

201606080068  
Skagit County Auditor

6/8/2016 Page

1 of

4

\$76.00

3:50PM

201705300207  
Skagit County Auditor

5/30/2017 Page

1 of

6

\$78.00

4:28PM

WHEN RECORDED RETURN TO:

Mark A. Lackey  
BELCHER SWANSON LAW FIRM, P.L.L.C.  
900 Dupont Street  
Bellingham, WA 98225

**\*\*Document being re-recorded to  
correct legal description on  
Exhibit "A" attached\*\***  
GUARDIAN NORTHWEST TITLE CO.

Document Title: Amendment to Access and Utilities Easement  
Grantor: George Leo Wolden Trustee of the Wolden Charitable Trust dated September 24, 2010  
Grantee: Burlington Hill Holdings II, L.L.C., a Washington limited liability company; and Burlington Hill Holdings I, L.L.C., a Washington limited liability company  
Legal Description: A portion of Tracts 10, 18, 19 and 20 of the Plat of Burlington Acreage Property  
Assessor's Tax Parcel Nos: P 62328; P102189; P62387; P62325; P102188; P62320; P62331  
\*\* P115531

### AMENDMENT TO ACCESS AND UTILITIES EASEMENT

**THIS AMENDMENT TO ACCESS AND UTILITIES EASEMENT**, is made and entered into this 7<sup>th</sup> day of June, 2016, by and between George Leo Wolden Trustee of the Wolden Charitable Trust dated September 24, 2010 ("**Grantor**"); Burlington Hill Holdings II, L.L.C., a Washington limited liability company ("**Burlington Hill II**"); and Burlington Hill Holdings I, L.L.C., a Washington limited liability company ("**Burlington Hill I**").

### **RECITALS**

A. Burlington Hill I owns real property situated in Skagit County, Washington, legally described on the attached Exhibit "A" (the "**Burlington Hill I Property**").

B. Grantor and Burlington Hill II entered into an Access and Utilities Easement, recorded March 7, 2016, under Skagit County Auditor's File No. 2016 03070112 (the "**Easement**").

C. The parties desire to add the Burlington Hill I Property to the Benefited Property, as defined in the Easement. Grantor and Grantee desire to clarify the Existing Easements and grant additional easements pursuant to the terms and conditions included herein.

**NOW, THEREFORE**, in consideration of the mutual covenants contained in herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **Benefited Property.** The parties hereby agree the Burlington Hill I Property shall be part of the Benefited Property.

2. **Benefit.** Section 6 of the Easement shall be amended and replaced as follows:

The Easements granted herein are for the benefit of the Benefited Property, Burlington Hill Holdings II, L.L.C., Burlington Hill Holdings I, L.L.C., and any of their heirs, assigns, successors, or personal representatives.

3. **Modification.** Except as modified herein, all other terms and conditions of the Easement shall remain in full force and effect.

**IN WITNESS THEREOF**, the parties have executed this document as of the date first above written.

~~SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX~~

**GRANTOR:**

~~JUN 08 2016~~

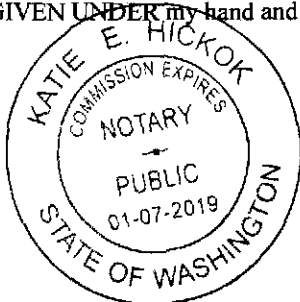
~~Amount Paid \$  
By Skagit Co. Treasurer Deputy  
MF~~

~~George Leo Wolden~~  
\_\_\_\_\_  
GEORGE LEO WOLDEN  
Trustee of the Wolden Charitable Trust  
dated September 24, 2010

STATE OF WASHINGTON )  
: ss.  
COUNTY OF SKAGIT )

On this 7<sup>th</sup> day of June, 2016, before me personally appeared GEORGE LEO WOLDEN AS TRUSTEE OF THE WOLDEN CHARITABLE TRUST DATED SEPTEMBER 24, 2010, to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged to me that he signed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN UNDER my hand and official seal the day and year first above written.



Katie E. Hickok  
Print Name: Katie E. Hickok  
Notary Public in and for the State of Washington,  
residing at Wetmore  
My commission expires: 1-7-19

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

201723553  
MAY 30 2017

Amount Paid \$  
Skagit Co. Treasurer  
By Mh Deputy

BURLINGTON HILL HOLDINGS I, L.L.C.

By [Signature]  
ADAM WARE, Member

BURLINGTON HILL HOLDINGS II, L.L.C.

By [Signature]  
ADAM WARE, Member

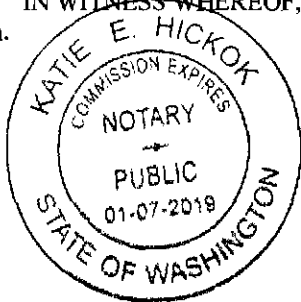
STATE OF WASHINGTON )

: ss.

COUNTY OF SKAGIT

On this 7<sup>th</sup> day of June, 2016, before me personally appeared ADAM WARE, to me known to be a member of Burlington Hill Holdings I, LLC, the limited liability company that executed the within and foregoing instrument to be the free and voluntary act and deed of said limited liability company for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.



[Signature]  
Print Name: Katie E. Hickok  
Notary Public in and for the State of Washington,  
residing at W. Vernon  
My commission expires: 1-7-19

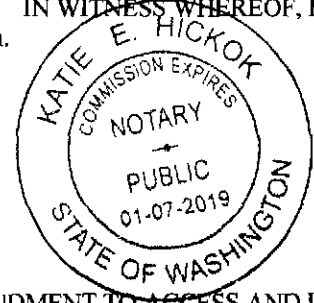
STATE OF WASHINGTON )

: ss.

COUNTY OF SKAGIT

On this 7<sup>th</sup> day of June, 2016, before me personally appeared ADAM WARE, to me known to be a member of Burlington Hill Holdings II, LLC, the limited liability company that executed the within and foregoing instrument to be the free and voluntary act and deed of said limited liability company for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.



[Signature]  
Print Name: Katie E. Hickok  
Notary Public in and for the State of Washington,  
residing at W. Vernon  
My commission expires: 1-7-19

**EXHIBIT "A"**  
**(Burdened Property)**

P62331

3867-000-011-0201

BURLINGTON AC P/N TR 11 DAF COM N ¼ COR 32-35-4 TH S 2-11-42 W ALG N/S/ & 1171.00 FT TPOB  
~~TH S 87-48-18 E 287.55 TH S 2-11-42 W 177.60 FT TO POB~~

**EXHIBIT "A"**  
**(Benefitted Property)**

P62331

3867-000-011-0201

BURLINGTON AC PTN TR 11 DAF COM N ¼ COR 32-35-4 TH S 2-11-42 W ALG N/S/ & 1171.00 FT TPOB  
TH S 87-48-18 E 287.55 TH S 2-11-42 W 177.60 FT TO POB

P115131

All that portion of Lot 10, "PLAT OF THE BURLINGTON ACREAGE PROPERTY", as per plat recorded in Volume 1 of Plats, page 49, records of Skagit County, Washington, described as follows:

Commencing at the North quarter corner of Section 32, Township 35 North, Range 4 East, W.M., said county and state, said point being shown as a brass tack in rock on Sheet 4 of 4, "BURLINGTON HILL BUSINESS PARK PHASE II BINDING SITE PLAN", according to the map thereof recorded in Volume 13 of Short Plats, pages 53 through 56, under Auditor's File No. 9710290033, in the Auditor's office of said county and state;

Thence South 0 degrees 47'23" West along the North-South centerline of said Section 32 for a distance of 951.00 feet to a point 20.00 feet North of the North line of the parcel conveyed to Continental Telephone of the Northwest;

Thence North 89 degrees 12'37" West on a line 20 feet North of and parallel to the North line of said parcel for a distance of 62.50 feet to a point on the West margin of an existing gravel road;

Thence continuing North 89 degrees 12'37" West for a distance of 32.79 feet to a point 25.00 feet Westerly of, as measured at right angles to, said West margin and the True Point of Beginning;

Thence North 24 degrees 32'20" East along a line parallel with said West margin for a distance of 14.00 feet;

Thence North 27 degrees 31'42" East, continuing to follow a line parallel with said West margin, for a distance of 52.06 feet;

Thence North 33 degrees 55'22" East, continuing to follow a line parallel with said West margin, for a distance of 21.87 feet to its intersection with the North line of the Park Reserve Tract as shown on said "Plat of the Burlington Acreage Property";

Thence South 89 degrees 19'35" West along said North line for a distance of 95.71 feet to the Northwest corner of said Park Reserve Tract;

Thence South 0 degrees 47'23" West for a distance of 75.18 feet to a point on the Westerly extension of said line 20 feet North of and parallel to the North line of the Continental Telephone of the Northwest tract;

Thence South 89 degrees 12'37" East along said extension for a distance of 54.66 feet to the True Point of Beginning.

All situate in the City of Burlington, County of Skagit, State of Washington.

P62325

That portion of Lot 10, PLAT OF THE BURLINGTON ACREAGE PROPERTY" as per plat recorded in Volume 1 of Plats, Page 49 records of Skagit County, Washington described as follows:

GRANTOR INITIALS: EW

GRANTEE INITIALS: JS

**EXHIBIT "A" - continued  
(Benefitted Property)**

Begin at the Northerlymost corner of Tract "J" of the "PLAT OF TINAS COMA", as per plat recorded as Skagit County Auditor's File No. 200008110004, which point is on the Southwesterly line of Bella Vista Lane as delineated on the face of said plat; thence Northwesterly along the West line of Bella Vista Lane, a distance of 32 feet, to the True Point of Beginning; thence reverse course Southeasterly along the West line of Bella Vista Lane 32 feet to the Point of Beginning; thence South  $00^{\circ}47'24''$  West 42.96 feet to an angle point in the North line of said Tract "J"; thence continue along the North line of said Tract "J" South  $89^{\circ}19'35''$  West, a distance of 54.29 feet; thence continue South  $89^{\circ}19'35''$  West 95.71 feet to the Northwest corner of that certain Parcel "A" conveyed to Leo Wolden by deed recorded as Auditor's File No. 9905240015; thence North  $0^{\circ}47'23''$  East along the Northerly extension of the West line of said Wolden Tract 30 feet, more or less, to a point on a line parallel with and 30 feet North of said Wolden Tract; thence North  $89^{\circ}19'35''$  East along said parallel line a distance of 95.71 feet; thence Northeasterly in a straight line to the True Point of Beginning.

Said property being a portion of Tract "A" of Skagit County Short Plat No. 13-84 approved May 6, 1985 and recorded May 7, 1985 as Auditor's File No. 8505070009.

GRANTOR INITIALS: SW

GRANTEE INITIALS: W