



200610310221

Skagit County Auditor

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**WHEN RECORDED RETURN TO:**

JEFFERY J. SOLOMON  
BELCHER SWANSON LAW FIRM, PLLC  
900 Dupont Street  
Bellingham, WA 98225-3105

Related Document #: 200504070091  
Document Title: Second Amendment to Declaration of Covenants, Conditions,  
Reservations and Restrictions of Alderbrook  
Grantors: (1) Adam & Kathy Ware  
(2) Jared Ware  
Grantee: Public  
Legal Description: Ptn Sec 3, Twp 33N, R4E, W.M.  
Tax Parcel ID #s: P116937, P116938, P16243, P116940, P116942, P116943

FIRST AMERICAN TITLE CO.

M8893-2

ACCOMMODATION RECORDING ONLY

**SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS,  
RESERVATIONS AND RESTRICTIONS OF ALDERBROOK**

**RECITALS**

A. The undersigned as Declarants reserved the right to amend the Declaration of Covenants, Conditions, Reservations and Restrictions of Alderbrook, recorded under Skagit County Auditor's File No. 200210160143, ("Declaration") so long as the Declarants continue to own property within the Property.

B. In order to create additional privacy and security for lots within the Property and adjacent properties serviced by Alderbrook Lane, Owners Daniel and Sonora Fairbanks granted a Gate Easement, recorded at Skagit County Auditor's File No. 200610310220, for installation and maintenance of an electronic vehicular access gate over their property to benefit themselves, the other members of the Alderbrook Community Association and neighboring property owners Erik Pedersen d/b/a Pedersen Construction ("Pederson"), Dean Holt and Amy Holt (collectively "Holt").

C. The parties agreed that the Alderbrook Community Association be responsible for assessment and collection of costs associated with maintenance of the Gate Easement and improvements thereupon. Pedersen and Holt agreed to bind themselves to the appropriate sections of the Declaration consistent with this agreement.

D. This Amendment is for the purpose of making the Gate Easement Common Property and providing for the assessment and collection of costs associated with the Gate Easement from all parties thereto.

NOW, THEREFORE, the Declaration is hereby amended as follows:

1. The Gate Easement is hereby included within the definition of Common Property under paragraph 1.7 of the Declaration, thereby making the Gate Easement subject to the regulation, use, care, construction, operation, repair, maintenance and preservation by the Alderbrook Community Association.

2. Section 6.3(a) of the Declaration is hereby amended to add the following paragraph:

The Association shall include within its budget a separate line item for the Gate Easement and shall assess and collect all costs associated therewith from each Owner within the Association and all other non-member lot owners in accordance with the provisions of the Gate Easement as recorded at Skagit County Auditor's File No. \_\_\_\_\_

200610310220

DATED this 21<sup>st</sup> October day of September, 2006.

  
ADAM WARE

  
KATHY WARE

  
JARED WARE



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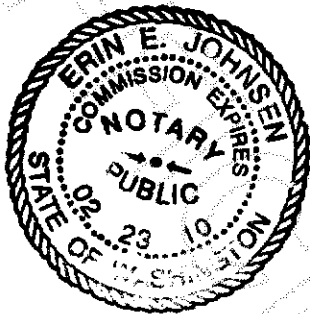
STATE OF WASHINGTON )

)ss.

COUNTY OF SKAGIT )

On this 27<sup>th</sup> day of October, 2006 before me personally appeared ADAM WARE and KATHY WARE, to me known to be the individuals described in and who executed the within instrument and acknowledged to me that they signed the same as their own free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN UNDER my hand and official seal the day and year first above written.



*Erin E. Johnson*

Notary Public in and for the State of Washington,  
residing at Bellingham  
My Commission Expires: 02/23/10

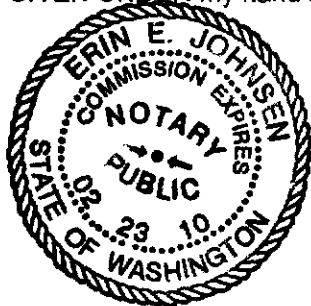
STATE OF WASHINGTON )

)ss.

COUNTY OF SKAGIT )

On this 27<sup>th</sup> day of October, 2006 before me personally appeared JARED WARE, to me known to be the individual described in and who executed the within instrument and acknowledged to me that he signed the same as his own free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN UNDER my hand and official seal the day and year first above written.



*Erin E. Johnson*

Notary Public in and for the State of Washington,  
residing at Bellingham  
My Commission Expires: 02/23/10

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