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Skagit County Auditor

4/12/2007 Page 1 of 4 11:44AM

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ATTORNEYS

825 CLEVELAND AVENUE
MOUNT VERNON, WASHINGTON 98273
(360) 336-6508

LAND TITLE OF SKAGIT COUNTY
124935 SA

Document Title: First Amendment to Covenants, Conditions & Restrictions
for the Cottage Lane Homeowners' Association

Reference number of documents affected: 200501140107

Declarants: Donald M. Caldwell and Ann B. Caldwell, Husband and Wife

Grantee: General Public

Partial Legal Description:

ptn SW ¼, 14-34-1 E W.M.

Assessor's Parcel/Tax I.D. Numbers: 340114-3-003-0004/P19421; 340114-3-004-0037/P19422;
340114-3-004-0102/P19423; 340114-3-005-0002/P19424;
340114-3-005-0500/P115540; 340114-3-005-0300/P111926;
340114-3-005-0600/P118405; 340114-3-005-0700/P119141;
340114-3-001-0006/P19411; 340114-3-005-0200/P19426;
340114-3-005-0400/P111924

FIRST AMENDMENT
to
**DECLARATION OF COVENANTS,
CONDITIONS & RESTRICTIONS**
for the
COTTAGE LANE HOMEOWNERS' ASSOCIATION

WHEREAS, Donald M. Caldwell and Ann B. Caldwell, Husband and Wife are the "Declarants" in that certain "Declaration of Covenants, Conditions & Restrictions For the Cottage Lane Homeowners' Association" recorded under Skagit County Auditor's File No. 200501140107 ("Cottage Lane CC&Rs"); and

WHEREAS, pursuant to Article VI, Section 3, "Amendments," thereof, the Cottage Lane CC&Rs may be solely by the Declarants with respect to matters not directly relating to either the Water Share Owner's duties and rights vis-à-vis the Water System or directly to the duties and rights of the Owners of Befitted Parcels vis-à-vis the Maintenance of Cottage Way so long as the Declarants retain ownership of a parcel benefited by the Cottage lane CC&Rs; and

WHEREAS, Declarants own more than one parcel benefited by the Cottage Lane CC&Rs; and

WHEREAS, Declarants have determined that the CC&Rs should be amended with respect to a matter not directly relating to either the Water Share Owner's duties and rights vis-à-vis the Water System or directly to the duties and rights of the Owners of Befitted Parcels vis-à-vis the Maintenance of Cottage Way and wish to excised their prerogative to amend the Cottage Way CC&Rs;

THE DECLARANTS THEREFORE AMEND THE COTTAGE LANE CC&Rs AS FOLLOWS:

ARTICLE VI, Section 4, "Delcarants' Right to Expand," is amended to read in full as follows:

The Declarants shall have the right to increase the number of Benefited Parcels by granting rights of ingress and egress, not otherwise granted herein, over and across Cottage Lane and/or any Parcel owned by Declarants for the benefit of any portion of the Property; *provided* that ingress and egress over and across Cottage Lane and any easements retained by Declarants extending from Cottage Lane across parcels not owned by Declarants shall not be for routine residential purposes and shall be limited to allow only: (1) ingress, egress and utilities related to the installation and maintenance of telecommunication facilities on Declarants' property; and (2) ingress and egress for installation and



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maintenance there within of utilities and septic drains to benefit Declarants' property. In the event of any such addition(s), the burden of assessments for Maintenance of Cottage Lane and all rights and duties of the of Owners of the pre-existing and new Benefited Parcels shall be reallocated to be equal among all such Owners.

All other terms and conditions of said Cottage Way CC&Rs shall remain in full force and effect.

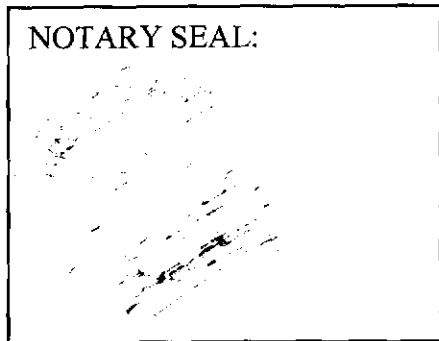
Executed at Bellingham, Washington, on this 9th day of April 2007.

Donald M. Caldwell
DONALD M. CALDWELL, Declarant

STATE OF WASHINGTON)
) ss.
COUNTY OF Whatcom)

I certify that I know or have satisfactory evidence that DONALD M. CALDWELL is the individual who appeared before me and acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated this 9th day of April 2007.



Ginger Davis
Notary Public in and for the State of Washington
Residing at: Freeland
My Commission Expires: 9-19-07
Printed Name: Ginger Davis



Executed at Bellingham, Washington, on this 9 day of

April 2007.

Ann B. Caldwell

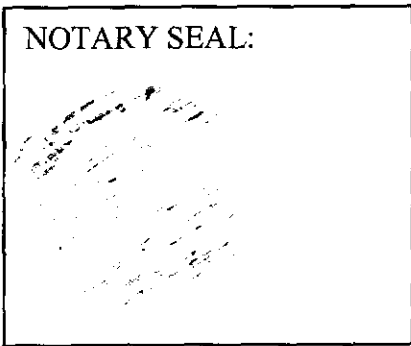
ANN B. CALDWELL, Declarant

STATE OF WASHINGTON)
) ss.
COUNTY OF Whatcom)

I certify that I know or have satisfactory evidence that ANN B. CALDWELL is the individual who appeared before me and acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.

Dated this 9th day of April 2007.

NOTARY SEAL:



Ginger Davis
Notary Public in and for the State of Washington
Residing at: Freemdale
My Commission Expires: 9-19-07
Printed Name: Ginger Davis

