



200708090001

Skagit County Auditor

8/9/2007 Page

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5 8:57AM

WHEN RECORDED RETURN TO:

TOWN OF LACONNER
P.O. BOX 400
LACONNER, WA 98257

LAND TITLE OF SKAGIT COUNTY

DOCUMENT TITLE(S):
TERMINATION OF LEASE AGREEMENT

REFERENCE NUMBER(S) OF DOCUMENTS ASSIGNED OR RELEASED:
200508220003

GRANTOR:
TOWN OF LACONNER, a Washington Municipal Corporation

GRANTEE:
J.D.H. PARTNERSHIP, LLC, d/b/a SAN JUAN MARINE
PIONEER POINT MARINA, LLC, successor in interest

ABBREVIATED LEGAL DESCRIPTION:

LaConner Tidelands, Ptn Tr. 23, Plate 18

TAX PARCEL NUMBER(S):
4129-018-023-0200, L109122

TERMINATION OF LEASE AGREEMENT

I. RECITALS

WHEREAS, the Town of La Conner ("Lessor") and J.D.H. Partnership, LLC, d/b/a San Juan Marine, as lessee entered into a lease for the property described in Exhibit A hereto ("Premises") on June 5, 1998, which lease was amended to correct the legal description on October 12, 1999; and

WHEREAS, the lessee's interest in the above referenced lease was assigned to Pioneer Point Marina, LLC ("Lessee") on September 10, 2004 and thereafter amended to extend the term by agreement dated December 12, 2005 (the initial lease, as assigned and amended hereinafter referred to as the "Lease"); and

WHEREAS, the Lessee has agreed to sell its assets on the Premises to Triton America, LLC ("Buyer") who has agreed to lease the Premises from Lessor on the same terms and conditions as are in the Lease; and

WHEREAS, the Lessee desire and Lessor to terminate its obligations under the Lease;

THEREFORE, it is agreed as follows:

II. AGREEMENT

1. The Lessor and Lessee agree that the Lease is hereby terminated as of the 31st day of August 2007; *provided* that, the Lessee shall be liable to Lessor for all obligations and liabilities related to its occupancy under the Lease incurred through the Termination Date. All provisions of the Lease that impose duties, obligations and liabilities on the Lessee and provide remedies to the Lessor shall survive termination for any duty, obligation or liability that arose prior to or through the Termination Date.
2. The Termination Date shall be the day that Lessee's sale of its assets located on the Premises to Buyer closes.



LESSOR:

TOWN OF LA CONNER

Wayne Everton
Wayne Everton, Mayor

Date: 7/31/07

Attest:

Lorraine Taylor
Lorraine Taylor, Clerk-Treasurer

LESSEE:

PIONEER POINT MARINA, LLC

By: Kenneth Gunderson
Kenneth Gunderson

Print name: Kenneth Gunderson and
Babette Gunderson

Title: Members

Date: August 7, 2007

By: Babette Gunderson
Babette Gunderson

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

AUG 09 2007

Amount Paid \$
Skagit Co. Treasurer
By M d m Deputy

LEASE TERMINATION
TOWN OF LACONNER, LESSOR
PIONEER POINT MARINA, LLC, LESSEE



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Skagit County Auditor

STATE OF Washington
County of Skagit

}
} SS:

I certify that I know or have satisfactory evidence Kenneth Gunderson and Babette Gunderson
the person who appeared before
me, and said person acknowledged that the _____ signed this instrument, on oath stated They are
authorized to execute the instrument and is Members
of Pioneer Point Marina, LLC
to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Dated: August 2, 2007



Karen Ashley
Karen Ashley

Notary Public in and for the State of Washington

Residing at Mount Vernon

My appointment expires: 9/11/2010



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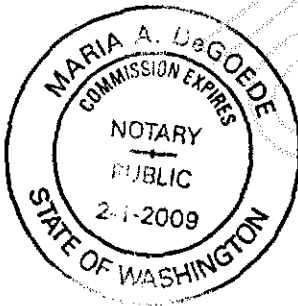
State of Washington)

) SS.

County of Skagit

I certify that I know or have satisfactory evidence that Wayne Everton, Mayor of the Town of La Conner, is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it to be the free and voluntary act of such party for the uses and purposes herein mentioned.

WITNESS my hand and seal this 31st day of July, 2007.



Manus De Ale

NOTARY PUBLIC in and for the State of
Washington, residing at Bow.

My commission expires: 02-01-09.

PRINTED NAME: Muhammad A. DeGoedts



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