



201708180084

Skagit County Auditor

\$132.00

8/18/2017 Page

1 of

9 3:41PM

Land Title and Escrow

Document Title: Assignment of Lease

Reference Number: 02-163372-OE

Grantor(s):

additional grantor names on page ___

1. Willhite, Justin
- 2.

Grantee(s):

additional grantee names on page ___

1. Sano, Christopher
2. Sano, Molly

Abbreviated legal description:

full legal on page(s) ___

PTN Gov. Lot 4, 34-34-2 (AKA Tr. 30, Cobahud waterfront Tr.)

Assessor Parcel / Tax ID Number:

additional tax parcel number(s) on page ___

P95869

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 8-18-17

Annual Rent: \$6,130 + \$10.00 Tideland
AOS/Performance Bond: \$6,130

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

2017-2018
AUG 18 2017

Amount Paid \$ 214.20
By *ML* Skagit Co. Treasurer Deputy

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

ASSIGNMENT OF LEASE

Allotment: 122 39 Cobahud Waterfront Tracts Lease Number: 122 2091721262 HS

It is hereby agreed by and between Justin Willhite, Lessee(s), and the Cobahud Waterfront Landowners, Allotment No. 122 39, Swinomish Indian Reservation, Lessors, that Lease Number 122 2091721262 HS covering Lot 30, of the Cobahud Waterfront Tracts, Described as:

Lot 30 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., Skagit County, State of Washington.

be assigned to the following:

To assign the lease to the name of Christopher Sano and Molly Sano, of 664 N. 47th Street Seattle, Washington 98103. *MS U 616*

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, 2018.
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. The tideland fee \$10.00 will be due on June 1st of each year along with the annual rent.

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

4. 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.

Annual Rent: \$6,130 + \$10.00 Tideland
AOS/Performance Bond: \$6,130

C. Provisions 1.3 and 1.4 in the Lease are deleted, and new Provisions 1.3 and 1.4 shall read as follows:

1.3 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.

- 1.4 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.

Annual Rent: \$6,130 + \$10.00 Tideland
AOS/Performance Bond: \$6,130

24. Bonds.

An Assignment of Savings or Surety Bond to cover the amount equal to one year of rent (\$6,130 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.

This Lease Number 122 2091721262 HS expires on May 31, 2062.

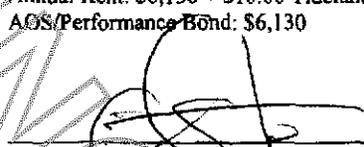
Seller(s):

Justin Willhite

Justin Willhite
17968 Cobahud Road
La Conner, Washington 98257

Lessee(s):

Annual Rent: \$6,130 + \$10.00 Tideland
AGS/Performance Bond: \$6,130



Christopher Sano

616 661 N. 47th Street
69 Seattle, Washington 98103



Molly Sano

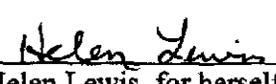
616 661 N. 47th Street
Seattle, Washington 98103

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



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

Annual Rent: \$6,130 + \$10.00 Tideland
AOS/Performance Bond: \$6,130



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

Ownership represented: 0.1444444444

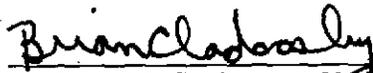


Jennie A. Nguyen, for herself and
Ivan C. Willup Jr., Ivan C. Willup Sr., and Brenda S. Bobb
1811 N 35th Street
Mount Vernon, Washington 98273
(360) 202-2557

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.



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

Annual Rent: \$6,130 + \$10.00 Tideland
ADS/Performance Bond: \$6,130

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.

8/18/2017
Date

Marelda J. Jones
Superintendent
Puget Sound Agency

Area	Pnumber
ShelterBay	P69080
ShelterBay	P69081
ShelterBay	P69082
ShelterBay	P69083
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W.Shore	P20590
W.Shore	P20591

Area	Pnumber
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Area	Pnumber
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Area	Pnumber
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W.Shore	P70214

Area	Pnumber
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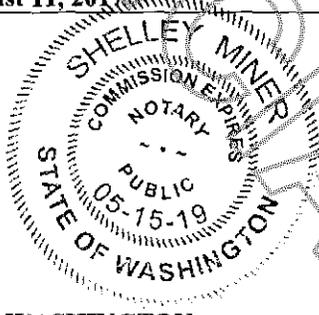
ATTACHED TO ASSIGNMENT OF LEASE

STATE OF WASHINGTON }
COUNTY OF SKAGIT } SS:

I certify that I know or have satisfactory evidence that **Justin Willhite**

is the person who appeared before me, and said person acknowledged that he
signed this instrument and acknowledge it to be his free and voluntary act for the
uses and purposes mentioned in this instrument.

Dated: August 11, 2017



Shelley Miner
Notary Public in and for the State of Washington
Residing at Mount Vernon
My appointment expires: 5/15/19

STATE OF WASHINGTON }
COUNTY OF SKAGIT } SS:

I certify that I know or have satisfactory evidence that **Christopher Sano and Molly Sano**

are the persons who appeared before me, and said persons 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: August 14, 2017



Shelley Miner
Notary Public in and for the State of Washington
Residing at: Mount Vernon
My appointment expires: 5/15/19

UNRECORDED DOCUMENT