



201310010093

Skagit County Auditor \$79.00  
10/1/2013 Page 1 of 8 3:57PM

**When Recorded Return To:**

**Donald W. Black**  
**OGDEN MURPHY WALLACE, P.L.L.C.**  
901 Fifth Avenue, Suite 3500  
Seattle, Washington 98164-2008

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX  
2013 4024  
OCT 01 2013

Amount Paid \$ 1,822.48  
Skagit Co. Treasurer  
By *man* Deputy

**CHICAGO TITLE**  
**62007346**

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

Reference Number(s)  
of Related Documents:

200603140130; 200712060103; 200810290110; 201010150104;  
201108220139

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

Grantee:

SKAGIT COUNTY PUBLIC HOSPITAL DISTRICT NO. 2 (d/b/a  
Island Hospital), a Washington municipal corporation

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: 8

Assessor's Tax

Account Number:

P124175; P124177

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

**THIS FOURTH AMENDMENT TO DECLARATION OF ISLAND MEDICAL CENTER CONDOMINIUM** (this "Fourth 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, records of Skagit County, Washington), that Second Amendment to Declaration of Island Medical Center Condominium, recorded under Auditor's File No. 201010150104, records of Skagit County, Washington, and that Third Amendment to Declaration of Island Medical Center Condominium, recorded under Auditor's File No. 201108220139, records of Skagit County, Washington (collectively, the "Declaration").

**RECITALS**

A. Challenge is the Owner of Units 101 and 102 of the Condominium. Unit 102 is an air space unit allowing for additional development by Challenge. Pursuant to Section 5.4 of the Declaration, Challenge has completed construction of improvements to a portion of the lower level of Unit 102 of the Condominium.

B. In connection therewith, and simultaneously with the filing of this Fourth Amendment, the District is purchasing from Challenge the improvements and leasehold interest in the lower level of Unit 102 of the Condominium lying within Unit LL1, according to the altered boundaries shown in the Second Amendment to Survey Map and Plans of Island Medical Center Condominium, which is described more fully in Section 5 hereof.

C. As depicted on the Second Amendment to Survey Map and Plans of Island Medical Center Condominium, the Association and the Unit Owners desire to relocate the boundaries of the Units LL1 and 102 to reflect the improvements to Unit 102 in the lower level of the Condominium as being added to the existing Unit LL1, and to identify the remaining boundaries of Unit 102.

D. In connection with the foregoing, and pursuant to Sections 5.4, 18.4 and 31.1 of the Declaration, the Association and the Unit Owners desire to amend the Declaration to reflect the relocation of the boundaries of Unit LL1 and Unit 102, as set forth herein.

**NOW, THEREFORE**, in consideration of the mutual covenants set forth herein, the parties hereto hereby agree as follows:

Fourth Amendment to Declaration of  
Island Medical Center Condominium  
CAS1022557.DOC;4\14134.010009\



1. **Definitions; References.** All capitalized terms used in this Fourth Amendment not defined herein shall have the meanings given them in the Declaration. References in this Fourth Amendment and in the Declaration to "this Declaration," "herein," "hereto" and words of similar import shall mean the Declaration as modified by this Fourth Amendment.

2. **Effect of Fourth Amendment.** This Fourth Amendment modifies the Declaration. The Declaration, as amended by this Fourth 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 Fourth Amendment, the provisions of this Fourth Amendment shall control.

3. **Conveyance of Lower Level Improvements to District.** Challenge, for good and valuable consideration, the sufficiency and receipt of which are hereby acknowledged, hereby warrants and conveys to the District, all of its right, title and interest in and to the improvements and leasehold interest in the lower level of Unit 102, lying within Unit LL1, according to the altered boundaries shown on the Second Amendment to Survey Map and Plans of Island Medical Center Condominium referenced in Section 5 below.

4. **Reallocation of Size and Percentage of Undivided Interest in Common Elements and Expense.** The information in Section 5.1 of the Declaration for each of the three Units created by the Declaration is hereby amended in its entirety as follows:

Unit No.	Floor	Approx. Sq. Ft.	Percentage of: Undivided Interest, Voting and Sharing of Common Expense and of Common Elements
LL1	Lower Level	15,100	43.339%
101	Main Level	19,740	56.66%
102	Main Level/Lower Level	5,660	0.001%
	<b>Total</b>	<b>40,500</b>	<b>100%</b>

5. **Amended Survey Map and Plans.** Second Amendment to Survey Map and Plans of Island Medical Center Condominium (the "Survey Map and Plans") were prepared in connection with this Fourth Amendment showing the altered boundaries between the Units and were filed with the Auditor of Skagit County, Washington under Auditor's File No. 2013 10010091.

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



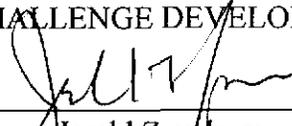
DATED the 19<sup>th</sup> day of September, 2013.

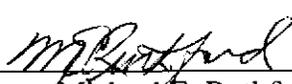
**ASSOCIATION:**

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

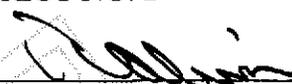
**UNIT OWNERS:**

CHALLENGE DEVELOPMENTS II, L.L.C.

  
By: Jerald Zavolney  
Its: Member

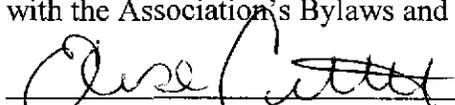
  
By: Michael E. Ruthford  
Its: Member

SKAGIT COUNTY PUBLIC HOSPITAL  
DISTRICT NO. 2

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

**ATTEST:**

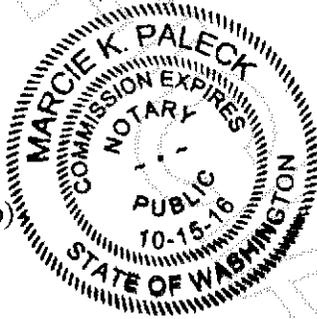
The undersigned hereby attests that the Fourth Amendment was properly adopted in accordance with the Association's Bylaws and the provisions of Section 31.1 and 18.4 of the Declaration.

  
By: Elise Cutter  
Its: Secretary, Board of Directors of Island Medical  
Center Condominium Association

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: September 19, 2013.



(Seal or stamp)

Marcie K. Paleck  
(Signature)

MARCIE K. PALECK

(Name legibly printed or stamped)  
Notary Public in and for the State of Washington,  
residing at Mount Vernon  
My appointment expires Oct. 15, 2016

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF SKAGIT )

I certify that I know or have satisfactory evidence that Elise Cutter is the person who appeared before me, and said person acknowledged that she who 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: September 19, 2013.



(Seal or stamp)

Marcie K. Paleck  
(Signature)

MARCIE K. PALECK

(Name legibly printed or stamped)  
Notary Public in and for the State of Washington,  
residing at Mount Vernon  
My appointment expires Oct. 15, 2016



201310010093

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF SKAGIT )

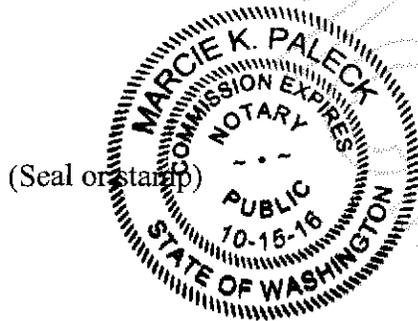
I certify that I know or have satisfactory evidence that Jerald Zavalney is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Member of Challenge Developments II, L.L.C.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

Dated: October 1, 2013.

Marcie K Paleck  
(Signature)

MARCIE K. PALECK

(Name legibly printed or stamped)  
Notary Public in and for the State of Washington,  
residing at Mount Vernon  
My appointment expires Oct. 15 2016



STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF SKAGIT )

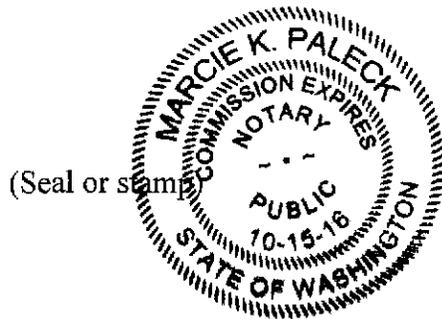
I certify that I know or have satisfactory evidence that Michael E. Ruthford is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Member of Challenge Developments II,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

Dated: September 19, 2013.

Marcie K Paleck  
(Signature)

MARCIE K. PALECK

(Name legibly printed or stamped)  
Notary Public in and for the State of Washington,  
residing at Mount Vernon  
My appointment expires Oct. 15 2016



STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF SKAGIT )

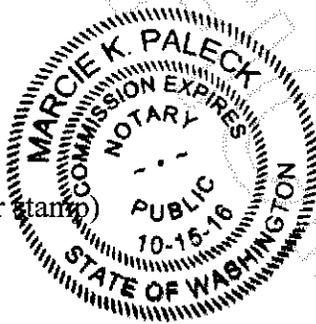
I certify that I know or have satisfactory evidence that Vincent C. Oliver is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Superintendent and Chief Executive Officer 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: September 19, 2013.

Marcie K. Paleck  
(Signature)

MARCIE K. PALECK

(Seal or stamp)



(Name legibly printed or stamped)  
Notary Public in and for the State of Washington,  
residing at Mount Vernon  
My appointment expires October 15 2016



## 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.

