

After recording, return to:

Terrence B. O'Sullivan
Merrill O'Sullivan, LLP
805 SW Industrial Way, Ste. 5
Bend, OR 97702



200704090008
Skagit County Auditor

4/9/2007 Page 1 of 5 9:39AM

**SHELTER BAY CONDOMINIUM CONSENT OF LESSOR
TO ASSIGNMENT, RELEASE OF ASSIGNOR AND
ACCEPTANCE OF ASSIGNEE**

Consent of Assignment of
Condominium Sublease No. R-103
Lessor: Shelter Bay Company
Lessee: Fildago, Inc.

Unit R-103 Shelter Bay
Condo
P 99985

Consent by: Shelter Bay Company

Swinomish Indian Reservation
Business Lease No. 5020
Contract No. 14-20-0500-2949

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX
#1614
APR 09 2007

Consent to:

Amount Paid \$
Skagit Co. Treasurer
Deputy

By: DONALD C. SWISHER, a/k/a DONALD L. SWISHER, and CAROLYN J. SWISHER, husband and wife

Assignees: Donald L. Swisher, Trustee of the Don Swisher Trust Dated August 25, 2006, as to an undivided .50% interest, and Carolyn J. Swisher, Trustee of the Carolyn Swisher Trust Dated August 25, 2996 as to an undivided .50% interest.

The undersigned, SHELTER BAY COMPANY, a Washington Corporation, Lessor named in the sublease referred to in the Assignment, hereby consents to the same without, however, waiving the restrictions of said sublease with respect to future assignments thereunder and hereby accepts the Assignee(s) as Lessee under the sublease, to all intents and purposes as though said Assignee(s) is (are) the original Lessee thereunder.

**SHELTER BAY CONDOMINIUM ASSIGNMENT OF LEASEHOLD ESTATE
AND ACCEPTANCE AND AGREEMENT**

Assignment of Condominium
Sublease No. **R-103**

Lessor: Shelter Bay Company
Lessee: Fidalgo, Inc.

Swinomish Indian Reservation
Business Lease No. 5020
Contract No. 14-20-0500-2949

Assignors: DONALD C. SWISHER a/k/a DONALD L. SWISHER and CAROLYN J. SWISHER,
husband and wife

Assignees: DONALD L. SWISHER, Trustee
U/D/T August 25, 2006
F/B/O DON SWISHER TRUST

CAROLYN J. SWISHER, Trustee
U/D/T August 25, 2006
F/B/O CAROLYN SWISHER TRUST

For valuable consideration, receipt of which is hereby acknowledged, the undersigned Assignors hereby convey, transfer and assign to the Assignees:

DONALD L. SWISHER, Trustee of the DON SWISHER TRUST, dated August 25, 2006, an undivided fifty percent (50%) interest and to CAROLYN J. SWISHER, Trustee of the CAROLYN SWISHER TRUST, dated August 25, 2006, an undivided fifty percent (50%) interest, in

Address: 103 Shelter Bay Drive, La Conner, WA 98257

All right, title and interest now owned or hereinafter acquired in the leasehold estate of the undersigned and of the Lessee in Condominium Sublease No. **R-103**, dated 10th day of **July, 1974**, wherein **SHELTER BAY COMPANY**, a Washington corporation, appears as Lessor and **FIDALGO, INC.**, a Washington corporation appears as Lessee, and for the purposes of recording recorded by an instrument entitled "Shelter Bay Memorandum of Condominium Sublease" in Official Records of Skagit County, Washington under File No. **785686** on the 29th day of **May, 1973**, covering the following described real property situated in the Swinomish Indian Reservation, Skagit County, Washington:

That property described in Exhibit "A" of Condominium Sublease No. **R-103** above stated, attached by reference and incorporated here. (Legal description as set out in the Condominium Sublease)

Subject to: 1. Property taxes, if any,
2. Business Lease No. 5020 (Master Lease)

Declaration of Protective Covenants of Shelter Bay; Declaration of Condominium Covenants of Shelter Bay and Supplemental Declarations, recorded in the office of the Auditor of Skagit County, Washington.



200704090008

Skagit County Auditor

The undersigned:

DONALD L. SWISHER, Trustee of the DON SWISHER TRUST


CAROLYN J. SWISHER, Trustee of the CAROLYN SWISHER TRUST

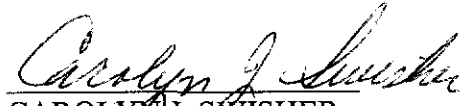
Assignees named in the foregoing Assignment, hereby accept said Assignment and hereby jointly and severally, agree to keep, perform and be bound by all of the terms, covenants and conditions contained in said Lease on the part of the Lessee therein to be kept and performed to all intents and purposes as though the undersigned Assignees were the original Lessee thereunder.

All notices intended for the Lessee under said lease shall be mailed to the undersigned at the following address: 103 Shelter Bay Drive, La Conner, WA 98257.


Dated this 25th day of August, 2006.

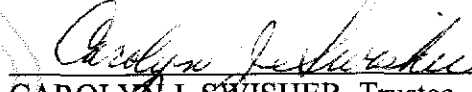
Assignors:


DONALD L. SWISHER

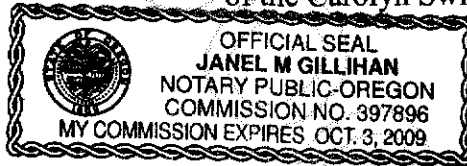

CAROLYN J. SWISHER

Assignees:


DONALD L. SWISHER, Trustee,
of the Don Swisher Trust


CAROLYN J. SWISHER, Trustee,
of the Carolyn Swisher Trust

STATE OF OREGON)
) ss.
County of Deschutes)



On this 25 day of August, 2006, personally appeared the above named Assignor, Donald L. Swisher and acknowledged the foregoing instrument to be his voluntary act and deed.

STATE OF OREGON)
) ss.
County of Deschutes)


NOTARY PUBLIC FOR OREGON

On this 25 day of August, 2006, personally appeared the above named Assi Carolyn J. Swisher and acknowledged the foregoing instrument to be her voluntary act and deed.




NOTARY PUBLIC FOR OREGON



EXHIBIT "A"

Condominium Unit R-103 of SURVEY AND SET OF PLANS, SHELTER BAY CONDOMINIUMS LOT ONE, according to Declaration thereof recorded May 15, 1973 under Auditor's File No. 785023, records of Skagit County, Washington; being a portion of Tract "C," SURVEY OF SHELTER BAY DIV. NO. 3, according to the map thereof on file in the office of the auditor of Skagit County, Washington, and recorded under Auditor's File No. 737014, records of Skagit County, Washington.

TOGETHER WITH an undivided 13.32% interest in the common and limited common areas within said condominium as set forth in said Declaration recorded under Auditor's File No. 785023, and as shown on said SURVEY AND SET OF PLANS, SHELTER BAY CONDOMINIUM LOT ONE.

TOGETHER WITH a non-exclusive and exclusive use of the common areas and limited common areas as set forth in said Declaration recorded under Auditor's File No. 785023.

AND TOGETHER WITH the right to use that certain additional uncovered parking space under the terms of Articles III and VI of said Declaration recorded under Auditor's File No. 785023, and as delineated on the SURVEY AND SET OF PLANS, SHELTER BAY CONDOMINIUMS LOT ONE, and as the same exists on the ground.

Situate in the County of Skagit, State of Washington.

END OF EXHIBIT "A"



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Skagit County Auditor