

AFTER RECORDING RETURN TO:
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BELLINGHAM, WA 98226



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TITLE OF DOCUMENT:

SECOND AMENDMENT TO DECLARATION FOR
VIEW RIDGE VILLAS, A CONDOMINIUM

AF# OF AFFECTED DOCUMENT:

AF # 200711130143

GRANTOR:

ANACORTES VIEW RIDGE, LLC

GRANTEE:

THE GENERAL PUBLIC

**SECOND AMENDMENT TO DECLARATION
FOR VIEW RIDGE VILLAS, A CONDOMINIUM**

PURPOSE: TO REALLOCATE LIMITED COMMON ELEMENT PARKING SPACES AND
STORAGE SPACES BETWEEN UNSOLD UNITS AND
TO CONFORM DECLARATION TO APPLICABLE LAW

THIS AMENDMENT is made this 26th day of September, 2008, by ANACORTES
VIEW RIDGE, LLC, a Washington Limited Liability Company (the "Declarant").

WITNESSETH THAT:

WHEREAS, the Declarant executed certain Condominium Instruments establishing View Ridge Villas, a Condominium in Skagit County, Washington and caused the Declaration to be recorded in the land records of said County; the Declaration was recorded at Auditor's File No. 200711130143, along with a Survey Map and Plans, which were contemporaneously recorded at Auditor's File No. 200711130142; the Declaration has been previously amended by a First Amendment to Declaration recorded at Auditor's File No. 200809250040.

WHEREAS, portions of the Common Elements are labeled on the Survey Map for this Condominium as Common Elements which may be allocated as Limited Common Elements, including without limitation parking spaces and storage spaces in the Condominium;

WHEREAS, pursuant to RCW 64.34.216(1)(i), Sections 3.3.1, 6.1.3 and 6.1.4 of the Declaration reserve to the Declarant the right to assign certain Common Elements as Limited Common Elements and to reallocate Limited Common Elements with respect to Units that have not been conveyed by the Declarant;

WHEREAS, pursuant to 17.6 of the Declaration, the Declarant may unilaterally amend the Condominium Instruments from time to time to correct technical errors and to conform them to applicable law, and now desires to do so;

WHEREAS, Declarant desires to reallocate certain Limited Common Element parking spaces and storage spaces previously assigned to different Units pursuant to Section 6.1.3 of the Declaration, as described in Exhibit C to the Declaration;

WHEREAS, as of the date first written above, Declarant is the owner of the affected Units;

NOW, THEREFORE, pursuant to and in compliance with Sections 3.3.1, 17.1 and 17.6 of the Declaration and RCW 64.34.216(1)(i) and 64.34.228(2), the Declarant hereby amends the following Sections of the Declaration, as follows:

Exhibit C to the Declaration, and any amendments thereto, is amended such that the Limited common Element parking spaces and storage spaces identified below which have been formerly assigned or subject to assignment, are now assigned and allocated to the Condominium Units as follows:

**LIMITED COMMON ELEMENT
PARKING SPACE NO.**

P125
P126

**ASSIGNED TO
CONDOMINIUM UNIT NO.**

C-203
C-104

**LIMITED COMMON ELEMENT
STORAGE SPACE NO.**

S125
S126

**ASSIGNED TO
CONDOMINIUM UNIT NO.**

C-203
C-104

10.3. Reserves for Capital Improvements, Replacements, Major Repairs, & Insurance Deductibles.

10.3.1. General Provisions.

The Board of Directors shall establish and maintain reasonable reserves for major repairs and/or replacement of components of the project that are the responsibility of the Association, along with the amount of any insurance deductible(s), by providing for such reserves in the Annual Budget, segregating such reserves on the books of the Condominium, and allocating and paying monthly to such reserves one-twelfth of the total amount budgeted for such reserves for the current fiscal year. The Board may also establish and maintain reserve funds for operations, capital improvements and/or for such other purposes as may appear

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advisable from time to time. The portion of the Units' Assessments paid into such reserves shall be conclusively deemed to be non-refundable contributions to the capital of the Association by the Unit Owners. Such reserves may be expended only for the purposes for which they were established unless the Unit Owners, at a duly-constituted meeting of the Association, otherwise decide. The Budget may include reserves for any Special Limited Common Elements, to be assessed against only the Unit(s) benefitted thereby.

10.3.2. Reserve Study Required by State Law.

Unless doing so would impose an unreasonable hardship, the Association shall prepare and update a Reserve Study, in accordance with the relevant 2008 amendments to the Condominium Act. The initial Reserve Study must be based upon a visual site inspection conducted by a Reserve Study Professional. Unless doing so would impose an unreasonable hardship, the Association shall update the Reserve Study annually. At least every three years, an updated Reserve Study must be prepared and based upon a visual site inspection conducted by a Reserve Study Professional. In preparing a Reserve Study, the Association shall estimate the anticipated major maintenance, repair, and replacement costs, whose infrequent and significant nature make them impractical to be included in an annual budget. A Reserve Study shall include:

- (a) A reserve component list, including quantities and estimates for the useful life of each reserve component, the remaining useful life of each reserve component, and current repair and replacement cost for each component;
- (b) The date of the study and a statement that the study meets the statutory requirements;
- (c) The level of reserve study performed: (i) Level I: Full reserve study funding analysis and plan; (ii) Level II: Update with visual site inspection; or (iii) Level III: Update with no visual site inspection;
- (d) The Association's reserve account balance;
- (e) The percentage of the fully funded balance that the reserve account is funded;
- (f) Special assessments already implemented or planned;
- (g) Interest and inflation assumptions;
- (h) Current reserve account contribution rate;
- (i) Recommended reserve account contribution rate;
- (j) Projected reserve account balance for thirty years and a funding plan to pay for projected costs from those reserves without reliance on future unplanned special assessments;
- (k) Whether the Reserve Study was prepared with the assistance of a Reserve Study Professional; and
- (l) Statutory warning language, if applicable, regarding the Reserve Study.



10.3.3 Working Capital Fund.

To facilitate project approval by institutional lenders, the Declarant may also require that an initial Working Capital Fund be established and maintained by the Association to insure that the Association will have the funds to meet unforeseen expenditures or to purchase any additional equipment or services. Unless otherwise agreed between affected lenders and the Declarant, if such fund is established, each purchaser of a Unit in the Condominium shall be required to pay at closing of the sale of the Unit a nonrefundable sum equal to two months of the regular Common Expense Assessment then allocated to such Unit, plus a *pro rata* portion of such Assessment for the month in which closing occurs. These funds are not to be considered as advance payments of regular Assessments. During the Declarant Control Period described in Section 8.1 hereof, the Declarant may not use any of these working capital funds to defray its expenses, its reserve contribution requirements, its construction costs, or any Association budget deficits. When unsold Units are sold, the Declarant may use funds collected at closing to reimburse itself for funds it may have paid the Association for each unsold Unit's share of the Working Capital Fund.

____ Exhibits.

Attached hereto is the First Amendment to Exhibit C to the Declaration, showing the effect of this Second Amendment to the Declaration.

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

Declarant:
ANACORTES VIEW RIDGE, L.L.C.


By Jones Atterberry, Its Acting Manager

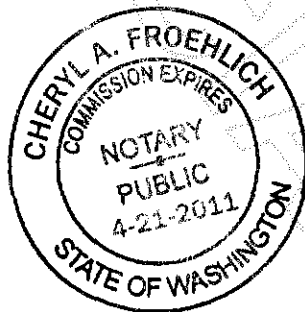
STATE OF WASHINGTON

COUNTY OF Skagit

)
) ss.
)

I hereby certify that I know or have satisfactory evidence that Jones Atterberry 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 acknowledged it as the Declaration of the Declarant, Anacortes View Ridge, LLC, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: 9-26-08, 2008.



[Signature]
NOTARY PUBLIC for the State of
Washington. My Commission
expires 4-21-11

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FIRST AMENDMENT TO EXHIBIT "C"
TO DECLARATION FOR VIEW RIDGE VILLAS, A CONDOMINIUM

ASSIGNMENT, IDENTIFICATION AND DESCRIPTION
OF PARKING SPACES AND STORAGE SPACES

<u>Parking Space No.</u>	<u>Description*</u>	<u>Unit Assignment**</u>
P1	U	SA
P2	U	SA
P3	U	SA
P4	U	SA
P5	U	SA
P6	U	SA
P7	U	SA
P8	U	SA
P9	U	SA
P10	U	SA
P11	U	SA
P12	U	SA
P13	U	SA
P14	U	SA
P15	U	SA
P16	U	SA
P17	U	SA
P18	U	SA
P19	U	SA
P20	U	SA
P21	U	SA
P22	U	SA
P23	U	SA
P24	U	SA
P25	U	SA
P26	U	SA
P27	U	SA
P28	U	SA
P29	U	SA
P30	U	SA
P101	C	D-103
P102	C	D-203

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P103	C	D-104
P104	C	D-204
P105	C	D-208
P106	C	D-108
P107	C	D-207
P108	C	D-107
P109	C	D-206
P110	C	D-106
P111	C	D-205
P112	C	D-105
P113	C	D-202
P114	C	D-102
P115	C	D-201
P116	C	D-101
P117	C	C-101
P118	C	C-102
P119	C	C-103
P120	C	C-206
P121	C	C-106
P122	C	C-205
P123	C	C-105
P124	C	C-204
P125	C	C-203
P126	C	C-104
P127	C	B-102
P128	C	B-101
P129	C	A-102
P130	C	A-101

Storage Spaces

S101
S102
S103
S104
S105
S106
S107
S108

Unit Assignment**

D-103
D-203
D-104
D-204
D-208
D-108
D-207
D-107

S109	D-206
S110	D-106
S111	D-205
S112	D-105
S113	D-202
S114	D-102
S115	D-201
S116	D-101
S117	C-101
S118	C-102
S119	C-103
S120	C-206
S121	C-106
S122	C-205
S123	C-105
S124	C-204
S125	C-203
S126	C-104
S127	B-102
S128	B-101
S129	A-102
S130	A-101

* C = covered (carport area); U = uncovered (open); UA = unassigned; HC = handicapped space; SA = subject to assignment; i.e., Common Elements which may be assigned by the Declarant to particular Units as Limited Common Elements.

** Numbered parking spaces depicted on the Survey Map and Plans are either already assigned as Limited Common Elements to Units as indicated above on this Exhibit, or are Common Elements which are Subject to Assignment ("SA") by the Declarant to particular Units as Limited Common Elements pursuant to Section 6.1 of the Declaration and RCW 64.34.216(1)(i), or are unassigned visitors parking spaces ("UA") described in Sections 5.1.5 and 5.9 of this Declaration. Numbered storage spaces depicted on the Survey Map and Plans are assigned as Limited Common Elements to Units as indicated above on this Exhibit.



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