

FILED FOR RECORD AT THE  
REQUEST OF/RETURN TO:  
Cavanaugh Vistas, LLC  
35135 Lucky Lane  
Mount Vernon, WA 98274



200709120116

Skagit County Auditor

9/12/2007 Page

1 of

6 2:42PM

AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND  
RESTRICTIONS OF CAVANAUGH VISTAS, LLC

Grantor (s): CAVANAUGH VISTAS, L.L.C., a Washington  
limited liability company;  
THOMAS LEE ROBINSON, a single man, as his  
separate estate;  
ROBB A. DIBBLE and \*\*\* DIBBLE, husband and wife  
Grantee (s): THE PUBLIC  
Additional Grantor(s) on page(s):  
Additional Grantee(s) on page(s):  
Abbreviated Legal: Lot 1, Lot 2 & Lot 3 of SP 05-0919  
Lot A & Ptn Lot B, "PLAT OF CAVANAWOOD  
SUBDIVISION NO. 1"  
Additional Legal on page(s): 2, 3  
Assessor's Tax Parcel Nos: 3875-000-001-0600 / P125306  
3875-000-001-0400 / P125304  
3875-000-001-0500 / P125305  
3875-000-001-0005 / P64020

200612080123

CAVANAUGH VISTAS, LLC, a Washington limited liability company, and  
THOMAS LEE ROBINSON, a single man, and ROBB A. DIBBLE and \*\*\* DIBBLE,  
husband and wife, hereby agree that the Declaration of Covenants, Conditions, and  
Restrictions of Cavanaugh Vistas, LLC, a Washington limited liability company, as recorded  
on January 20, 2006 under Skagit County Auditor's File Number 200612080123 (hereinafter  
the "CC&R's"), are hereby amended as set forth below.

Amendment to CC&R's

WHEREAS: CAVANAUGH VISTAS, LLC, a Washington limited liability company, is the owner of the following described real property (hereinafter the "Cavanaugh Vistas Property") located in Skagit County, Washington:

Lot A, "PLAT OF CAVANAWOOD SUBDIVISION NO. 1" as per plat recorded in Volume 6 of Plats, page 33, records of Skagit County, Washington.

TOGETHER WITH:

THAT PORTION OF LOT "B" PLAT OF CAVANAWOOD SUBDIVISION NO. 1", AS PER THE PLAT RECORDED IN VOLUME 6 OF PLATS, PAGE 33, RECORDS OF SKAGIT COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF SAID VACATED ROAD AND NORTH SHORE DRIVE; THENCE SOUTH 47 DEGREES 19'50" EAST (PLAT BEARING = SOUTH 47 DEGREES 19' EAST) ALONG THE CENTERLINE OF SAID VACATED ROAD A DISTANCE OF 187.20 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS POINT BEARING NORTH 42 DEGREES 40'10" EAST AT A DISTANCE OF 420.69 FEET; THENCE ALONG SAID CURVE AN ARC DISTANCE OF 148.44 FEET THROUGH A CENTRAL ANGLE OF 20 DEGREES 13'00" TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 22 DEGREES 27'10" WEST A DISTANCE OF 30.00 FEET TO THE MOST NORTHERLY CORNER OF SAID LOT B; THENCE CONTINUING SOUTH 22 DEGREES 27'10" WEST ALONG THE NORTHWESTERLY LINE OF SAID LOT B A DISTANCE OF 59.18 FEET TO THE SOUTHWESTERLY CORNER OF SAID LOT B AND NORTH RIGHT OF WAY MARGIN OF NORTH SHORE DRIVE; THENCE SOUTH 46 DEGREES 19'21" EAST ALONG SAID RIGHT OF WAY MARGIN OF NORTH SHORE DRIVE A DISTANCE OF 62.71 FEET; THENCE NORTH 22 DEGREES 27'10" EAST A DISTANCE OF 81.88 FEET TO THE CENTERLINE OF SAID VACATED ROAD; THENCE NORTH 67 DEGREES 32'50" WEST ALONG SAID CENTERLINE OF VACATED ROAD A DISTANCE OF 58.46 FEET TO THE TRUE POINT OF BEGINNING

TOGETHER WITH:

That portion of County Road vacated by Commissioner's Resolution No. R20020256, recorded July 24, 2002 under Auditor's File No.



200207240027, records of Skagit County, Washington, which attaches by operation of law.

Situate in Skagit County, Washington.

WHEREAS: ROBB A. DIBBLE, a married man, as his separate estate, is the owner of the following described real property located in Skagit County, Washington:

Lot 1 of Skagit County Short Plat No. 05-0919, approved December 7, 2006 and recorded December 8, 2006 as Auditor's File No. 200612080121; being a portion of Lot B, "PLAT OF CAVANAWOOD SUBDIVISION NO. 1," as per plat recorded in Volume 6 of Plats, page 33, records of Skagit County, Washington.

TOGETHER WITH a non-exclusive easement for ingress, egress and utilities over, across and under Patriot Lane – Private Road, as delineated on the face of said Short Plat.

Situate in Skagit County, Washington.

WHEREAS, THOMAS LEE ROBINSON, a single man, as his separate estate, is the owner of the following described real property located in Skagit County, Washington:

Lots 2 and 3 of Skagit County Short Plat No. 05-0919, approved December 7, 2006 and recorded December 8, 2006 as Auditor's File No. 200612080121; being a portion of Lot B, "PLAT OF CAVANAWOOD SUBDIVISION NO. 1," as per plat recorded in Volume 6 of Plats, page 33, records of Skagit County, Washington.

TOGETHER WITH a non-exclusive easement for ingress, egress and utilities over, across and under Patriot Lane – Private Road, as delineated on the face of said Short Plat.

Situate in Skagit County, Washington.

AND WHEREAS: This amendment has been duly approved by an affirmative vote of not less than seventy-five percent (75%) of the lot owners of Lots 1, 2, and 3 of Short Plat 05-0919 and the Cavanaugh Vistas Property;

NOW THEREFORE: In consideration of the mutual promises and covenants herein, the sufficiency of which consideration is hereby acknowledged by all parties, Article 2.3 of the CC&R's shall be deleted and the following inserted in its place:

"2.3 Structures. No manufactured or modular home or building or temporary structure, trailer, basement, tent, shack, garage, barn or other outbuilding on any lot shall be used as a residence, either temporary or permanent, at any time. No manufactured or modular home may be located on any lot for any purpose. During construction of a residence, Owners may reside in a trailer or recreational vehicle located on the lot. In no event shall such temporary living arrangements be utilized for a period of longer than twelve (12) months."

All other terms and conditions of the CC&R's remain unchanged.

We have read the above document, have executed it as of the 6<sup>th</sup> day of SEPTEMBER, 2007, and agree to be bound by its terms and conditions:



ROBB A. DIBBLE



\*\*\* DIBBLE



THOMAS LEE ROBINSON



CAVANAUGH VISTAS, LLC

By   
JEFFREY J. MILLER, Member



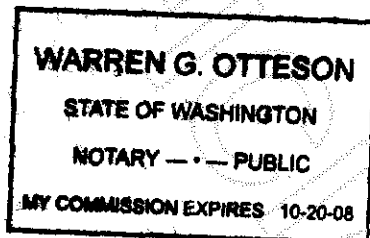
200709120116

Skagit County Auditor

State of Washington )  
County of Skagit ) ss

I certify that I know or have satisfactory evidence that ROBB A. DIBBLE is the person who appeared before me and said person acknowledged that he/she signed this instrument and acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: Sept 6, 2007.

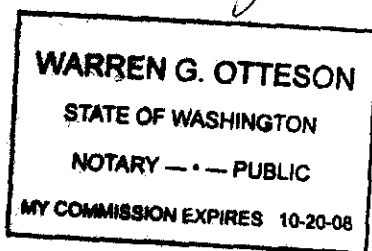


Warren G. Otteson  
(Signature)  
NOTARY PUBLIC  
WARREN G. OTTESON  
Print Name of Notary  
My appointment expires: 10/20/08

State of Washington )  
County of Skagit ) ss

I certify that I know or have satisfactory evidence that <sup>TAMARA</sup> \*\*\* DIBBLE is the person who appeared before me and said person acknowledged that he/she signed this instrument and acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: Sept 6, 2007.



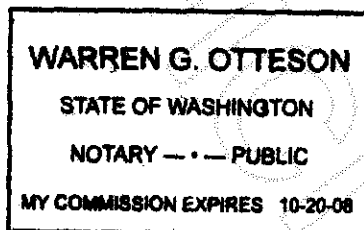
Warren G. Otteson  
(Signature)  
NOTARY PUBLIC  
WARREN G. OTTESON  
Print Name of Notary  
My appointment expires: 10/20/08



State of Washington )  
 ) ss  
County of Skagit )

I certify that I know or have satisfactory evidence that THOMAS LEE ROBINSON is the person who appeared before me and said person acknowledged that he/she signed this instrument and acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: Sept 8, 2007.



Warren G. Otteson  
(Signature)

NOTARY PUBLIC

WARREN G. OTTESON

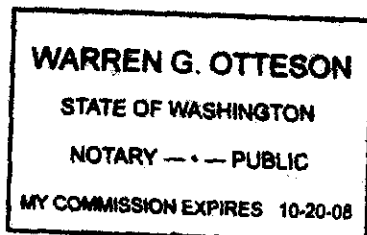
Print Name of Notary

My appointment expires: 10/20/08

State of Washington )  
 ) ss  
County of Skagit )

I certify that I know or have satisfactory evidence that JEFFREY L. MILLER is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as a Member of CAVANAUGH VISTAS, LLC, a Washington limited liability company, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: Sept 4, 2007.



Warren G. Otteson  
(Signature)

NOTARY PUBLIC

WARREN G. OTTESON

Print Name of Notary

My appointment expires: 10/20/08



200709120116

Skagit County Auditor