



201210110048
Skagit County Auditor

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201210050143
Skagit County Auditor

10/5/2012 Page 1 of 6 2:30PM

AFTER RECORDING RETURN TO:

Eisenhower Carlson PLLC
Attn: Todd M. Blodgett
1201 Pacific Avenue, Suite 1200
Tacoma, WA 98402

Re-Record to process Excise Tax Affd.

PARTIAL ASSIGNMENT OF LEASE
ANACORTES MARINA

GRANTOR: JANE M. KERKORIAN, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF ARTHUR J. KERKORIAN, DECEASED

GRANTEE: JANE M. KERKORIAN

ABBREVIATED LEGAL DESCRIPTION: Anacortes Marina Condo 1 Dock A-29
Full Legal Description on Page 2.

ASSESSOR'S TAX PARCEL ID NUMBER: P82218

REFERENCE NUMBER: 200809180121

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

20123201
OCT 10 2012

Amount Paid \$0
Skagit Co. Treasurer
By *Udm* Deputy

ORIGINAL

PARTIAL ASSIGNMENT OF LEASE
ANACORTES MARINA

In consideration of distribution of the Estate of Arthur J. Kerkorian, **Jane M. Kerkorian, as personal representative of the estate of Arthur J. Kerkorian, deceased** (Pierce County Superior Court Probate No. 10-4-01515-1), as Assignor, whose address is: P.O. Box 93, Olalla, WA 98359, hereby conveys, assigns, transfers and sets over to **Jane M. Kerkorian, a widow, as Assignee**, whose address is: P.O. Box 93, Olalla, WA 98359, the undivided one-half leasehold interest legally described below ("Leasehold Interest") of Arthur J. Kerkorian, deceased, in Skagit County, Washington, as evidenced by that certain Partial Assignment of Lease dated May 15, 1988, and recorded on May 16, 1988, in Skagit County, Washington, under Auditor's Filing No. 8805160081 (the "Original Partial Assignment") from Anacortes Marine Enterprises, Inc., a Washington corporation, as Grantor to Philip and Margretta Stanton, Husband and Wife, as Grantee, and further assigned pursuant to that certain Subsequent Partial Assignment of Lease from Philip and Margretta Stanton to William Johnson and Virginia Brightwell under Auditor's File No. 9509210086, and further assigned pursuant to that certain Subsequent Partial Assignment of Lease, from William L. Johnson and Virginia Brightwell, husband and wife, to Arthur J. Kerkorian and Jane M. Kerkorian, husband and wife, under Auditor's File No. 200809180121.

The Leasehold Interest is described as follows:

The leasehold estate in apartment and/or moorage slip **A-29, Phase I** of the Anacortes Marina Condominium, a leasehold condominium, located in the leasehold estate created by those certain leases dated March 13, 1980 and April 22, 1981, as recorded on April 24, 1981 under Skagit County Auditor's Filing Numbers 8104240009 and 8104240010, respectively, as shown on the plans and Survey for Phase I recorded on June 1, 1981, in Volume 13 of Condominium Plats, Pages 32 through 38, inclusive, under Skagit County Auditor's Filing No. 8106010014, as shown on the Amendment to Survey of Phase I recorded on December 20, 1999, under Skagit County Auditor's Filing No. 199912200131, as shown on the Plans and Survey for Phase II recorded on August 12, 1981 in Volume 13 of Condominium Plats, Pages 42 through 44, inclusive, under Skagit County Auditor's Filing No. 8108120085 as shown on the Plans and Survey for Phase III recorded on June 16, 1983 in Volume 13 of Condominium Plats, Pages 66 through 68, inclusive, under Skagit County Auditor's Filing No. 8306160022, and as shown on the Plans and Survey for Phase IV recorded on July 19, 1983 in volume 13 of Condominium Plats, Pages 76 through 78, inclusive, under Skagit County Auditor's Filing No. 8307190013, and as identified by the Declaration recorded on June 1, 1981, under Skagit County Auditor's Filing No. 8106010012, as amended by Amendment recorded on June 26, 1981, under Skagit County Auditor's Filing No. 8106260020, by Second Amendment recorded on August 12, 1981 under Skagit County Auditor's Filing No. 8108120086, by the Third Amendment recorded on June 16, 1983, under Skagit County Auditor's Filing No. 8306160023, and by the Fourth Amendment recorded on July 19, 1983, under Skagit County Auditor's Filing No. 8307190014.

TOGETHER WITH that undivided percentage interest in the Common Areas and Facilities as defined in RCW64.32.010(6) and Paragraph 7 of said Declaration appertaining to said apartment and/or moorage slip to be determined as provided in Paragraph 8.

SUBJECT TO THE FOLLOWING:

1. The terms, provisions, definitions, covenants, options, obligations and restrictions contained in said Condominium Declaration or any amendments or



restatements thereof or as may be contained in any By-Laws adopted pursuant to Subparagraph 9.5 of said Declaration or any amendments or restatements thereof;

2. The liability of assessments due or to become due the ANACORTES MARINA OWNERS ASSOCIATION to bear all common expenses of the property as provided in Paragraph 12 of said Condominium Declaration or any amendments or restatements thereof and the agreement of ANACORTES MARINE ENTERPRISES, INC., the lessee pursuant to said Harbor Area Lease No. 2510 and the Declarant of said Condominium, to pay upon receipt of said payments from said ANACORTES MARINA OWNERS ASSOCIATION, and payments of such payments by Assignee to said ANACORTES MARINA OWNERS ASSOCIATION, Assignee's prorata share of the maintenance assessment and other costs required to maintain the leases described in paragraphs 5 and 6 of the ANACORTES MARINE ENTERPRISES, INC., Partial Assignment;

3. The terms, provisions and limitations contained in the Horizontal Property Regimes Act, Chapter 156, Laws of 1963, as now or hereafter amended (commonly known and referred to as RCW 64.32 et seq.);

4. All easements, reservations, restrictions, covenants, conditions, and agreements of record;

5. That certain Harbor Area Lease No. 2510 dated March 13, 1980, recorded on April 24, 1981, under Skagit County Auditor's Filing No. 8104240009 and the assignment thereof recorded on August 12, 1981, under Skagit County Auditor's Filing No. 8108120087;

6. That certain lease dated April 22, 1981, recorded on April 24, 1981, under Skagit County Auditor's Filing No. 8104240010; and

7. That certain Consent to Assignment and approval dated August 5, 1981, executed by the Department of Natural Resources of the State of Washington and ANACORTES MARINE ENTERPRISES, INC.

Said Apartment and/or Moorage Slip is for moorage purposes and uses only.

The post office address of the property is 2415 'T' Avenue, Anacortes, Washington 98221.

This Partial Assignment of Lease is subject to the terms and conditions of the Assignment of Lease recorded on August 12, 1981, under Skagit County Auditor's Filing No. 8108120087 and the provisions of Subparagraph 23.5 of said Declaration which restricts the right of Assignee as an owner to sell, assign, and/or transfer Assignee's Apartment and/or Moorage Slip or any interest therein without the prior written consent of ANACORTES MARINE ENTERPRISES, INC. or its successors or the ANACORTES MARINA OWNERS ASSOCIATION which consent shall not be unreasonably withheld provided any owner desiring to sell, assign, or transfer any interest in owner's apartment and/or moorage slip shall have provided ANACORTES MARINE ENTERPRISES, INC. or its successors (or ANACORTES MARINA OWNERS ASSOCIATION, after the period provided in Subparagraph 10.1) with the name and address of any purchaser, assignee, transferee, or successor owner of any Apartment and/or Moorage Slip.

By acceptance of this Partial Assignment of lease, Assignee agrees to be bound by and to comply with all of the terms and conditions of each of the documents and provisions to which this Partial Assignment is subject, acknowledge(s) receipt of a copy of said Declaration, and amendments or restatements thereof, a copy of the Plans and Survey,



any amendments or restatements thereof, copies of said Leases and Assignments and Consent thereto, and that said Apartment and/or Moorage Slip and Common and Limited Common Areas are accepted in their present condition, consent(s) to, agree(s) to, and approve(s) said Declaration, each of said Leases, and any amendments or restatements thereof now in existence and/or hereafter executed, and agree(s) to perform all obligations of an Apartment and/or Moorage Slip owner pursuant to said Declaration and any amendments or restatements thereof or obligations pursuant to said Leases or any amendments or restatements thereof now in existence and/or hereafter executed and the Assignment of said Lease and Consent to said Assignment, and agrees that all payments to be made on each of the leases and/or assignments thereof described in paragraphs 5 and 6 shall be collected by and paid by ANACORTES MARINA OWNERS ASSOCIATION as the master lessee to the party entitled thereto in a lump sum and to pay his prorated share of such payments by way of assessment to the ANACORTES MARINA OWNERS ASSOCIATION as may be required to maintain said leases in full force and effect.

DATED this 27 day of SEPT, 2012.

ASSIGNOR:

Jane M. Kerkorian
Jane M. Kerkorian, as personal representative of
the estate of Arthur J. Kerkorian, deceased

OREGON)
STATE OF ~~WASHINGTON~~)
COUNTY OF Curry) ss.

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

OCT 05 2012

Amount Paid \$
Skagit Co. Treasurer
By MF Deputy

I certify that I know or have satisfactory evidence that JANE M. KERKORIAN signed this instrument, on oath stated that she was authorized to execute the instrument and acknowledge it as the Personal Representative of the Estate of Arthur J. Kerkorian to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED this 27th day of September, 2012.



Diane C Myers
Signature of Notary Public
DIANE C MYERS
Name of Notary Public
NOTARY PUBLIC
My Appointment Expires: 3-21-2013



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ACCEPTANCE OF PARTIAL ASSIGNMENT AND POWER OF ATTORNEY

In consideration of the foregoing Partial Assignment of Lease, the undersigned hereby accepts and approves said Partial Assignment of lease and hereby appoints and constitutes ANACORTES MARINE ENTERPRISES, INC., a Washington corporation, the Declarant of the ANACORTES MARINE CONDOMINIUM and/or the ANACORTES MARINA OWNERS ASSOCIATION, if constituted, as her true and lawful attorney(s)-in-fact and agent for the following purposes (and only said purposes) for the duration of the periods provided in said paragraphs of said Declaration, as amended:

- (a) For the purposes provided in Subparagraph 10.3.19
- (b) To the extent provided in Paragraph 22 of said Declaration, to cause an amendment to said Declaration to be recorded and to execute such amendments and other documents as may be reasonably required to effectuate said purposes, and upon behalf of the undersigned to perform such acts and/or pay upon receipt of any such payments as may be required pursuant to the Consent to Assignment and approval dated August 5, 1981, executed by the Department of Natural Resources of the State of Washington and ANACORTES MARINE ENTERPRISES, INC., it being expressly agreed that the foregoing power is coupled with an interest and irrevocable so long as Assignee is the owner of any apartment and/or moorage slip of the ANACORTES MARINE CONDOMINIUM or has any interest therein.

IN WITNESS WHEREOF, the undersigned has executed this Acceptance of Partial Assignment and Power of Attorney this 27 day of SEPT, 2012.

ASSIGNEE:

Jane M. Kerkorian
Jane M. Kerkorian

STATE OF OREGON)
COUNTY OF Curry) ss.

On this 27th day of SEPT, 2012, before me, the undersigned, a Notary Public in and for the State of OREGON, duly commissioned and sworn, personally appeared Jane M. Kerkorian to me known to be the individual described in and who executed the foregoing instrument and acknowledged to me that she signed and sealed the said instrument as her free and voluntary act and deed for the purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.

Diane C Myers
Notary Public in and for the
State of Washington, Oregon
Residing at GOLD BEACH OR



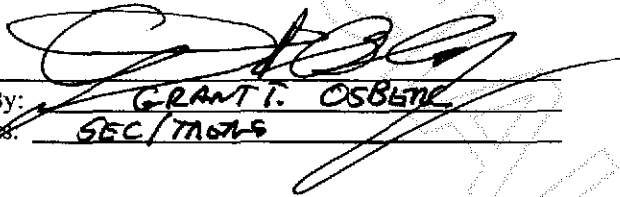
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CONSENT OF DECLARANT

ANACORTES MARINE ENTERPRISES, INC., Grantor in the above described ANACORTES MARINE ENTERPRISES, INC., Partial Assignment, does hereby consent to the above assignment of the aforesaid Partial Assignment subject to payments being made from time to time by the Assignee(s) hereof in accordance with said Partial Assignment to cover purchase of Partial Assignment and assessments for the ANACORTES MARINE OWNERS ASSOCIATION, as they become due. This consent does not relieve the Assignor(s) from the obligation to make said payments in the event the Assignee(s) does not make said payments, and by the consent ANACORTES MARINE ENTERPRISE, INC., does hereby consent to this assignment of membership in the ANACORTES MARINE OWNERS ASSOCIATION to the Assignee(s) subject to the approval of the Board of Trustees of the ANACORTES MARINE OWNERS ASSOCIATION.

Dated this 2, day of OCTOBER, 2012.

ANACORTES MARINE ENTERPRISES, INC.


By: GRANT I. OSBORNE
In: SEC/Treas