



200707260162
Skagit County Auditor

7/26/2007 Page 1 of 5 3:12PM

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

TITLE OF DOCUMENT: FIFTH AMENDMENT TO AMENDED DECLARATION
FOR BAYSIDE WEST, A CONDOMINIUM
AF# OF AFFECTED DOCUMENT: 9307020031
GRANTOR: STEVEN & KRISTEN BRACE, TIMOTHY & SANDRA
CUTTER
GRANTEE: STEVEN & KRISTEN BRACE, TIMOTHY & SANDRA
CUTTER

**FIFTH AMENDMENT TO AMENDED DECLARATION
FOR BAYSIDE WEST, A CONDOMINIUM**

PURPOSE: TO REALLOCATE LIMITED COMMON ELEMENT PARKING SPACES BETWEEN
UNIT OWNERS WHERE NO ADDITIONAL CONSIDERATION HAS BEEN PAID

THIS AMENDMENT is made this 7th day of May, 2007, by the
ASSOCIATION OF UNIT OWNERS OF BAYSIDE WEST, A CONDOMINIUM (the "Association") and
by the undersigned Unit Owners of Bayside West, a Condominium.

WITNESSETH THAT:

WHEREAS, certain Condominium Instruments establishing Bayside West, a Condominium were
recorded by the Condominium's Declarant among the land records of Skagit County, Washington; the
Declaration was recorded at Auditor's File No. 9011130073, along with a Survey Map and Plans, which were
contemporaneously recorded at Auditor's File No. 9011130074; the Declaration has been previously amended
by Amendments recorded at Auditor's File No. 9307020031, 9508040087, 9602150091, 9712180128, and
9902080244; an amendment to the Survey Map and Plans was recorded at Auditor's File No. 9307020030.

WHEREAS, pursuant to RCW 64.34.228(2), a Limited Common Element may be reallocated
between Units with the approval of the Owners of the Units so affected and the Board of Directors, through
an amendment to the Declaration executed by the Owners of the Units to which the Limited Common
Element was and will be allocated;

WHEREAS, pursuant to RCW 64.34.228(2), the undersigned Unit Owners desire to reallocate certain Limited Common Element parking spaces previously assigned to their Units;

AND, WHEREAS, the reallocation of the Limited Common Elements meets with the agreement of the Owners of the Units so affected, and with the approval of the Board of Directors;

NOW, THEREFORE, pursuant to and in compliance with RCW 64.34.228(2), and notwithstanding the language of Article 6.1 of the Amended Declaration for the Condominium, the undersigned Unit Owners hereby agree to and now effect the following reallocation and reassignment of the enclosed (garage) Limited Common Element parking spaces, as set forth below:

- Enclosed Limited Common Element Parking Space 102W (in the location shown on the sketch attached hereto as Exhibit A) is allocated and assigned to Condominium Unit Number 203W.
- Enclosed Limited Common Element Parking Space 203W (in the location shown on the sketch attached hereto as Exhibit A) is allocated and assigned to Condominium Unit Number 102W.

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

IN WITNESS WHEREOF, the undersigned Unit Owners, have caused this Amendment to be executed as of the date first written above. The Association, by its President, hereby certifies, pursuant to RCW 64.34.228(2) and Section 16 of the Declaration, that the reallocation reflected herein met with the approval of the Board of Directors.

ASSOCIATION OF UNIT OWNERS
OF BAYSIDE WEST, A CONDOMINIUM
a Washington Non-profit corporation

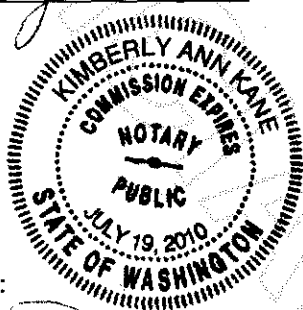
By: John T. McCallister
_____, Its: President



STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that John T. McAllister is the person who appeared before me and acknowledged that (s)he signed this FIFTH AMENDMENT TO AMENDED DECLARATION FOR BAYSIDE WEST, A CONDOMINIUM, on oath stated that (s)he was authorized to execute the instrument and acknowledged it as the President of the Association of Unit Owners of Bayside West, a Condominium, to be free and voluntary act of such party for the uses and purposes mentioned in this instrument.

DATED: May 7th, 2007.



Kimberly Ann Kane
NOTARY PUBLIC for the State of
Washington, residing at Anacortes
My Commission expires July 19, 2010

UNIT OWNERS:
Unit: 203W:

Steven Brace
STEVEN BRACE
Address: 2399 Skyline Way #203
Anacortes, WA 98221

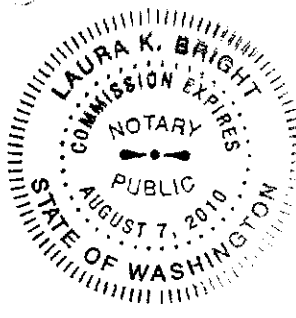
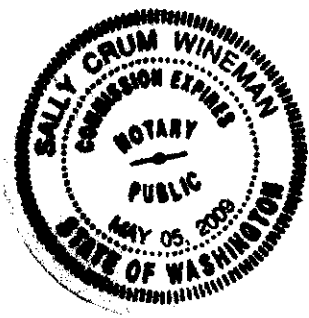
Kristen Brace
KRISTEN BRACE

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

OWNER UNIT 203W

I hereby certify that I know or have satisfactory evidence that STEVEN AND KRISTEN BRACE are the persons who appeared before me, and said persons acknowledged that they signed this instrument and acknowledged it to be the free and voluntary act of such persons for the uses and purposes mentioned in the instrument.

DATED: May 1st, 2007.



Laura K. Bright
NOTARY PUBLIC for the State of
Washington, residing at Bellingham
My Commission expires 2/2/10

Page -3-

Sally Crum Wineman (notarizing
Residing at Woodinville, WA Signature of
Commission expires 05-05-09 Kristen Brace)



200707260162
Skagit County Auditor

7/26/2007 Page 3 of 5 3:12PM

Unit: 102W:

Timothy Cutter
TIMOTHY CUTTER
Address: 2399 Skyline Way #102
Anacortes, WA 98221

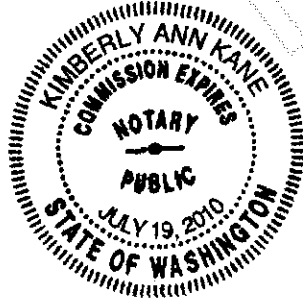
Sandra Cutter
SANDRA CUTTER

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

OWNER UNIT 102W

I hereby certify that I know or have satisfactory evidence that TIMOTHY AND SANDRA CUTTER are the persons who appeared before me, and said persons acknowledged that they signed this instrument and acknowledged it to be the free and voluntary act of such persons for the uses and purposes mentioned in the instrument.

DATED: May 7th, 2007.



Kimberly Ann Kane
NOTARY PUBLIC for the State of
Washington, residing at Anacortes
My Commission expires July 19, 2010



7/26/2007 Page 5 of 5 3:12PM