

AFTER RECORDING RETURN TO:
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201110130082

Skagit County Auditor

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TITLE OF DOCUMENT:

FIRST AMENDMENT TO DECLARATION
FOR PREMIUM WAREHOUSE AND
STORAGE, A CONDOMINIUM

AF# OF AFFECTED DOCUMENT:

200711090162

GRANTOR:

MOORE SOLUTIONS, L.L.C.

GRANTEE:

THE GENERAL PUBLIC

ABBREVI. LEGAL DESCRIPTION:

UNIT D-1, PREMIUM WAREHOUSE AND
STORAGE, A CONDOMINIUM, AF#

200711090162

TAX PARCEL NO.:

P127034

**FIRST AMENDMENT TO DECLARATION
FOR PREMIUM WAREHOUSE AND STORAGE, A CONDOMINIUM**

PURPOSE: To Exercise Development Right to Add Additional Phase of Development
By Subdividing a Development Unit

THIS AMENDMENT is made this 13 day of October, 2011, by MOORE
SOLUTIONS, L.L.C., a Washington Limited Liability Company ("Declarant").

WITNESSETH THAT:

WHEREAS, the Declarant executed certain Condominium Instruments establishing PREMIUM WAREHOUSE AND STORAGE, A CONDOMINIUM in Anacortes, Washington and caused the Declaration to be recorded in the land records of Skagit County, Washington, at Auditor's File No. 200711090162, along with a Survey Map and Plans, which were contemporaneously recorded at Auditor's File No. 200711090161;

WHEREAS, pursuant to RCW 64.34.236 and Sections 3.3.2 and 17.6 of the Declaration, the Declarant may unilaterally amend the Condominium Instruments from time to time to exercise Development Rights and to correct technical errors; and

WHEREAS, in Section 3.3.1 of the Declaration, the Declarant reserved Development Rights to develop the Condominium several "Phases" by adding improvements to the Condominium and creating

additional Units, Common Elements, or Limited Common Elements within the real property included in the Condominium through a process of subdivision of one or more Development Units; and

WHEREAS, the Declarant now wishes to exercise Development Rights and has created additional improvements, Units, Common Elements, and Limited Common Elements as more particularly described below, all for the purpose of creating an additional Phase of Development, known as "Phase 2", consisting of six (6) additional Commercial Units in a new Building ["Building B"] containing a new utility room, along with a residual Development Unit adjoining the new Building; such new Units have been created within the Condominium by subdividing Development Unit D-1, in the manner described in Section 3.3.1 of the Declaration.

WHEREAS, Section 10.6.1 of the Declaration inadvertently omitted the word "Commercial" when describing the liability of Commercial Units to pay Common Expenses of the Association. The Declarant wishes to correct such technical error.

NOW, THEREFORE, pursuant to and in compliance with Section 3.3.2 of the Declaration and RCW 64.34.236, the Declarant hereby amends the following Sections of the Declaration, as follows:

1.2.1 Reference to First Amendment to Survey Map.

Contemporaneously with the recordation of this Amendment, the Declarant has recorded with the Auditor of Skagit County, Washington a First Amendment to the Survey Map and Condominium plans, showing the location and dimensions of the new Units and other improvements constructed or contemplated to be constructed for Phase 2 of this Condominium, together with other information required by the Condominium Act; this First Amendment to the Survey Map and Plans is recorded at Auditor's File No. _____ among the land records of Skagit County, Washington.

3.1 Land and Street Address.

The land on which the buildings and improvements of this Condominium are located is situated at 9117 and 9119 Molly Lane, Anacortes, Skagit County, Washington 98221, and is more particularly described in the First Amendment Exhibit "A" to the Declaration attached hereto.

3.2 Buildings.

The Condominium presently contains two (2) buildings containing Units, which are depicted on the Survey Map and Plans.

3.3 Development Rights.

3.3.1 Description.

(No change.)

* * * * *



4.1.1 Number of Units Following Amendment. The Condominium contains twenty-one (21) commercial Units, and two (2) Development Units, which are depicted on the Survey Map and Plans. The location of existing Units within the buildings and their dimensions are shown on the Condominium Survey Map and Plans, as amended. The First Amendment to Exhibit B to the Declaration attached hereto contains a list of all Units, their identifying numbers, location, style and the Allocated Interests appurtenant to each Unit. The Allocated Interests have been reallocated among all Units in accordance with Section 3.3.2 of the Declaration and with RCW 64.34.236(l).

5.1.3 Installations of services for common use such as main power lines, exterior lighting, main water or sewer lines, pipes, conduits, and wires; any common restrooms, utility rooms, trash receptacles, containers or "dumpsters"; any equipment for fire suppression systems or security systems; any common mailbox facilities, and in general any and all apparatus and installations existing for common use rather than for any one Unit.

5.10 Parking Spaces.

The Condominium contains a striped handicapped parking area, which is shown on the Survey Map and Plans, as amended, as parking space #1. In addition, the Declarant has created five (5) additional parking spaces that are depicted on the Survey Map, as amended, and are more fully described on the Amendment to Exhibit C attached hereto. (The rest of this Section is unaffected by this Amendment.)

10.6.1 Allocated Interests - Common Expenses.

Pursuant to RCW 64.34.224(1), the Declarant has allocated to each Commercial Unit in the Condominium a liability for payment of the Common Expenses of the Association which is known as the Unit's Allocated Interest for Common Expense Liability. The allocation of this liability among the Units has been determined generally on the basis of the size of each Unit relative to all other Units in the Condominium. Each Commercial Unit's Allocated Interest for Common Expense Liability is expressed as a percentage and is stated with particularity on the attached Exhibit B. A Unit's liability for Common Expense Assessments under such Allocated Interests may be subject to adjustment under the provisions of Sections 3.3.2, 10.4.1 and 10.8 hereof.

20. Certificate of Completion of All Units

Declarant hereby certifies, pursuant to RCW 64.34.200(2), that all structural components and mechanical systems of all buildings containing or comprising any Units in the Condominium, including the Units added by this Amendment, are substantially completed.



Attached hereto are the First Amendment to Exhibit B to the Declaration, along with the First Amendment to Exhibit C to the Declaration.

* * * * *

EXCEPT as modified by this Amendment, all of the terms and provisions of the Condominium Instruments are hereby expressly ratified and confirmed and shall remain in full force and effect.

IN WITNESS WHEREOF, the Declarant has caused this Amendment to be executed as of the date first written above.

DECLARANT:
MOORE SOLUTIONS, L.L.C.

BY: Kirk Moore
KIRK MOORE, its Member

[illegible]

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

DATED: 10-13



Alana Puyot

 NOTARY PUBLIC in and for the State of
 Washington. My commission expires:
 4-10-2012



FIRST AMENDMENT TO EXHIBIT "B"

TO DECLARATION FOR PREMIUM WAREHOUSE AND STORAGE, A CONDOMINIUM

Unit No.	Square Footage	Address	Level(s) in Building	Type of Heat+	Limited Common Elements**	Allocated Interest Common Elem. *	Allocated Interest - Assessments*
A-115	1,429.3	9117 Molly Lane	1	Gas	Exterior Doors, Signage Facility	3.3333%	4.6875%
A-114	1,467.5	9117 Molly Lane	1	Gas	Exterior Doors, Signage Facility	3.3333%	4.6875%
A-113	1,467.5	9117 Molly Lane	1	Gas	Exterior Doors, Signage Facility	3.3333%	4.6875%
A-112	1,467.5	9117 Molly Lane	1	Gas	Exterior Doors, Signage Facility	3.3333%	4.6875%
A-111	1,467.5	9117 Molly Lane	1	Gas	Exterior Doors, Signage Facility	3.3333%	4.6875%
A-110	1,467.5	9117 Molly Lane	1	Gas	Exterior Doors, Signage Facility	3.3333%	4.6875%
A-109	1,467.5	9117 Molly Lane	1	Gas	Exterior Doors, Signage Facility	3.3333%	4.6875%
A-108	1,467.5	9117 Molly Lane	1	Gas	Exterior Doors, Signage Facility	3.3333%	4.6875%
A-107	1,467.5	9117 Molly Lane	1	Gas	Exterior Doors, Signage Facility	3.3333%	4.6875%
A-106	1,467.5	9117 Molly Lane	1	Gas	Exterior Doors, Signage Facility	3.3333%	4.6875%
A-105	1,467.5	9117 Molly Lane	1	Gas	Exterior Doors, Signage Facility	3.3333%	4.6875%
A-104	1,467.5	9117 Molly Lane	1	Gas	Exterior Doors, Signage Facility	3.3333%	4.6875%
A-103	1,467.5	9117 Molly Lane	1	Gas	Exterior Doors, Signage Facility	3.3333%	4.6875%
A-102	1,467.5	9117 Molly Lane	1	Gas	Exterior Doors, Signage Facility	3.3333%	4.6875%
A-101	1,429.3	9117 Molly Lane	1	Gas	Exterior Doors, Signage Facility	3.3333%	4.6875%
B-106	1,987.	9119 Molly Lane	1	Gas	Exterior Doors, Signage Facility	4.4444%	6.25%



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Unit No.	Square Footage	Address	Level(s) in Building	Type of Heat+	Limited Common Elements**	Allocated Interest Common Elem.*	Allocated Interest - Assessments*
B-105	1,423	9119 Molly Lane	1	Gas	Exterior Doors, Signage Facility	3.3333%	4.6875%
B-104	1,429	9119 Molly Lane	1	Gas	Exterior Doors, Signage Facility	3.3333%	4.6875%
B-103	1,435	9119 Molly Lane	1	Gas	Exterior Doors, Signage Facility	3.3333%	4.6875%
B-102	1,421	9119 Molly Lane	1	Gas	Exterior Doors, Signage Facility	3.3333%	4.6875%
B-101	1,421	9119 Molly Lane	1	Gas	Exterior Doors, Signage Facility	3.3333%	4.6875%
D-1A	7,960	9119 Molly Lane	1			17.778%	0%
D-2	4,900	9121 Molly Lane	n/a			11.112%	0%
Totals	43912.1					100%	100%

*Allocated interests are the percentages of undivided interests in the Common Elements and fractional liability for the Common Expenses of the Association allocated to each Unit under Sections 5.3, and 10.6 of the Declaration, pursuant to RCW 64.34.224(1). Pursuant to Section 7.4.2 of the Declaration, each commercial Unit has an equal vote in the Association; each Unit has an undivided interest in the Common Elements which is roughly proportional to its size and/or the number of commercial Units which may be created within it. The Assessment Interests described above are those which will be assessed until the Development Units are subdivided. ALL ALLOCATED INTERESTS ARE SUBJECT TO CHANGE UPON AN EXERCISE OF DEVELOPMENT RIGHTS, as described at Section 3.3.2(a) of the Declaration.

** Items listed are Limited Common Elements permanently assigned to their respective Units as identified above, pursuant to Section 6.1 of the Declaration. Parking spaces, if any, assigned or assignable as Limited Common Elements, are separately described on Exhibit C to this Declaration.

+ Each unit has a gas forced air heater with an individual gas meter.



FIRST AMENDMENT TO EXHIBIT "C"
TO DECLARATION FOR PREMIUM WAREHOUSE AND STORAGE, A CONDOMINIUM

ASSIGNMENT, IDENTIFICATION AND DESCRIPTION OF PARKING SPACES

<u>Parking Space No.</u>	<u>Description*</u>	<u>Unit Assignment**</u>
1	U/HC	UA
2	U	SA
3	U	SA
4	U	SA
5	U	SA
6	U	SA

* U = uncovered (open); HC = handicapped space

** Numbered parking spaces depicted on the Survey Map and Plans are either already assigned as Limited Common Elements to Units as indicated above on this Exhibit, or are Common Elements which are Subject to Assignment ("SA") by the Declarant to particular Units as Limited Common Elements pursuant to Sections 3.1 and 6.1 of the Declaration and RCW 64.34.216(1)(i), or are unassigned visitors parking spaces ("UA") described in Sections 5.1.4 and 5.10 of this Declaration.



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