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Skagit County Auditor

8/22/2011 Page 1 of 7 2:47PM

**When Recorded Return To:**

**Donald W. Black  
OGDEN MURPHY WALLACE, P.L.L.C.  
1601 Fifth Avenue, Suite 2100  
Seattle, Washington 98101-1686**

**THIRD AMENDMENT TO DECLARATION OF  
ISLAND MEDICAL CENTER CONDOMINIUM**

Reference Number(s)  
of Related Documents:

200603140130; 200712060103; 200810290110; 201010150104

Additional Reference #s on page: N/A

Grantor:

CHALLENGE DEVELOPMENTS II, L.L.C., a Washington  
limited liability company

Additional Grantors on page: N/A

Grantees:

SKAGIT COUNTY PUBLIC HOSPITAL DISTRICT NO. 2 (d/b/a  
Island Hospital), a Washington state public hospital district, and  
CHALLENGE DEVELOPMENTS II, L.L.C., a Washington state  
limited liability company

Additional Grantees on page: N/A

Legal Description (abbreviated):

That portion of the Southeast Quarter of Section 24, Township 35  
North, Range 1 East of the Willamette Meridian

Additional Legal on page: 7

Assessor's Tax  
Account Number:

P124175; P124176; P124177

**THIRD AMENDMENT TO DECLARATION OF  
ISLAND MEDICAL CENTER CONDOMINIUM**

**THIS THIRD AMENDMENT TO DECLARATION OF ISLAND MEDICAL CENTER CONDOMINIUM** (this "Third Amendment") is made by ISLAND MEDICAL CENTER CONDOMINIUM ASSOCIATION (the "Association") and its Unit Owners, CHALLENGE DEVELOPMENTS II, L.L.C., a Washington limited liability company ("Challenge"), and SKAGIT COUNTY PUBLIC HOSPITAL DISTRICT NO. 2, a Washington municipal corporation (the "District"), and amends that certain Declaration Establishing the Island Medical Center Condominium (the "Condominium"), recorded under Auditor's File No. 200603140130, records of Skagit County, Washington, as amended by that First Amendment to Declaration of Island Medical Center Condominium recorded under Auditor's File No. 200712060103, records of Skagit County, Washington (which First Amendment was corrected by that Correction of First Amendment to Declaration of Island Medical Center Condominium recorded under Auditor's File No. 200810290110), and that Second Amendment to Declaration of Island Medical Center Condominium, recorded under Auditor's File No. 201010150104, records of Skagit County, Washington (collectively, the "Declaration").

**RECITALS**

A. Pursuant to the Second Amendment to Declaration, Unit 102 will be eliminated on December 31, 2011 if Unit 102 is not constructed prior to that date.

B. Pursuant to Section 31.1 of the original Declaration, the Association and the Unit Owners desire to amend the Declaration to extend the elimination date of Unit 102 to December 31, 2013, as set forth herein.

**NOW, THEREFORE**, in consideration of the mutual covenants set forth herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto hereby agree as follows:

1. **Definitions; References.** All capitalized terms used in this Third Amendment not defined herein shall have the meanings given them in the Declaration. References in this Third Amendment and in the Declaration to "this Declaration," "herein," "hereto" and words of similar import shall mean the Declaration as modified by this Third Amendment.
2. **Section References.** References to Sections herein shall refer to Sections in this Third Amendment. References to the Declaration Sections or Articles shall refer to Sections or Articles in the Declaration.
3. **Effect of Third Amendment.** This Third Amendment modifies the Declaration. The Declaration, as amended by this Third Amendment, is in full force and effect, and the parties hereby ratify and affirm the same. In the event of any conflict between the provisions of the Declaration and this Third Amendment, the provisions of this Third Amendment shall control.



4. **Extension of Elimination Date of Unit 102.** The last sentence of Section 5.4 of the Declaration, as it was last amended pursuant to that Second Amendment to Declaration, is hereby amended and restated in its entirety as follows:

"If Unit 102 is not constructed by December 31, 2013, the Declaration shall be amended to eliminate Unit 102 and revise the allocated interests in Section 5.1 accordingly."

5. **Effective Date.** This Third Amendment shall be effective upon filing in the office of the Auditor of Skagit County, Washington.

DATED the 20<sup>th</sup> day of July, 2011.

**ASSOCIATION:**

Vincent C. Oliver  
By: Vincent C. Oliver  
President, Board of Directors of Island  
Medical Center Condominium Association

**UNIT OWNERS:**

CHALLENGE DEVELOPMENTS II, L.L.C.

Jerald Zavala  
By: Jerald Zavala  
Its: Member

Michael E. Ruthford  
By: Michael E. Ruthford  
Its: Member

SKAGIT COUNTY PUBLIC HOSPITAL  
DISTRICT NO. 2

Vincent C. Oliver  
By: Vincent C. Oliver  
Its: Superintendent and Chief Executive Officer

**ATTEST:**

The undersigned hereby attests that the Second Amendment was properly adopted in accordance with the Association's Bylaws and the provisions of Section 31.1 of the Declaration.

Peter M Swanson  
By: Peter Swanson  
Its: Secretary, Board of Directors of Island Medical  
Center Condominium Association

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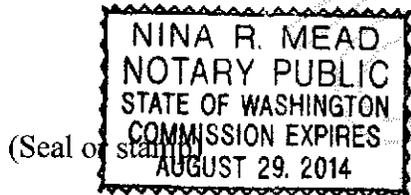


STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF SKAGIT )

I certify that I know or have satisfactory evidence that Vincent C. Oliver is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the President of the Board of Directors of Island Medical Center Condominium Association to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: July 20<sup>th</sup>, 2011.

Nina R Mead  
(Signature)



Nina R. Mead  
(Name legibly printed or stamped)

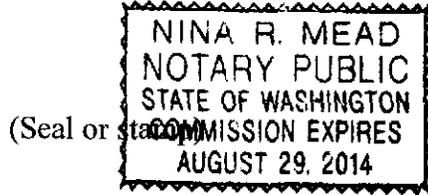
Notary Public in and for the State of Washington,  
residing at Anacortes  
My appointment expires 8-29-14

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF SKAGIT )

I certify that I know or have satisfactory evidence that Peter Swanson is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Secretary of the Board of Directors of Island Medical Center Condominium Association to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: July 20<sup>th</sup>, 2011.

Nina R. Mead  
(Signature)



Nina R. Mead  
(Name legibly printed or stamped)

Notary Public in and for the State of Washington,  
residing at Anacortes  
My appointment expires 8-29-14

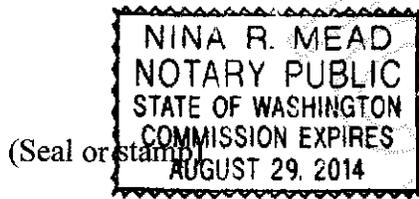


STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF SKAGIT )

I certify that I know or have satisfactory evidence that Jerald Zavaley is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Member of Challenge Developments II, L.L.C. to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: July 20<sup>th</sup>, 2011.

Nina R. Mead  
(Signature)



Nina R. Mead  
(Name legibly printed or stamped)

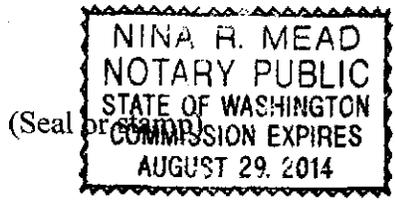
Notary Public in and for the State of Washington,  
residing at Anacortes  
My appointment expires 8-29-14

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF SKAGIT )

I certify that I know or have satisfactory evidence that Michael E. Ruthford is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Member of Challenge Developments II, L.L.C. to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: July 20<sup>th</sup>, 2011.

Nina R. Mead  
(Signature)



Nina R. Mead  
(Name legibly printed or stamped)

Notary Public in and for the State of Washington,  
residing at Anacortes  
My appointment expires 8-29-14



STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF SKAGIT )

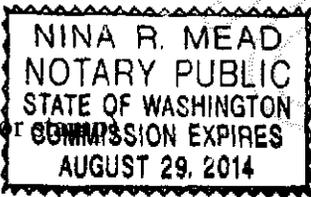
I certify that I know or have satisfactory evidence that Vincent C. Oliver is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Superintendent and Chief Executive Officer of Skagit County Public Hospital District No. 2 to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: July 20<sup>th</sup>, 2011.

Nina R. Mead  
(Signature)

Nina R. Mead  
(Name legibly printed or stamped)

Notary Public in and for the State of Washington,  
residing at Amcortes  
My appointment expires 8-29-14

(Seal of) 



## LEGAL DESCRIPTION

That portion of the Southeast Quarter of Section 24, Township 35 North, Range 1 East of the Willamette Meridian, described as follows:

Commencing at the East Quarter corner of said Section 24;  
thence South 0°59'30" East, along the East line of said Section 24, 1,223.17 feet to an intersection with the South line of 24th Street;  
thence South 89°58'48" West, along the South line of 24th Street, 396.27 feet to the true point of beginning;  
thence South 0°01'35" East, 264.46 feet;  
thence South 89°58'25" West, 358.50 feet to the East line of "M" Avenue;  
thence North 0°01'35" West, along the East line of "M" Avenue, 264.50 feet to the South line of 24th Street;  
thence North 89°58'48" East along the South line of 24th Street, 358.50 feet to the true point of beginning;

Together with that Reciprocal Easement Agreement recorded March 14, 2006 under Auditor's File No. 200603140129, Records of Skagit County, Washington.

Situate in Skagit County, Washington.

