


FILED FOR RECORD AT THE  
REQUEST OF/RETURN TO:

Lance J. Campbell  
22830 Gunderson Road  
Mount Vernon, WA 98273

  
201002160182  
Skagit County Auditor  
2/16/2010 Page 1 of 4 2:52PM

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Grantor (s): Lance J. Campbell and Jamie E. Campbell, husband and wife  
Grantee (s): Lance J. Campbell and Jamie E. Campbell, h and w, their successors and assigns  
Additional Grantor (s) on page (s):  
Additional Grantee (s) on page (s):  
Abbreviated Legal: Lots 1 & 2, Short Plat PL09-0085, Lot 2, Short Plat PL04-0576 & NW ¼ SE ¼ SE ¼ S-14 T-34 N R-4 EWM  
Additional Legal on page (s):  
Assessor's Tax Parcel No.'s: P123056, P123057, P24768  
Amends: Auditor's File Numbers 200708310187, 200506060004 and 200509160011

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#### AMENDED ROADWAY MAINTENANCE DECLARATION

1. Lance J. Campbell & Jamie E. Campbell, husband and wife, are the owners in fee simple of the following described contiguous real property situated in Skagit County, Washington, hereinafter referred to as:

Lots 1, 2 and 3 of S/P PL09-0085

Lots 1, 2 and 3 of Short Plat PL09-0085, approved February 16, 2010, recorded on February 16, 2010 under Skagit County Auditor's File No. 201002160178, being a portion of the Northeast ¼ of the Southeast ¼ of Section 14, Township 34 North, Range 4 East, W.M., aka Lot 1 of Short Plat PL04-0576;

Lot 2 of S/P PL04-0576

Lot 2 of Short Plat PL04-0576, approved May 12, 2005, recorded May 13, 2005 under Skagit County Auditor's File No. 200505130191, being a portion of the Northeast ¼ of the Southeast ¼ of said Section 14;

Parcel B

The Northwest ¼ of the Southeast ¼ of the Southeast ¼ of said Section 14.

2. As a result of the subdivision of Lot 1 of S/P PL04-0576 into lots 1, 2 and 3 of S/P PL09-0085, the owners hereby amend and modify the "Relocation of Roadway Easement and Amendment to Roadway Maintenance Declaration recorded under Skagit County Auditor's File No. 200708310187 (hereafter, "the ARMD") as follows:

- (a). The legal description of Lot 1 under paragraph 1. (see page 2) of the ARMD is deleted and replaced with the legal description entitled above as Lots 1, 2 and 3 of S/P PL09-0085.
- (b). The legal description of Lot 2 under paragraph 1. (see page 2) of the ARMD is deleted and replaced with the legal description entitled above as Lot 2 of S/P PL04-0576.
- (c). Paragraph 5 (see page 3) of the ARMD shall be amended as follows: All reference to Lot 1 of S/P04-0576 therein shall be replaced by Lot 2 and 3 of S/P PL09-0085, and all reference to Lot 2 of S/P04-0576 therein shall be interpreted as meaning Lot 2 of S/P PL04-0576.
- (d). Paragraph 6(c) including sub-paragraphs thereto (see pages 3 and 4) of the ARMD is deleted and replaced with the following:
  - 3. For the purposes of this Declaration, road segments as previously referred to have been replaced by percent of maintenance responsibility by lot ownership defined below.
- (e). Paragraph 6(d) including sub-paragraphs thereto (see page 4) of the ARMD is deleted and replaced with the following language:
  - 4. Responsibility for maintenance, including the costs thereof, shall be allocated as follows:
    - a. Lot 2 of S/P PL09-0085 shall be 10%.
    - b. Lot 3 of S/P PL09-0085 shall be 10%.
    - c. Lot 2 of S/P04-0576 shall be 40%.
    - d. Parcel B shall be 40%.
    - e. Lot 1 of S/P PL09-0085 received NO benefit from the roadway and septic system easement referenced herein, therefore NO costs are allocated thereto.
- (f). Paragraph 6(e) including sub-paragraphs thereto (see page 4) of the ARMD is deleted and replaced with the following language:
  - 5. The lot owners agree that it may be necessary to improve the road to minimum county road standards upon further subdivision of the parcels described hereinabove. Although construction thereof shall be the sole responsibility of the developer thereof, the owners included within this declaration agree not to object to any road construction as required by Skagit County as a condition of plat approval and further agree to withhold their share of the maintenance participation for the new road in its completed condition no sooner than 1 year from road and plat approval.



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(g). Paragraph 6(g) (see page 4) of the ARMD stating "All other terms of the RMD remain in full force and effect, and are incorporated herein by this by reference" shall remain in effect EXCEPT the following changes to said Roadway Maintenance Declaration (referred to as "the RMD") by that instrument dated June 3, 2005 and recorded June 6, 2005 under Skagit County Auditor's File No. 200506060004, are hereby amended as follows:

- (i). Line 1 of paragraph 8 (see page 3) of the RMD, referring to "All lots in the Short Plat, and Parcel B...", is deleted and replaced with:  
Lots 2 and 3 of S/P PL09-0085, Lot 2 of S/P PL04-0576, and Parcel B as described herein are subject to their proportionate share of the expenses of maintaining or repairing the roads, whether or not the owners thereof consented to a particular expense or action in connection therewith.
- (ii). The last sentence to Paragraph 9(a) (see page 3) of the RMD is deleted and replaced with the following language:  
The term "maintenance" shall not include initial paving, upgrading, widening, re-routing, or decommissioning the roadway as may be imposed by Skagit County as a condition of future lot subdivision of the parcels described herein.
- (iii). Paragraph 9(b) (see page 3) of the RMD is deleted and replaced with the following language:  
The term "Short Plat" shall mean the lots in S/P PL04-0576 and S/P PL09-0085 that are subject to the conditions imposed thereto by this Declaration.
- (iv). Paragraph 13 (see page 4) of the RMD, line 9 shall be changed to read "in paragraph 8 above" replacing "in paragraph 10 above" to correct an obvious typographical error.

3. Furthermore, as a result of the subdivision of Lot 1 of S/P PL04-0576 into Lots 1, 2 and 3 of S/P PL09-0085, the owners hereby amend and modify the "Declaration of Easement for Ingress, Egress, Utilities/Road Maintenance of an Easement/Revision of Short Plat No. PL04-0576" by that instrument dated September 15, 2005 and recorded September 16, 2005 under Auditor's File No. 200509160011, records of Skagit County, Washington, as follows:

All reference to maintenance responsibilities therein shall be deleted in favor of those recorded instruments referred to herein and the amendments made thereto by this Amended Road Maintenance Declaration.

EXECUTED effective on the date first set forth above.

Lance J. Campbell 1-27-10  
LANCE J. CAMPBELL (date)

Jamie Campbell 1-27-10  
JAMIE E. CAMPBELL (date)

STATE OF WASHINGTON }  
COUNTY OF SKAGIT } S.S.



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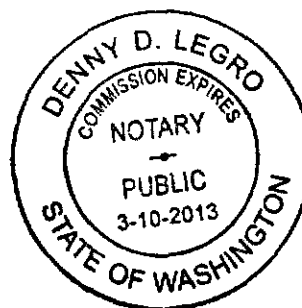
On this day personally appeared before me Lance J. Campbell and Jamie E. Campbell, husband and wife, to me known to be the individuals described in and who executed the within and foregoing instrument and acknowledged that they signed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 27<sup>TH</sup> day of JANUARY, 2010.

Denny D. Legro  
Notary Public in and for the State of Washington

Residing at MOUNT VERNON

My commission expires: 3-10-13



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