

When Recorded Return To:

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1101 Eighth Street, Suite A
Anacortes, Washington 98221



201104270014
Skagit County Auditor

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**SECOND AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS,
EASEMENTS, AND RESERVATIONS
FOR
THE ISLES P.U.D.**

Grantor: Donald D. Peterson and Habitat Construction Inc.

Grantee: The Public

Legal Description: The Isles P.U.D., as per plat recorded May 3, 2006 under Auditor's File Number 200605030185, records of Skagit County, Washington.

Assessor's Tax/Parcel Numbers:

4889-000-001-0000 / P124388
4889-000-003-0000 / P124390
4889-000-005-0000 / P124392
4889-000-007-0000 / P124394
4889-000-009-0000 / P124396
4889-000-011-0000 / P124398
4889-000-013-0000 / P124400
4889-000-015-0000 / P124402
4889-000-017-0000 / P124404

4889-000-002-0000 / P124389
4889-000-004-0000 / P124391
4889-000-006-0000 / P124393
4889-000-008-0000 / P124395
4889-000-010-0000 / P124397
4889-000-012-0000 / P124399
4889-000-014-0000 / P124401
4889-000-016-0000 / P124403
4889-000-999-0000 / P124405

Reference Numbers of Related Documents: 200605050122, 200905190024

THE UNDERSIGNED Declarant, acting pursuant to the authority reserved by him under Section 9.1 of the Declaration of Covenants, Conditions, Restrictions, Easements and Reservations of The Isles P.U.D. ("the Declaration", recorded under Auditor's File Number 200605050122), which authorizes him to amend the Declaration by his sole signature prior to the Transition Date, which date has not arrived, hereby amends the Declaration (as the same was amended once previously by that document recorded under Auditor's File number 200905190024) as follows:

1. Section 7.1 of the Declaration, as previously amended under document recorded under Auditor's File number 200905190024, is hereby deleted in its entirety and replaced with the following:

7.1 RESIDENTIAL CHARACTER OF PROPERTY AND TYPE OF CONSTRUCTION. The dwelling units within The Isles shall be used as single-family dwellings ("Residences") by their Owners or for residential rental or "vacation rental" uses for terms as short as one night, so long as such uses are permitted by applicable local ordinances. Other than:

- (a) Structures initially constructed upon the Lots by Declarant;
- (b) Residences built in conformity to Declarant's currently existing plans designated for the applicable Lot;
- (c) Residences built in conformity to plans other than Declarant's existing plans, but only if such plans are approved prior to the commencement of construction at the discretion of the Board. In analyzing any such plans, the Board shall carefully consider the structural integrity and general attractiveness of the proposed Residence (including especially roofing and siding materials, paint colors, and general exterior finish), as well as whether the proposed Residence blends well with the existing structures in the Isles and any additional structures for which Declarant has plans but which are not yet built. No such Residence shall stray beyond the footprint delineated in Declarant's existing plans;
- (d) Structures reconstructed due to damage or other casualty in full conformity to their original plans as supplied by Declarant;
- (e) Structures now constructed in the Common Areas by Declarant;
- (f) The second parking structure not yet built in the Common Areas, but depicted in the recorded Plat map; or
- (g) Any other structure authorized by the written consent of seventy-five percent (75%) of the Owners or their Voting Representatives;

no Structures shall be erected, placed or permitted to remain anywhere within the Plat, except as expressly authorized in this Declaration. Any Structure reconstructed upon any Lot shall be



completed within the earlier of twelve (12) months from the date Construction is started, or twelve (12) months from the date that any damage or demolition to the Structure is visible from outside said Structure.

2. The following Section 7.17 is added to Article 7 of the Declaration:

7.17 HEIGHT RESTRICTIONS. The following height restrictions are imposed upon certain Lots in the Isles, for purposes of protecting the views of all other Lots in the Isles:

(a) No portion of any structure on Lot 9 of the Isles (Assessor's Tax/Parcel No. 4889-000-009-0000/ P124396), other than a gas chimney, shall exceed that elevation which is twelve feet, six inches (12' 6") higher than the elevation of the top of the existing basement slab of the now partially-constructed residential structure on Lot 8 of the Isles (Assessor's Tax/Parcel No. 4889-000-008-0000/ P124395).

(b) No portion of any structure on Lot 10 of the Isles (Assessor's Tax/Parcel No. 4889-000-010-0000/ P124397), other than a gas chimney, shall exceed that elevation which is eleven feet, zero inches (11' 0") higher than the elevation of the top of the existing basement slab of the now partially-constructed residential structure on Lot 6 of the Isles (Assessor's Tax/Parcel No. 4889-000-006-0000/ P124393).

(c) No portion of any structure on Lot 11 of the Isles (Assessor's Tax/Parcel No. 4889-000-011-0000/ P124398), other than a gas chimney, shall exceed that elevation which is eight feet, zero inches (8' 0") higher than the elevation of the top of the existing basement slab of the now partially-constructed residential structure on Lot 8 of the Isles (Assessor's Tax/Parcel No. 4889-000-008-0000/ P124395).

(d) No portion of any structure on Lot 12 of the Isles (Assessor's Tax/Parcel No. 4889-000-012-0000/ P124399), other than a gas chimney, shall exceed that elevation which is six feet, eight and three-eighths inches (6' 8-3/8") higher than the elevation of the top of the existing basement slab of the now partially-constructed residential structure on Lot 5 of the Isles (Assessor's Tax/Parcel No. 4889-000-005-0000/ P124392).

(e) No portion of any structure on Lot 13 of the Isles (Assessor's Tax/Parcel No. 4889-000-013-0000/ P124400), other than a gas chimney, shall exceed that elevation which is six feet, two and three-eighths inches (6' 2-3/8") inches higher than the elevation of the top of the basement slab of the existing residential structure on Lot 4 of the Isles (Assessor's Tax/Parcel No. 4889-000-004-0000/ P124391).


(f) No portion of any structure on Lot 15 of the Isles (Assessor's Tax/Parcel No. 4889-000-015-0000/ P124402), other than a gas chimney, shall exceed that elevation which is eight feet, zero inches (8' 0") higher than the elevation of the top of the basement slab of the existing residential structure on Lot 2 of the Isles (Assessor's Tax/Parcel No. 4889-000-002-0000/ P124389).




(g) No portion of any structure on Lot 17 of the Isles (Assessor's Tax/Parcel No. 4889-000-017-0000/ P124404), other than a gas chimney, shall exceed that elevation which is five feet, seven and one quarter inches (5' 7-1/4") lower than the elevation of the top of the existing basement slab of the now partially-constructed residential structure on Lot 5 of the Isles (Assessor's Tax/Parcel No. 4889-000-005-0000/ P124392).

Except as provided above, all provisions of the Declaration shall remain in full force and effect. This Amendment shall take effect upon recording with the Skagit County Auditor.

DATED: 4-25-11


Donald D. Peterson

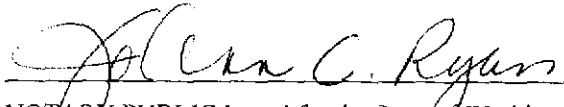
HABITAT CONSTRUCTION, INC.

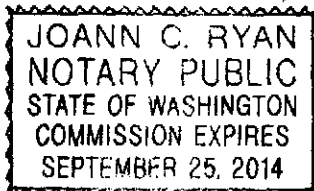
By: 
Donald D. Peterson,
President

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

On this day Personally appeared before me DONALD D. PETERSON, to me known to be the individual described in and who executed the foregoing document and acknowledged that she signed said document as her free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 25 day of APRIL, 2011.

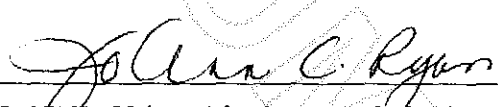

NOTARY PUBLIC in and for the State of Washington,
residing at ANACORTES
My appointment expires 9-25-14

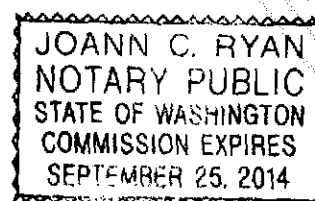


STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that DONALD D. PETERSON is the Person who appeared before me, and said Person acknowledged that she signed the foregoing instrument consisting of 4 pages, on oath stated that she was authorized to execute the instrument, and acknowledged it, as President of HABITAT CONSTRUCTION, INC., to be the free and voluntary act and deed of such party for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 25 day of APRIL, 2011.


NOTARY PUBLIC in and for the State of Washington,
residing at ANACORTES
My appointment expires 9-25-14



SECOND AMENDMENT TO DECLARATION -- Page 4 of 4



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