



201704100223

Skagit County Auditor

\$134.00

4/10/2017 Page

1 of

12 3:58PM

Document Title:

United States Department of the Interior Bureau of Indian Affairs,

Reference Number: LeaseGrantor(s):☐ additional grantor names on page ____

1. BIA

Land Title and Escrow

2.

01-161670-0E

Grantee(s):☐ additional grantee names on page ____

1. Mooney

2.

Abbreviated legal description:☐ full legal on page(s) ____Ptn GL 4, 34-34-2 E W.M. (AKA Lot 34, Cobahud Waterfront Trs.,
Swinomish Reservation).Assessor Parcel / Tax ID Number:☐ additional tax parcel number(s) on page ____

P129616 (\$3402340043)

I, Kathy Rodgers, am hereby requesting an emergency non-standard recording for an additional fee provided in RCW 36.18.010. I understand that the recording processing requirements may cover up or otherwise obscure some part of the text of the original document. Recording fee is \$73.00 for the first page, \$1.00 per page thereafter per document. In addition to the standard fee, an emergency recording fee of \$50.00 is assessed. This statement is to become part of the recorded document.

Signed

Kathy Rodgers

Dated

04-10-2017

Annual Rent: \$7,187 + \$10.00 Tideland
AOS/Performance Bond: \$7,187

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

20171445
APR 10 2017

Amount Paid \$ 2735.73
Skagit Co. Treasurer
By *nam* Deputy

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

ASSIGNMENT OF LEASE

Allotment: 122 39 Cobahud Waterfront Tracts Lease Number: 122 2086840555 HS

*HUSBAND AND WIFE

It is hereby agreed by and between Allison D. Weymouth and Kim R. Weymouth, *Lessee(s), and the Cobahud Waterfront Landowners, Allotment No. 122 39, Swinomish Indian Reservation, Lessors, that Lease Number 122 2086840555 HS covering Lot 34, of the Cobahud Waterfront Tracts, Described as:

Lot 34 of the Cobahud Waterfront Tracts, according to the unrecorded plat thereof on file in the office of Department of the Interior, Western Washington Bureau of Indian Affairs, Puget Agency, and as:

That portion of Government Lot 4, in Section 34, Township 34 North, Range 2 East, W.M., described as follows:

Beginning at the Southeast corner of said Government Lot 4;
Thence South 89° 47' West, a distance of 151.2 feet;
Thence North 4° 00' West, a distance of 360.00 feet to the true point of beginning;
Thence continue North 4° 00' West, a distance of 50.00 feet;
Thence South 89° 47' West, a distance of 188.60 feet, more or less, to the shore of Skagit Bay;
Thence Southerly along the shore of Skagit Bay to a point South 89° 47' West of the true point of beginning;
Thence North 89° 47' East 177.40 feet, more or less, to the true point of beginning;

Said Parcel also known as Tract 34 of the unrecorded plat of "Cobahud Waterfront Tracts Swinomish Reservation, Skagit County, Washington", on file with the United States Department of the Interior Bureau of Indian Affairs, Western Washington Indian Agency, (now Puget Sound Agency) in Everett, Washington.

Situated in Skagit County, State of Washington.

be assigned to the following:

To assign the lease to the name of Loren Scott Mooney and Jane M. Goldsmith Mooney, of 3300 Meridian Ave North Ste 410, Seattle, WA 98103.

*HUSBAND AND WIFE

The lease is modified as follows:

A. Lessors and Lessees acknowledge that Lessees agree to the following payment schedule:

1. The lease is now paid to the date of May 31, 2017.
 2. Beginning June 1, 2019, the annual rental amount will be adjusted according to Provision 1.3 and 1.4 set out below. For the year 2019 and forward, the annual rent and tideland fee will be due on June 1st of each year.
 3. A pro-rated rent is due for the period of October 1, 2016 thru May 31, 2017 in the amount of \$4,833. On June 1, 2017 the annual rent of \$7,250 Annual Rent + \$10.00 Tideland shall be due.
 4. The tideland fee \$10.00 will be due on June 1st of each year along with the annual rent.
- B. Provisions 7 in the Lease are deleted, and new Provisions 7 (a) and 7 (b) shall read as follows:
7. Rent shall be adjusted every fourth year starting on June 1, 2019, for the remaining term of this lease. Except for years 2023, 2035, and 2047, rent will be adjusted by increasing or decreasing the most recent annual rent by a percentage calculated as follows:
 - a. The percentage change will be the median average percentage change over four years in the land portion of assessed value of the 253 waterfront and water view properties identified in the attached chart. The percentage change will be the difference between (i) the assessed land values for the 253 properties as of the most recent year in which the annual rent was set and (ii) the assessed land values for the 253 properties as of the year in which the adjustment is effective. For example, the adjustment effective on June 1, 2019, and will be based on the median percentage change in the assessed land values between the Tax years 2015 and 2019.
- Skagit County's assessed Land Market values will be used to determine the percentage change in this process. Currently, the number of parcels used to calculate that percentage change is 253. Because of the potential changes to a parcel's status, the precise number of parcels used to determine the percentage change may vary slightly from year to year. If any of these parcels on the attached chart changes its use from residential it will be deleted from the chart. If any parcel is subdivided, it will be deleted from the chart for the next adjustment, but the newly created parcels will again be included on the chart as soon as Skagit County tax assessments based upon two successive physical inspections of each parcel are known.

Annual Rent: \$7,187 + \$10.00 Tideland
AOS/Performance Bond: \$7,187

7(b) Rental Adjustment. For the years 2023, 2035, and 2047 the Bureau of Indian Affairs will adjust the rent using an appraisal to determine fair annual rent of the leased lot. The appraiser shall follow the Uniform Standards of Professional Appraisal Practice (USPAP).

This assignment is adding the following provisions:

23. Lessee has access to Tribal tidelands subject to Swinomish Tribal Code 23, Tribal Tidelands, which can be found at <http://www.swinomish-nsn.gov/government/tribal-code.aspx>. Under this code, tidelands adjacent to the Pull & Be Damned area (Ray Paul Waterfront Tracts, Cobahud Waterfront Tracts, Capet Zalsiluce Waterfront Tracts, Dr. Joe Waterfront Tracts I and II) are identified as Zone H, and open to recreational uses by any person with lawful access.

24. Bonds.

An Assignment of Savings or Surety Bond to cover the amount equal to one year of rent (\$7,250 Annual Rent) is also required. An additional option to the Assignment of Savings or Performance Bond is to acquire a CD (Cash Deposit) with a financial institution in your name and the name of the Bureau of Indian Affairs. This CD will have the same release requirements as the Assignment of Savings which must equal one year rental amount.

25. Residential Use

Lessee will use and allow the use of said premises for residential dwelling purposes only and will not, at any time during said term; erect, place, maintain or allow on said premises more than one single family dwelling (exclusive of a personal automobile garage and/or accessory buildings which, if an accessory building, shall not exceed 500 square feet provided a tribal building on said premises any livestock including, but not limited to: poultry, rabbits or fowl, nor use nor allow the use of any building or structure on said premises as a tenement house, rooming house, apartment house, vacation rental, or for or in connection with the carrying on of any business, commerce or trade whatsoever; unless such business, commerce or trade is specifically allowed by applicable Tribal zoning ordinances, and landowner approval is obtained in writing.

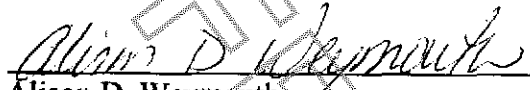
26. Payments of Taxes and Assessment

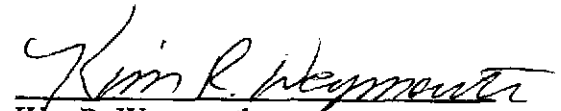
Lessee will pay before they become delinquent any and all real, leasehold, use, occupancy, excise and/or personal property taxes and assessments of every description to which said premises or any part thereof or any improvement thereon or to which Lessor or Lessee, in respect thereof, are now or may, during said term, be assessed or become liable, whether assessed to or payable by Lessor or Lessee, including any tax imposed by the Swinomish Indian Tribal Community and specifically including the Swinomish Trust Improvement Use and Occupancy Tax; PROVIDED HOWEVER, that with respect to any assessment made under any betterment or improvement law or special assessment which may be payable in installment. Lessee shall be required to pay only such installments, together with interest, as shall become due and payable during said term.

Annual Rent: \$7,187 + \$10.00 Tideland
AOS/Performance Bond: \$7,187


This Lease Number 122 2086840555 HS expires on April 10, 2055.

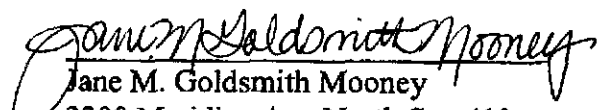
Seller(s):


Alison D. Weymouth
Post Office Box 236
La Conner, Washington 98257


Kim R. Weymouth
Post Office Box 236
La Conner, Washington 98257

Lessee(s):


Loren Scott Mooney
3300 Meridian Ave North Ste. 410
Seattle, Washington 98103


Jane M. Goldsmith Mooney
3300 Meridian Ave North Ste. 410
Seattle, Washington 98103

Trust Signatories:

Anthony Damien, for himself and
Shaun M. Damien, Walter Damien,
Bertha W. Dan Jr., Ernestine (Bobb)
Helbrick and Alma Damien
4247 Morning Glory Road
Colorado Springs, CO 80920
(719) 282-0103
Ownership Represented 0.0962962962

State of Washington }
County of Skagit } SS:

I certify that I know or have satisfactory evidence that Kim R. Weymouth and Alison D. Weymouth
the person(s) who appeared before me, and said person(s) acknowledged that they
signed this instrument and acknowledge it to be free and voluntary act for the
their
uses and purposes mentioned in this instrument.

Dated: March 28, 2017




Karen Ashley
Karen Ashley
Notary Public in and for the State of Washington

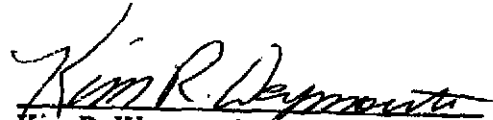
Residing at: Sedro-Woolley
My appointment expires: 9/11/2018

Annual Rent: \$7,187 + \$10.00 Tideland
AOS/Performance Bond: \$7,187

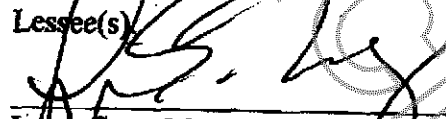
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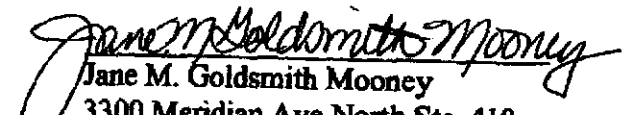
Seller(s):


Alison D. Weymouth
Post Office Box 236
La Conner, Washington 98257

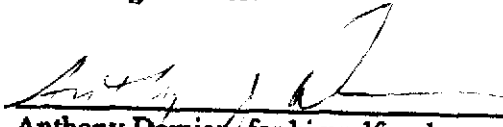

Kim R. Weymouth
Post Office Box 236
La Conner, Washington 98257

Lessee(s)


Loren Scott Mooney
3300 Meridian Ave North Ste. 410
Seattle, Washington 98103


Jane M. Goldsmith Mooney
3300 Meridian Ave North Ste. 410
Seattle, Washington 98103

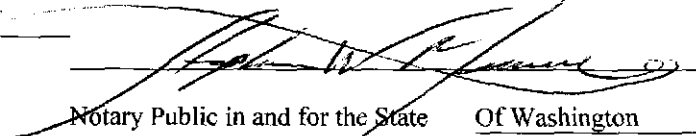
Trust Signatories:


Anthony Damien, for himself and
Shaun M. Damien, Walter Damien,
Bertha W. Dan Jr., Ernestine (Bobb)
Helbrick and Alma Damien
4247 Morning Glory Road
Colorado Springs, CO 80920
(719) 282-0103
Ownership Represented 0.0962962962

State of Washington }
County of KING } SS:

I certify that I know or have satisfactory evidence that Loren Scott Mooney and Jane M. Goldsmith Mooney are the person(s) who appeared before me, and said person(s) acknowledged that they signed this instrument and acknowledge it to Be their free and voluntary act for the uses and purposes mentioned in this instrument.

Dated: 25 MARCH, 2017



Notary Public in and for the State Of Washington
Residing at: SEATTLE
My appointment expires: 27 AUG, 2017



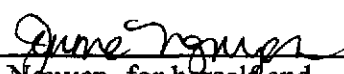
Annual Rent: \$7,187 + \$10.00 Tideland
AOS/Performance Bond: \$7,187

Helen Lewis, for herself and
Brent Bob, Adrienne Terece Scates Hunter,
Juliette D Scates, Tina Lawrence, Sandra
Washington, Romi P Scates, Steven LaPointe
Lawney C. LaPointe and Frances E. Bob
2085 Lummi Shore Road
Bellingham, Washington 98226
(360)758-2255

Ownership represented: 0.1486111112

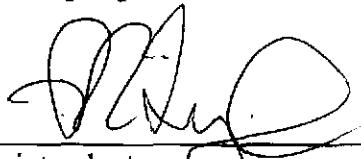

John Stephens, POA for
Ethel Marie Barber
17337 Reservation Road
La Conner, Washington 98257
(360) 466-7216

Ownership represented: 0.1444444444


Jennie A. Nguyen, for herself and
Ivan C. Willup Jr., Ivan C. Willup Sr., and Brenda S. Bobb
1811 N 35th Street
Mount Vernon, Washington 98273
(360) 202-2557

Ownership represented: 0.0520833333

ACTING


Superintendent
Estate of Errol Jansen, Dennis Howell, and Wendy Olsen
And a Guardianship account.
Bureau of Indian Affairs
Puget Sound Agency
2707 Colby Avenue Suite 1101
Everett, Washington 98201
(425) 258-2651, ext. 231
Per 25 CFR 162.601

Ownership represented: 0.0493055555

Annual Rent: \$7,187 + \$10.00 Tideland
AOS/Performance Bond: \$7,187

Helen Lewis
Helen Lewis, for herself and
Brent Bob, Adrienne Terece Scates Hunter,
Juliette D Scates, Tina Lawrence, Sandra
Washington, Roni P Scates, Steven LaPointe
Lawney C. LaPointe and Frances E. Bob
2085 Lummi Shore Road
Bellingham, Washington 98226
(360)758-2255

Ownership represented: 0.1486111112

John Stephens - POA
John Stephens, POA for
Ethel Marie Barber
17337 Reservation Road
La Conner, Washington 98257
(360) 466-7216

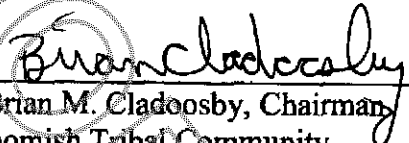
Ownership represented: 0.1444444444

Jennie A. Nguyen, for herself and
Ivan C. Willup Jr., Ivan C. Willup Sr., and Brenda S. Bobb
1811 N 35th Street
Mount Vernon, Washington 98273
(360) 202-2557

Ownership represented: 0.0520833333

Superintendent
Estate of Errol Jansen, Dennis Howell, and Wendy Olsen
And a Guardianship account.
Bureau of Indian Affairs
Puget Sound Agency
2707 Colby Avenue Suite 1101
Everett, Washington 98201
(425) 258-2651, ext. 231
Per 25 CFR 162.601
Ownership represented: 0.0493055555

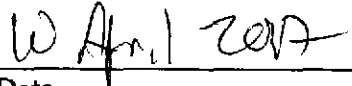
Annual Rent: \$7,187 + \$10.00 Tideland
ACS/Performance Bond: \$7,187


M. Brian M. Cladoosby, Chairman
Swinomish Tribal Community
11404 Moorage Way
La Conner, Washington 98257-0817
Ownership Represented: 0.1027006172

TOTAL OWNERSHIP REPRESENTED: 0.5934413578

The assignment is hereby approved and declared to be made in accordance with the law and the rules and regulations prescribed by the Secretary of the Interior thereunder, and now in force.

Approved pursuant to 209 DM 8, 230 DM 1, 3 IAM 4, 4A and 25 CFR Part 162 Subpart C Residential Leasing.


Date

ACTING


Superintendent
Puget Sound Agency

Area	Pnumber
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ShelterBay	P69081
ShelterBay	P69082
ShelterBay	P69083
ShelterBay	P69084
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Area	Pnumber
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Area	Pnumber
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