



201601260089

Skagit County Auditor

\$152.00

1/26/2016 Page

1 of

7 11:14AM

**SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX**

2016 2 33
JAN 26 2016

After Recording Return To:

PORT OF SKAGIT COUNTY
15400 AIRPORT DRIVE
BURLINGTON, WA 98233

Amount Paid \$ 4,455.⁰⁰
Skagit Co. Treasurer
By *mm* Deputy

ASSIGNMENT OF LEASE AND CONSENT THERETO

DATED THIS 12th DAY OF JANUARY, 2016

Reference number(s) of document(s) assigned or released: 200807160134

Grantor: OFFSPRING INVESTMENTS, LLC, an Oregon limited liability company
 Grantee: LOWTHER LAND & TIMBER, LLC, an Oregon limited liability company

Abbreviated Legal: Leasehold on Lot 6, B.S.P. PL06-0913; Being a Ptn of Lot 80, Skagit Regional
 Airport B.S.P. Ph. 1.

Additional Legals on page(s): Exhibit "A"

Assessor's Parcel/Tax ID Number: 8071-000-006-0000; P123358

Land Title and Escrow

154145-OAE

A. RECITALS

WHEREAS, the PORT OF SKAGIT COUNTY, a Washington municipal corporation, ("Lessor"), and OFFSPRING INVESTMENTS, LLC, an Oregon limited liability company entered into a lease for real property, which is legally described in the attached Exhibit "A" (the "Premises") and which lease was dated July 1, 2008 and recorded July 16, 2008 under Skagit County Auditor's file number 200807160134 ("Lease"); and

WHEREAS, OFFSPRING INVESTMENTS, LLC, an Oregon limited liability company, ("Assignor") has transferred the improvements on the Premises and wishes to assign the Tenant's interest in the Lease to LOWTHER LAND & TIMBER, LLC, an Oregon limited liability company, ("Assignee"), of which transfer and assignment the Lessor approves; and

NOW, THEREFORE, BASED ON THE FORGOING, THE PARTIES NOW ACT AND AGREE AS FOLLOWS:

PORT OF SKAGIT
ASSIGNMENT OF LEASE WITH CONSENT THERETO
ASSIGNOR: OFFSPRING INVESTMENTS, LLC
ASSIGNEE: LOWTHER LAND & TIMBER, LLC

B. ASSIGNMENT

FOR VALUE RECEIVED: (1) Assignor, hereby grants, bargains, sells, assigns, transfers and delivers unto Assignee, Assignor's interest in the Lease; and (2) Assignee hereby agrees to accept assignment of the Lease.

C. CONSENT

Lessor hereby consents to the forgoing Assignment of the Lease subject to and contingent upon compliance with the following agreements and conditions:

1. Assignee hereby unconditionally: (a) assumes all of Assignor's obligations contained in the Lease; and (b) accepts, and agrees and covenants to comply with, and guarantees performance and fulfillment of, all the terms and conditions contained in the Lease.

2. Assignor hereby agrees to comply with all its financial obligations as Lessee incurred to the Lessor through the date of assignment or as thereafter may be determined to have been incurred prior to the date of assignment.

3. A determination by the Lessor, at its sole discretion, that: (a) Assignee is financially responsible to meet Lessee's financial obligations pursuant to the Lease.

4. The Assignee hereby agrees that all notices and payments hereunder may be delivered or mailed as set forth herein. If delivered by messenger, courier (including overnight air courier) or facsimile transmittal, the same shall be deemed delivered when received at the street addresses or facsimile numbers listed below. Lessor shall have no obligation to deliver any notice to Assignor. All notices and payments mailed, whether sent by regular post or by certified or registered mail, shall be deemed to have been given on the second business day following the date of mailing, if properly mailed to the mailing addresses provided below, and shall be conclusive evidence of the date of mailing. The parties may designate new or additional addresses for mail or delivery by providing notice to the other party as provided in this section.

To Lessor: Street Address:
Port of Skagit County
15400 Airport Drive
Burlington, WA 98233
Phone No.: (360) 757-0011
Fax No.: (360) 757-0014

Mailing Address:
Port of Skagit County
15400 Airport Drive
Burlington, WA 98233


To Assignee: Street Address:
Lowther Land & Timber, LLC
c/o Fred Lowther
5060 S.W. Philomath Boulevard #502
Corvallis, OR 97333


Mailing Address:
Same as Street Address

The signature of Assignor hereinafter made constitutes evidence of Assignor's acceptance of the terms and conditions herein stated as set forth in paragraph C above. The signature of the Assignee hereinafter made constitutes evidence of Assignee's acceptance of the terms and conditions herein stated and agreement to comply with the matters referenced in the paragraph C above and Assignee's guarantee of the performance and fulfillment of the obligations in the Lease.

ASSIGNOR:
OFFSPRING INVESTMENTS, LLC

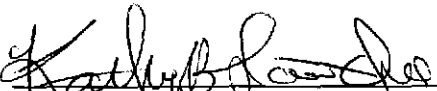
ASSIGNEE:
LOWTHER LAND & TIMBER, LLC


By: Fred Lowther
Its: Member/manager


By: Fred Lowther
Its: Member/manager

Date: 1-19-16

Date: 1-19-16

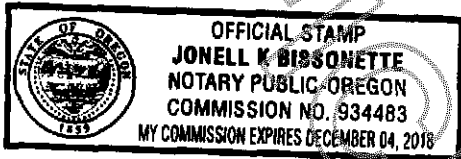

By: Kathy Lowther
Its: Member

Date: 1-19-2016



State of Oregon)
) ss
County of Benton)

I certify that I know or have satisfactory evidence that FRED LOWTHER is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as the Member/manager of Offspring Investments, LLC, an Oregon limited liability company, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.



Dated: 11/19/2016
[Signature]
(Signature)
NOTARY PUBLIC
Jonell K Bissonette
Print Name of Notary
My appointment expires: 12.4.18

State of Oregon)
) ss
County of Benton)

I certify that I know or have satisfactory evidence that KATHY LOWTHER is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as a Member of Offspring Investments, LLC, an Oregon limited liability company, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.



Dated: 11/19/2016
[Signature]
(Signature)
NOTARY PUBLIC
Jonell K Bissonette
Print Name of Notary
My appointment expires: 12.4.18

JO
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COM
COMMISS.

State of Oregon)
) ss
County of Benton)

I certify that I know or have satisfactory evidence that FRED LOWTHER is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as the Member/manager of Lowther Land & Timber, LLC, an Oregon limited liability company, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.



Dated: 1/19/2016
[Signature]
(Signature)
NOTARY PUBLIC
Jonell K. Bissonette
Print Name of Notary
My appointment expires: 12.4.18

PORT OF SKAGIT
ASSIGNMENT OF LEASE WITH CONSENT THERETO
ASSIGNOR: OFFSPRING INVESTMENTS, LLC
ASSIGNEE: LOWTHER LAND & TIMBER, LLC

OFFICIAL
NOTARY PUBLIC
COMMISSION EXPIRES

Exhibit "A"
Legal Description

Lot 6, Binding Site Plan No. PL06-0913, approved May 16, 2007, May 17, 2007, June 5, 2007 and June 18, 2007, recorded June 18, 2007, under Auditor's File No. 200706180136, being a portion of Lot 80, AMENDED SKAGIT REGIONAL BINDING SITE PLAN, PHASE 1, PL02-0127, dated February 28, 2003, recorded March 4, 2003, under Auditor's File No. 200303040030, all records of Skagit County, Washington, further, being a portion of Section 3, Township 34 North, Range 3 East, W.M. AND of Sections 33 and 34, Township 35 North, Range 3 East, W.M.;

(ALSO shown of record as Lot 6 of that certain Survey recorded May 17, 2005, under Skagit County Auditor's File No. 200505170135)

Situate in the County of Skagit, State of Washington.

MP
NETTE
REGON
34483
ER 04, 2018