

AFTER RECORDING RETURN TO:

Brian Gentry
504 E Fairhaven
Burlington WA 98233



201707140127

Skagit County Auditor

\$75.00

7/14/2017 Page

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3 2:57PM

TITLE OF DOCUMENT:

FIRST AMENDMENT TO DECLARATION
OF COVENANTS FOR 48 NORTH PUD

AF# OF AFFECTED DOCUMENT:

AF # 2017 05020029

GRANTOR:

48 NORTH ANACORTES, L.L.C.

GRANTEE:

THE GENERAL PUBLIC

**FIRST AMENDMENT TO DECLARATION OF COVENANTS
FOR 48 NORTH PUD**

Land Title and Escrow

PURPOSE: TO CORRECT TECHNICAL ERRORS

THIS AMENDMENT is made this 29th day of June, 2017, by 48 NORTH ANACORTES, L.L.C., a Washington Limited Liability Company ("Successor Declarant").

WITNESSETH THAT:

WHEREAS, a certain Plat Map establishing 48 North PUD was recorded among the land records of Skagit County, Washington, at Auditor's File No. 201705020028, along with a Declaration of Covenants (the Declaration) benefitting and burdening all the Lots in the 48 North PUD Community, which Declaration was recorded at Auditor's File No. 201705020029; the Declaration has not been previously amended;

WHEREAS, pursuant to 17.3 of the Declaration, the Successor Declarant may unilaterally amend the Declaration of Covenants from time to time; and

WHEREAS, the Declaration contained certain technical errors in Article XVI, including incomplete and incorrect references, respectively, to certain recorded documents described therein;

WHEREAS, the Successor Declarant now wishes to correct such technical errors

NOW, THEREFORE, pursuant to and in compliance with Section 17.3 of the Declaration, the Successor Declarant hereby amends the following Sections of the Declaration, as follows:

16.2.3. Covenant for Upkeep of Private Drainage Facilities. [AF# corrected]

Lots 2, 3, 4, 18, 19, 20, 21, 27, 28, 29 & 30, and Tracts A and B, respectively, are served by private drainage lines located within private storm drainage easements depicted on the Plat Map, as described in Section 4.7 hereof. Provisions for joint use and joint maintenance of such drainage areas, to assure their perpetual maintenance, repair and replacement at the sole cost of such owners, appear in an instrument recorded at Auditor's File No. 201706020017, Records of Skagit County, Washington (the "Joint Maintenance Covenant"). In the event that the owners of such Lots fail to adhere to maintenance standards established in the Joint Maintenance Covenant, the Association may In the event that such Owners fail to properly perform such Upkeep, the Association is authorized to treat such pipes and the easement areas within which they are constructed as Limited Common Areas, and perform any necessary Upkeep on behalf of such Owners; any and all costs so incurred by the Association shall constitute Specially Allocated Assessments against such Lots, as provided in Section 10.1.7 hereof.

16.5.2. Covenant Affecting Parcel to North. [AF # completed]

A Parcel of real property [Skagit County Tax Parcel No. P31586] lying northerly of Oakes Avenue [the "Northerly Parcel"], presently owned by Channel Crossing Limited Liability Company, is subject to the terms of a Covenant [the "Channel Crossing Covenant"] recorded at Auditor's File No. 201707070100, Records of Skagit County, Washington. The Channel Crossing Covenant contains provisions that restrict the maximum height of buildings and vegetation within the Northerly Parcel for the purpose of protecting territorial views to the North available to Occupants of the Community; such provisions shall be deemed incorporated herein by this reference, and may be enforced by individual Lot Owners or by the Association on their behalf, as provided in the Channel Crossing Covenant and in Section 7.2.1 hereof.

EXCEPT as modified by this Amendment, all of the terms and provisions of the Declaration of Covenants are hereby expressly ratified and confirmed and shall remain in full force and effect so as to benefit, burden, bind and run with the land with respect to all of the Lots in the Subdivision.

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IN WITNESS WHEREOF, the Successor Declarant has caused this Amendment to be executed as of the date first written above.

DATED this 29th day of June, 2017.

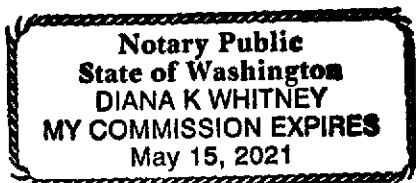
SUCCESSOR DECLARANT:
48 NORTH ANACORTES, L.L.C.

By Kendra Decker
Kendra Decker, its Manager

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

I hereby certify that I know or have satisfactory evidence that KENDRA DECKER 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 Manager of the Successor Declarant, 48 NORTH ANACORTES, L.L.C., to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: JUNE 29th, 2017.



Diana K. Whitney
NOTARY PUBLIC for the State of Washington
Residing at DOW
My Commission expires 15 MAY 2021