

AFTER RECORDING RETURN TO:
HUGH LEWIS, ATTORNEY AT LAW, P.C.
2200 RIMLAND DRIVE, SUITE 220
BELLINGHAM, WA 98226



200707250054
Skagit County Auditor

7/25/2007 Page 1 of 3 11:51AM

TITLE OF DOCUMENT:

FIRST AMENDMENT TO DECLARATION OF
COVENANTS FOR BIG FIR ADDING PHASE 2

AF# OF AFFECTED DOCUMENT:

AF 200703230074

GRANTOR:

BIG FIR NORTH, INC..

GRANTEE:

THE GENERAL PUBLIC

ABBREV. LEGAL DESCRIPTION:

BIG FIR NORTH - PHASE 2, AF #

TAX PARCEL NO.:

P290071 / P126032

**FIRST AMENDMENT TO DECLARATION OF COVENANTS
FOR BIG FIR**

PURPOSE: TO EXERCISE DEVELOPMENT RIGHT
TO ADD PHASE 2 TO COMMUNITY,
TO CONFIRM BINDING EFFECT OF COVENANTS ON PHASE 2 PROPERTY

THIS AMENDMENT is made this 6TH day of June, 2007, by BIG FIR
NORTH, INC, a Washington corporation ("Declarant").

WITNESSETH THAT:

A. WHEREAS, a Plat Map for BIG FIR NORTH P.U.D. - PHASE 1 was recorded among the land records of Skagit County by the Declarant at Auditor's File No. 200703230073, to create a Planned Unit Development known as Big Fir (hereinafter the "Community") in Mt. Vernon, Washington. The Declarant caused a Declaration of Covenants affecting all the Lots in the Community to be recorded at Auditor's File No. 200703230074, records of Skagit County, Washington to accompany the Plat Map;

B. WHEREAS, pursuant to Sections 3.3.2 and 17.6 of the Declaration of Covenants, the Declarant may unilaterally amend the Community's Governing Documents from time to time to exercise Development Rights;

C. WHEREAS, in Section 3.3.1 of the Declaration of Covenants, the Declarant reserved Development Rights to develop the Community in up to three "Phases" by adding additional Lots and Common Areas within real property which could be added to the Community; and

D. WHEREAS, the Declarant now wishes to exercise Development Rights and has created additional improvements, Lots and Common Areas as more particularly described below, all for the purpose of creating an additional Phase of Development known as "Phase 2", consisting of fifteen (15) additional Lots along with additional common amenities, as described in Section 3.3.1(b) of the Declaration of Covenants.

NOW, THEREFORE, pursuant to and in compliance with Section 3.3.2 of the Declaration of Covenants, the Declarant executes this Future Phase Amendment and hereby amends the following Sections of the Declaration of Covenants, as follows:

1.2.1 Reference to Platting Documents for Phase 2.

The Declarant has recorded with the Auditor of Skagit County, Washington a certain Plat Map, showing the location and dimensions of the land included within Phase 2 of the Community, the location and dimensions of the new Lots and Common Areas within Phase 2, together with other necessary information. This Plat Map is recorded at Auditor's File No. 200707250053 records of Skagit County, Washington. This new Plat Map, along with the initial map and any similar maps recorded to bring future phases of this Community into existence, are hereinafter referred to as the "Platting Documents".

1.3.1 Covenants Applicable to Phase 2 - Membership in Community Association.

The Declaration of Covenants recorded at Auditor's File No. 200703230074 is declared to be and is hereby made perpetually binding on all the land included in the Plat of Phase 2 described in Section 1.2.1 hereof, to the same extent that said Declaration of Covenants applies to the real property included in all earlier Phases of this Community. All Lot Owners in Phase 2 shall be members of Big Fir Community Association, having the same rights and responsibilities associated with such membership as apply to all other Lot Owners in the Community, including without limitation the rights to vote in said Community Association and the obligation to pay Common Expense Assessments to said Association. The Association shall be responsible for all Upkeep of the Common Areas situated in Phase 2.

3.1.1 Street Identification for Phase 2.

The Lots and various improvements in Phase 2 of this Community are located off Grand Avenue and Balsam Lane in Mt. Vernon, Skagit County, Washington. The land containing such Lots, improvements and Common Areas is legally described and depicted on the Plat Map for Phase 2 which is described at Section 1.2.1 of this Amendment to the Declaration of Covenants.

4.1. Number and Location.

The Community contains forty-eight (48) Lots zoned for residential use which are depicted on the Platting Documents. The location of those Lots and their dimensions are shown on the Platting Documents.



200707250054

Skagit County Auditor

4.2.1 Street Addresses.

A list of the street addresses for the Lots in Phase 2 of the Community appears on the Plat Map for Phase 2.

16.3.3 New Easements Shown on Phase 2 Plat.

An easement benefitting the Community for pedestrian ingress and egress to the native growth protection area exists between Lots 18 and 19. This easement area may require Upkeep from time to time. All such Upkeep, including any maintenance work on the trail, and care, and if necessary, replacement of vegetation, shall be at the sole cost and expense of the Association.

EXCEPT as modified by this Amendment, all of the terms and provisions of the Governing Documents are hereby expressly ratified and confirmed and shall remain in full force and effect.

IN WITNESS WHEREOF, the Declarant has caused this Amendment to be executed as of the date first written above.

DECLARANT:
BIG FIR NORTH, INC.

BY: Brian Gentry Its President

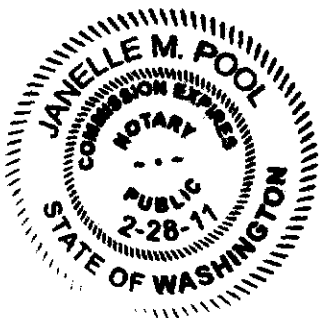
STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that Brian Gentry is the person who appeared before me, and said person acknowledged that (s)he signed this instrument, on oath stated that (s)he was authorized to execute the instrument and that (s)he acknowledged it as the _____ of the Declarant, BIG FIR NORTH, INC., to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

DATED: 6/7/07, 2007.

Janelle M. Pool
NOTARY PUBLIC in and for the State of
Washington. My commission expires:

02/28/11



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