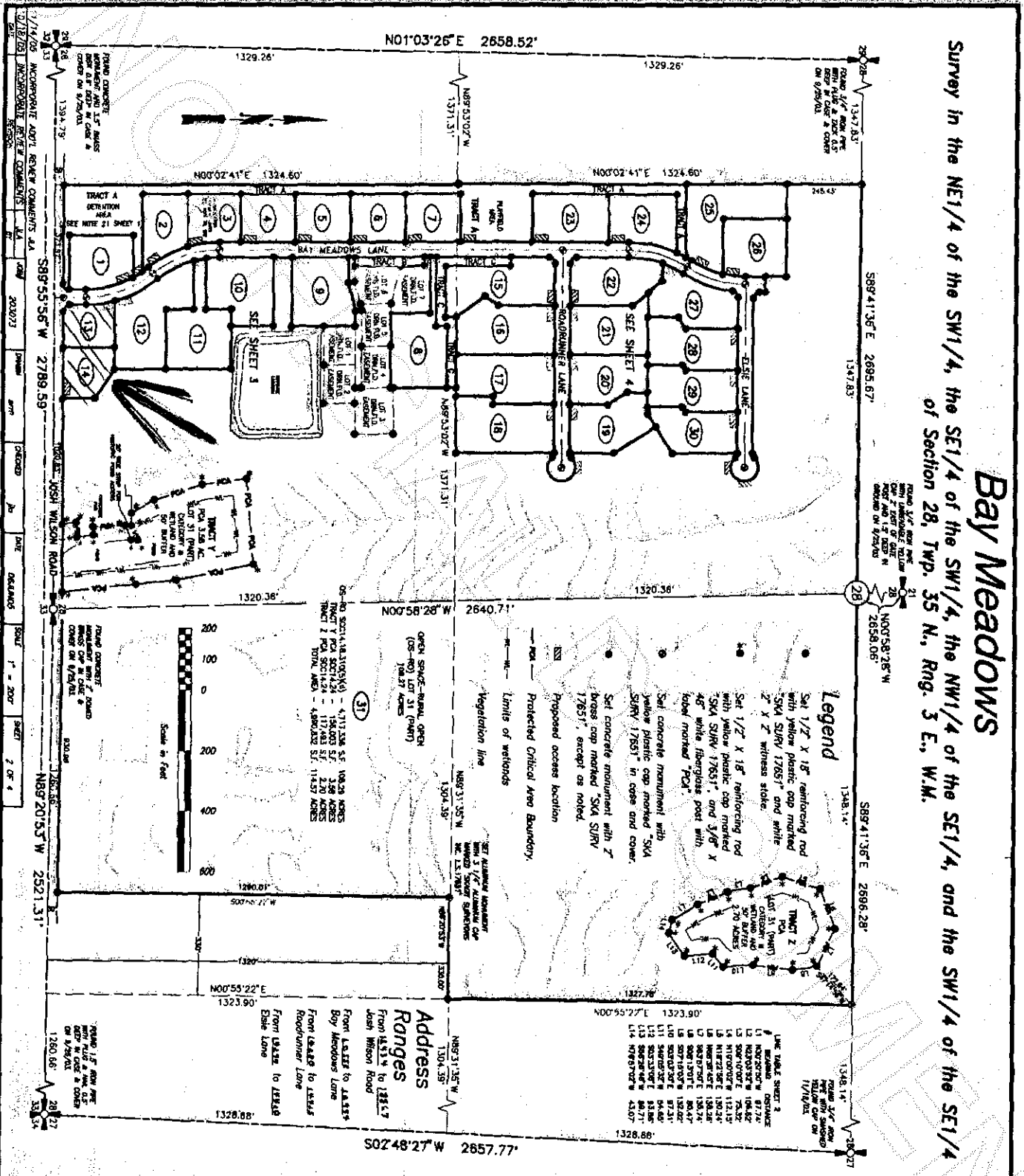


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# EXHIBIT A-1

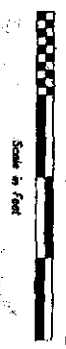
Survey in the NE1/4 of the SW1/4, the SE1/4 of the SW1/4, the NW1/4 of the SE1/4, and the SW1/4 of the SE1/4 of Section 28, Twp. 35 N., Rng. 3 E., W.M.

## Bay Meadows



### Legend

- Set 1/2" x 18" reinforcing rod with yellow plastic cap marked "SMA SURV 17651" and white "Z" x "Z" witness stake.
- Set 1/2" x 18" reinforcing rod with yellow plastic cap marked "SMA SURV 17651" and 3/8" x 48" white fiberglass post with black marked "PC1".
- Set concrete monument with yellow plastic cap marked "SMA SURV 17651" in case and cover.
- Set concrete monument with "Z" brass cap marked "SMA SURV 17651", except as noted.
- Proposed ocean location.
- Protected Critical Area Boundary.
- Limits of wetlands.
- Vegetation line.
- Set concrete monument with 1/2" x 18" reinforcing rod marked "SMA SURV 17651".



**Address Ranges**  
 From 4514 to 12517  
 From 4514 to 12517  
 Bay Meadows Lane  
 Roadrunner Lane  
 From 4514 to 12517  
 Eske Lane

**Skagit Surveyors & Engineers**  
 806 Metcalf St., Sedro-Woolley, WA 98284 Phone: (360) 855-2121 FAX: (360) 855-1658



**SURVEYOR'S CERTIFICATE**  
 This map correctly represents a survey made by me or under my direction in conformance with the Survey Recording Act in September 2005 at the request of the client.

**AUDITOR'S CERTIFICATE**  
 200512260180  
 Skagit County Auditor



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 Skagit County Auditor