

AFTER RECORDING RETURN TO:  
ANACORTES MARINE ENTERPRISES, INC.  
P.O. BOX 33368  
SEATTLE, WA 98133



200903170005  
Skagit County Auditor

3/17/2009 Page 1 of 4 10:00AM

LAND TITLE OF SKAGIT COUNTY  
132693-PAE

**ANACORTES MARINA**  
**PARTIAL ASSIGNMENT OF LEASE**

In consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable considerations, the receipt and sufficiency which are hereby acknowledged, **Michael R. Johnson, a married man as his separate property \*\*** as Assignor whose address is: PO Box 1067, Anacortes, WA 98221

hereby conveys, assigns, transfers and sets over to **John C. Digby and Marie L. Amburn-Digby, husband and wife** as Assignee whose address is: 3206 NE 160<sup>th</sup> Street, Lake Forest Park, WA 98155

\*\*Subject property is vacant land and not grantor's primary residence

the leasehold interest in Skagit County, Washington as evidenced by Partial Assignment of Lease dated the 1st day of July, 1989, and recorded on July 14, 1989 in Skagit County, Washington under Auditor's Filing No. 8907140079 (the "ANACORTES MARINE ENTERPRISES, INC., Partial Assignment") wherein ANACORTES MARINE ENTERPRISES, INC., a Washington corporation, appears as Grantor, and, Philip and Margretta Stanton, husband and wife appear as Grantee,

Subsequent Partial Assignments of Lease, from: Philip and Margretta Stanton to Michael and Susan Johnson Auditor's file No. 9509280106

said leasehold interest being more particularly described as follows:  
P82344/4436-006-019-0002

The leasehold estate in apartment and/or moorage slip **F-19, Phase I** of the Anacortes Marina Condominium, a leasehold condominium, located in the leasehold estate created by those certain leases dated March 13, 1980 and April 22, 1981, as recorded on April 24, 1981 under Skagit County Auditor's Filing Numbers 8104240009 and 8104240010, respectively, as shown on the plans and Survey for Phase I recorded on June 1, 1981, in Volume 13 of Condominium Plats, Pages 32 through 38, inclusive, under Skagit County Auditor's Filing No. 8106010014, as shown on the Amendment to Survey of Phase I recorded on December 20, 1999, under Skagit County Auditor's Filing No. 199912200131, as shown on the Plans and Survey for Phase II recorded on August 12, 1981 in Volume 13 of Condominium Plats, Pages 42 through 44, inclusive, under Skagit County Auditor's Filing No. 8108120085, as shown on the Plans and Survey for Phase III recorded on June 16, 1983 in Volume 13 of Condominium Plats, Pages 66 through 68, inclusive, under Skagit County Auditor's Filing No. 8306160022, and as shown on the Plans and Survey for Phase IV recorded on July 19, 1983 in volume 13 of Condominium Plats, Pages 76 through 78, inclusive, under Skagit County Auditor's Filing No. 8307190013, and as identified by the Declaration recorded on June 1, 1981, under Skagit County Auditor's Filing No. 8106010012, as amended by Amendment recorded on June 26, 1981, under Skagit County Auditor's Filing No. 8106260020, by Second Amendment recorded on August 12, 1981 under Skagit County

Auditor's Filing No. 8108120086, by the Third Amendment recorded on June 16, 1983, under Skagit County Auditor's Filing No. 8306160023, and by the Fourth Amendment recorded on July 19, 1983, under Skagit County Auditor's Filing No. 8307190014.

TOGETHER WITH that undivided percentage interest in the Common Areas and Facilities as defined in RCW64.32.010(6) and Paragraph 7 of said Declaration appertaining to said apartment and/or moorage slip to be determined as provided in Paragraph 8.

SUBJECT TO THE FOLLOWING:

1. The terms, provisions, definitions, covenants, options, obligations and restrictions contained in said Condominium Declaration or any amendments or restatements thereof or as may be contained in any By-Laws adopted pursuant to Subparagraph 9.5 of said Declaration or any amendments or restatements thereof;
2. The liability of assessments due or to become due the ANACORTES MARINA OWNERS ASSOCIATION to bear all common expenses of the property as provided in Paragraph 12 of said Condominium Declaration or any amendments or restatements thereof and the agreement of ANACORTES MARINE ENTERPRISES, INC., the lessee pursuant to said Harbor Area Lease No. 2510 and the Declarant of said Condominium, to pay upon receipt of said payments from said ANACORTES MARINA OWNERS ASSOCIATION, and payments of such payments by Assignee to said ANACORTES MARINA OWNERS ASSOCIATION, Assignee's prorata share of the maintenance assessment and other costs required to maintain the leases described in paragraphs 5 and 6 of the ANACORTES MARINE ENTERPRISES INC., Partial Assignment;
3. The terms, provisions and limitations contained in the Horizontal Property Regimes Act, Chapter 156, Laws of 1963, as now or hereafter amended (commonly known and referred to as RCW64.32 et seq.);
4. All easements, reservations, restrictions, covenants, conditions, and agreements of record;
5. That certain Harbor Area Lease No. 2510 dated March 13, 1980, recorded on April 24, 1981, under Skagit County Auditor's Filing No. 8104240009 and the assignment thereof recorded on August 12, 1981, under Skagit County Auditor's Filing No. 8108120087;
6. That certain lease dated April 22, 1981, recorded on April 24, 1981, under Skagit County Auditor's Filing No. 8104240010; and
7. That certain Consent to Assignment and approval dated August 5, 1981, executed by the Department of Natural Resources of the State of Washington and ANACORTES MARINE ENTERPRISES, INC.

Said Apartment and/or Moorage Slip is for moorage purposes and uses only.

The post office address of the property is 2415 'T' Avenue, Anacortes, Washington 98221.

This Partial Assignment of Lease is subject to the terms and conditions of the Assignment of Lease recorded on August 12, 1981, under Skagit County Auditor's Filing No. 8108120087 and the provisions of Subparagraph 23.5 of said Declaration which restricts the right of Assignee as an owner to sell, assign, and/or transfer Assignee's Apartment and/or Moorage Slip or any interest therein without the prior written consent of ANACORTES MARINE ENTERPRISES, INC. or its successors or the ANACORTES MARINA OWNERS ASSOCIATION which consent shall not be unreasonably withheld provided any owner desiring to sell, assign, or transfer any interest in owner's apartment and/or moorage slip shall have provided ANACORTES MARINE ENTERPRISES, INC. or its successors (or ANACORTES MARINA OWNERS ASSOCIATION, after the period provided in Subparagraph 10.1) with the name and address of any purchaser, assignee, transferee, or successor owner of any Apartment and/or Moorage Slip.



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By acceptance of this Partial Assignment of Lease, Assignee agrees to be bound by and to comply with all of the terms and conditions of each of the documents and provisions to which this Partial Assignment is subject, acknowledge(s) receipt of a copy of said Declaration, and amendments or restatements thereof, a copy of the Plans and Survey, any amendments or restatements thereof, copies of said Leases and Assignments and Consent thereto, and that said Apartment and/or Moorage Slip and Common and Limited Common Areas are accepted in their present condition, consent(s) to, agree(s) to, and approve(s) said Declaration, each of said Leases, and any amendments or restatements thereof now in existence and/or hereafter executed, and agree(s) to perform all obligations of an Apartment and/or Moorage Slip Owner pursuant to said Declaration and any amendments or restatements thereof or obligations pursuant to said Leases or any amendments or restatements thereof now in existence and/or hereafter executed and the Assignment of said Lease and Consent to said Assignment, and agrees that all payments to be made on each of the leases and/or assignments thereof described in paragraphs 5 and 6 shall be collected by and paid by ANACORTES MARINA OWNERS ASSOCIATION as the master lessee to the party entitled thereto in a lump sum and to pay his prorated share of such payments by way of assessment to the ANACORTES MARINA OWNERS ASSOCIATION as may be required to maintain said leases in full force and effect.

DATED this 10th day of March, 2009

ASSIGNOR(S):

Michael R. Johnson  
**Michael R. Johnson**

713  
 SKAGIT COUNTY WASHINGTON  
 REAL ESTATE EXCISE TAX

MAR 17 2009

Amount Paid \$ 984.00  
 Skagit Co. Treasurer  
 By J.M.M. Deputy

STATE OF Washington )  
 ) SS.  
 COUNTY OF Skagit )

On this \_\_\_\_\_ day of March, 2009, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared **Michael R. Johnson** to me known to be the individual(s) described in and who executed the foregoing instrument and acknowledged to me that HE signed and sealed the said instrument as HIS free and voluntary act and deed for the purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.



[Signature]  
 Notary Public in and for the  
 State of Washington  
 Residing at Bow  
 Commission Expires July 16, 2010

ACCEPTANCE OF PARTIAL ASSIGNMENT AND POWER OF ATTORNEY

In consideration of the foregoing Partial Assignment of Lease, the undersigned hereby accepts and approves said Partial Assignment of Lease and hereby appoints and constitutes ANACORTES MARINE ENTERPRISES, INC., a Washington Corporation, the Declarant of the ANACORTES MARINA CONDOMINIUM and/or the ANACORTES MARINA OWNERS ASSOCIATION, if constituted, as his true and lawful attorney(s)-in-fact and agent for the following purposes (and only said purposes) for the duration of the periods provided in said paragraphs of said Declaration, as amended:

- (a) For the purposes provided in Subparagraph 10.3.19
- (b) To the extent provided in Paragraph 22 of said Declaration, to cause an amendment to said Declaration to be recorded and to execute such amendments and other documents as may be reasonably required to effectuate said purposes, and upon behalf of the undersigned to perform such acts and/or pay upon receipt



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of any such payments as may be required pursuant to the Consent to Assignment and approval dated August 5, 1981, executed by the Department of Natural Resources of the State of Washington and ANACORTES MARINE ENTERPRISES, INC., it being expressly agreed that the foregoing power is coupled with an interest and is irrevocable so long as Assignee is the owner of any apartment and/or moorage slip of the ANACORTES MARINA CONDOMINIUM or has any interest therein.

IN WITNESS WHEREOF, the undersigned has executed this Acceptance of Partial Assignment and Power of Attorney this \_\_\_\_\_ day of \_\_\_\_\_

ASSIGNEE(S):

John C. Digby  
John C. Digby

Marie L. Amburn-Digby  
Marie L. Amburn-Digby

STATE OF Washington )  
  ) SS.  
COUNTY OF Skagit )

On this 12<sup>th</sup> day of March, 2009, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared **John C. Digby and Marie L. Amburn-Digby** to me known to be the individual(s) described in and who executed the foregoing instrument and acknowledged to me that THEY signed and sealed the said instrument as THEIR free and voluntary act and deed for the purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.



Julianne Livengood  
Notary Public in and for the  
State of Washington  
Residing at Seattle  
Commission Expires: 1-1-11

CONSENT OF DECLARANT

ANACORTES MARINE ENTERPRISES, INC., Grantor in the above described ANACORTES MARINE ENTERPRISES, INC., Partial Assignment, does hereby consent to the above assignment of the aforesaid Partial Assignment subject to payments being made from time to time by the Assignee(s) hereof in accordance with said Partial Assignment to cover purchase of Partial Assignment and assessments for the ANACORTES MARINA OWNERS ASSOCIATION, as they become due. This consent does not relieve the Assignor(s) from the obligation to make said payments in the event the Assignee(s) does not make said payments, and by the consent ANACORTES MARINE ENTERPRISES, INC., does hereby consent to this assignment of membership in the ANACORTES MARINA OWNERS ASSOCIATION to the Assignee(s) subject to the approval of the Board of Trustees of the ANACORTES MARINA OWNERS ASSOCIATION.

ANACORTES MARINE ENTERPRISES, INC.

Date: 3/13/09

Grant T. Osberg  
Grant T. Osberg, Secretary/Treasurer



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