

AFTER RECORDING RETURN TO:

Department of General Administration  
Real Estate Services  
PO Box 41015  
Olympia, WA 98504-1015



200912030016  
Skagit County Auditor

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Lease No. SRL 08-0121  
SR 087-04-08

(La Conner)DJG /ij  
Page 1 of 5  
Date: August 21, 2009

**LEASE AMENDMENT NO. 1**

This Lease Amendment No. 1 modifies that certain Lease Number SRL 08-0121 dated January 8, 2009, recorded under Skagit County number 200902030027, and is made and entered into between Upper Skagit Indian Tribe, whose address is 25944 Community Plaza Way, Sedro Woolley, Washington 98284, hereinafter called the Lessor, and the State of Washington, Department of Fish and Wildlife, acting through the Department of General Administration, hereinafter called the Lessee.

Legal description of leased premises:

**Tax Parcel Number: 4129-018-021-0005**

**Common Street Address: 111 Sherman Street, La Conner, Skagit County, Washington 98257**

Approximately 16,176 BOMA usable square feet of office/warehouse space, consisting of 6,429 square feet of office space and 9,747 square feet of warehouse space, TOGETHER WITH code parking, in an area facing Sherman Street, as well as spaces within warehouse area, legally situated as follows: Parcel 'A': All of Tracts 18, 19, 20, 21 & 22; as shown on 'CORRECTED PLATE # 18, MAP OF LA CONNER TIDE AND SHORE LANDS', on file in the office of the State Land Commissioner, at Olympia, Washington.

ALSO, all of Blocks 1 & 2; the Saw Mill Reserve; & that certain unnumbered tract lying Southerly of the Saw Mill Reserve, & also lying southerly of Lot 13, Block 2, all as shown on the Plat of 'SYNDICATE ADDITION TO THE TOWN OF LA CONNER', as per plat recorded in Volume 2 of Plats, page 109, records of Skagit County, Washington; (said plat being an over plat & including all of Tracts 18, 19, 20, 21, & 22 of 'CORRECTED PLATE #18, MAP OF LA CONNER TIDE AND SHORE LANDS', & also being an over plat & including all of Blocks 5 & 6 of 'FIRST ADDITION TO THE TOWN OF LA CONNER', as per plat recorded in Volume 1 of Plats, page 4, records of Skagit County, Washington.)

ALSO, all of vacated Second Street lying between the North line of Sherman Street & the South line of Caledonia Street, as said streets are delineated on the face of the above mentioned plats.

ALSO, all of the South 313 feet of First Street from Caledonia Street Southerly to its end, as said street is delineated on the face of said plat.

TOGETHER WITH that certain easement to drive & maintain piles as set forth in document dated May 23, 1955 & recorded August 4, 1955, under Auditor's File No. 522025, records of Skagit County, Washington.

EXCEPT from all of the above the following described tracts:



- (1) All that portion of the above described property lying East of the centerline of the dike, as said centerline is set forth & established by deed recorded November 13, 1926 under Auditor's File No. 198706, in Volume 141 of Deeds, page 633, records of Skagit County, Washington, and lying Southerly of the Southerly line of a tract of land conveyed to Jack Regenvetter by deed recorded April 5, 1945 under Auditor's File No. 379332 (said line being 188 feet South of the Northeast corner of Block 2 of said 'SYNDICATE ADDITION TO THE TOWN OF LA CONNER' as measured along the Westerly line of Third Street & drawn Westerly at right angles to Third Street).
- (2) That portion of Tract 22 of 'CORRECTED PLATE #18, MAP OF LA CONNER TIDE AND SHORE LANDS', as on file in the office of the State Land Commissioner, at Olympia, Washington, that lies Northwesterly of a boundary line as established by an Exchange Deed recorded August 4, 1955 under Auditor's File No. 522024, records of Skagit County, Washington, said boundary line being described as being drawn Northerly, perpendicular to Sherman Street at a point that is equi-distant between two lines, the first line being drawn Northerly perpendicular to Sherman Street at a point that is 200 feet Southeasterly, as measured along Sherman Street from the most Westerly corner of said Tract 22, Plate #18; the second line being drawn Southerly perpendicular to the common boundary line between Tracts 21 & 22 of the said Plate #18, at a point 200 feet southeasterly of the most Northerly point of said Tract 22, as measured along the North line of said Tract 22.
- (3) All that portion lying Westerly of the inner Harbor Line as shown on the survey recorded April 6, 1988 in Volume 7 of Surveys, page 182 & 183, under Auditor's File No. 804060031.

TOGETHER WITH that certain easement to drive & maintain piles as set forth in document dated May 23, 1955 & recorded August 4, 1955 under Auditor's File No. 522025, records of Skagit County, Washington.

Situate in the County of Skagit, State of Washington.

PARCEL 'B':

That portion of Tract 22, 'Corrected Plate No. 18, Tide and Shore Lands of Section 36, Township 34 North, Range 2 East, W.M., LaConner Harbor', according to the official map thereof in the office of the State Land Commissioner at Olympia, Washington, Described as follows:

Beginning at the most Westerly corner of said Tract 22; thence in a Southeasterly direction along the Southwesterly line of said Tract 22, a distance of 200 feet to the true point of beginning; thence Northeasterly, at right angles to said Southwesterly line a distance of 74 feet, more or less, to the Northeasterly line of said Tract 22; thence Southeasterly along said Northeasterly line a distance of 25 feet, more or less, to the Northwesterly line of a Tract conveyed to Puget Sound Terminal Co., a Washington corporation by deed dated June 22, 1955, recorded August 4, 1955, under Auditor's File No. 522024;

Thence Southwesterly along said Northwesterly line a distance of 74 feet, more or less, to the Southeasterly line of said Tract 22; thence Northwesterly along said Southeasterly line a distance of 25 feet, more or less, to the true point of beginning.

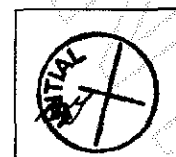
Situate in the County of Skagit, State of Washington.

PARCEL 'C':

A leasehold interest in the following described tract:



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The harbor area in front of Tract 21 & the Southwesterly 188 feet of Tract 18 as measured along the Southeasterly line thereof, Corrected Plate 18, LaConner Tide Lands, forming a tract bounded by the inner & outer harbor lines, and the Southwesterly line of said Tract 21 produced Northwesterly & a line which is parallel to & 188 feet Northeasterly from the Southwesterly line of said Tract 18 produced Northwesterly, as shown on the official maps of LaConner Tide Lands on file in the office of the Commissioner of Public Lands at Olympia, Washington.

PARCEL 'D':

A Leasehold interest in the following described tract:

That portion of the harbor area lying in front of the Northeasterly 125 feet of Tract 18, LA CONNER TIDE LANDS, & bounded by the inner & outer harbor lines, the produced Southerly line of Caledonia Street, & the produced Southerly line of said portion of Tract 18, as shown on Corrected Plate 18, LaConner Tide Lands on file in the office of the Commissioner of Public Lands at Olympia, Washington.

All situate in the County of Skagit, State of Washington.

The purpose of this Lease Amendment is as follows:

- 3) To change Lessor's name as referenced hereinabove due to ownership change.
- 4) To delete paragraph 26, NOTICES, of the original Lease dated January 8, 2009, in its entirety, and replace with the following:

**NOTICES**

26. Wherever in this Lease written notices are to be given or made, they will be sent by certified mail to the address listed below unless a different address shall be designated in writing and delivered to the other party.

LESSOR: Upper Skagit Indian Tribe  
25944 Community Plaza Way  
Sedro Woolley, Washington 98284

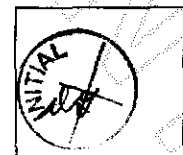
LESSEE: Department of General Administration  
Real Estate Services  
210 - 11<sup>th</sup> Avenue SW, Room 230  
Post Office Box 41015  
Olympia, Washington 98504-1015

All other terms, conditions, covenants, and amendments to this Lease, unless specifically altered, modified, or changed herein, remain in full force and effect.

The effective date of this amendment is July 1, 2009.



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IN WITNESS WHEREOF, the parties hereto have hereunto subscribed their names.

## Upper Skagit Indian Tribe

By: Jennifer WashingtonTitle: TreasurerDate: 11/2/09

lease  
SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

DEC 03 2009

Amount Paid \$ 0  
Skagit Co. Treasurer  
By JMM Deputy

## STATE OF WASHINGTON

Department of Fish and Wildlife

Acting through the Department  
of General AdministrationBy: Jul A. CohenTitle: ACTING DEASING MANAGERDate: 12/1/09

RECOMMENDED FOR APPROVAL:

Don GomesDon Gomes, Property and Acquisition Specialist  
Real Estate ServicesDate: 11/3/09

APPROVED AS TO FORM:

By: R. Furr

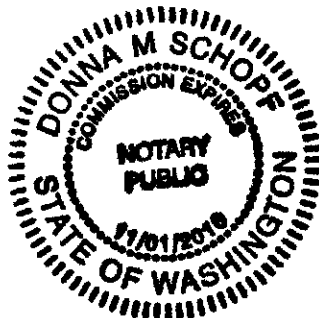
Assistant Attorney General

Date: 9/1/30/09

STATE OF Washington )  
 ) ss.  
County of Skagit )

On this 2 day of November, 2009 before me personally appeared Jennifer Washington and said person(s) acknowledged that she signed this instrument, and on oath stated that she was authorized to execute the instrument and acknowledged it as the Chairman of Upper Skagit Indian Tribe to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

In Witness Whereof I have hereunto set my hand and affixed my official seal the day and year first above written.



Donna M. Schopf  
Notary Public in and for the State of Washington,  
Residing at Burlington, WA  
My commission expires November 1, 2010

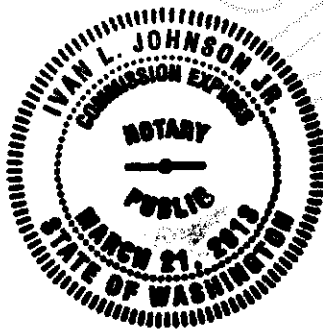


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STATE OF WASHINGTON )  
 ) ss.  
County of Thurston )

I, the undersigned, a Notary Public, do hereby certify that on this 1<sup>st</sup> day of December, 20 09, personally appeared before me Teal S. Cohen, Acting Jeasing MANAGER, Real Estate Services, Department of General Administration, State of Washington, to me known to be the individual described in and who executed the within instrument, and acknowledged that he signed and sealed the same as the free and voluntary act and deed of the Department, for the purposes and uses therein mentioned, and on oath stated that he was duly authorized to execute said document.

In Witness Whereof I have hereunto set my hand and affixed my official seal the day and year first above written.



[Signature]  
Notary Public in and for the State of Washington,  
Residing at Olympia  
My commission expires 3-21-13



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