

After Recording Please Return To:
SHELTER BAY COMPANY
1000 Shoshone Drive
La Conner, WA 98257

**SHELTER BAY CONDOMINIUM CONSENT OF LESSOR
TO ASSIGNMENT, RELEASE OF ASSIGNOR AND
ACCEPTANCE OF ASSIGNEE**

GUARDIAN NORTHWEST TITLE CO.

A 114825

Consent to Assignment of
Condominium Sublease No. **R-101**

Lessor: Shelter Bay Company
Lessee: Fidalgo, Inc. *CURTIS KEMP, an unmarried*

Consent by: Shelter Bay Company Swinomish Indian Reservation
Business Lease No. 5020
Contract No. 14-20-0500-2949
5100-003-101-0000
P129657 S3302020162

Consent to: **ALLEN D. ELLIOTT and CHRIS ELLIOTT, husband and wife**

The undersigned, SHELTER BAY COMPANY, a Washington Corporation, Lessor named in the sublease referred to in the Assignment, hereby consents to the same without, however, waiving the restrictions of said sublease with respect to future assignments thereunder, and hereby releases the Assignor(s):
ALLEN D. ELLIOTT and CHRIS ELLIOTT, husband and wife

as Lessee, or Owner(s) of the leasehold estate of the Assignor(s) and of the Lessee in Condominium Sublease No. **R-101**, from any and all further obligations thereunder and hereby accepts the Assignee(s) as Lessee under the sublease, to all intents and purposes as though said Assignee(s) is (are) the original Lessee thereunder.

Dated this 20 day of October, 2017.

CORPORATE SEAL



SHELTER BAY COMPANY, a Washington Corporation
by: *[Signature]*
David Franklin, Manager

STATE OF Washington)
COUNTY OF Skagit) SS.

On this 20th day of October, 2017 before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared
DAVID FRANKLIN

I CERTIFY that I know or have satisfactory evidence **David Franklin** is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated he is authorized to execute the instrument and is **Manager of SHELTER BAY COMPANY** to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

WITNESS my hand and official seal hereto affixed the day and year in the certificate above written.

[Signature]
NOTARY PUBLIC in and for the State of Washington
Residing at: Sedro Woolley, WA



My Commission Expires: 04/25/2021
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX
20174976
OCT 23 2017

Amount Paid \$ 1820.⁶⁰
Skagit Co. Treasurer
By *[Signature]* Deputy

Exhibit "A"

1
2
3 SHELTER BAY CONDOMINIUM SUBLEASE NO. R-101
4 EXHIBIT A: LEGAL DESCRIPTION OF LEASED PREMISES

5
6 Condominium Sublease No. R-101 Swinomish Indian Reservation
7 Lessor: Shelter Bay Company Business Lease No. 5020
8 Lessee: Fidalgo Inc. Contract No. 14-20-0500-2949
9

10 This Exhibit A is attached and incorporated by reference
11 and made a part of that certain Condominium Sublease No. R-101
12 dated the 25th day of May, 1973, between the Lessor
13 and Lessee above-stated. The leased premises leased in said
14 Condominium Sublease is located on the Swinomish Indian Reserva-
15 tion, Skagit County, Washington, and is a leasehold estate in a
16 portion of the land leased by the Lessor as Lessee in the Master
17 Lease as described in the Condominium Sublease of which this
18 Exhibit is part, and is a leasehold estate in parcels of condomi-
19 nium ownership of land and improvements as hereinafter set forth,
20 in accordance with and subject to the Declaration of Condominium
21 Covenants referred to in the Condominium Sublease.

22 The parcels of the leasehold estate are in land and improve-
23 ments as described in EXHIBITS to which the Declaration of Con-
24 dominium Covenants makes reference and by reference are incorpor-
25 ated and also made a part hereof. The EXHIBITS are as follows:

26 EXHIBIT A: "Shelter Bay Condominium Survey of Lot 1",
27 which consists of the first two sheets of
28 six sheets entitled: "Survey and Set of Plans
Shelter Bay Condominium Lot One", filed on
the 15th day of May, 1973, in the
Official Records of Skagit County, Washington,
Auditor's File No. 785022, Volume 117,
Pages 265, 266 inclusive.

EXHIBIT B: "Shelter Bay Condominium Building Plans - Lot 1",
which consist of the last four sheets of six (6)
sheets entitled: "Survey and Set of Plans Shelter
Bay Condominium Lot One", filed on the 15th day
of May, 1973 in the Official Records of
Skagit County, Washington, Auditor's File No.
785022, Volume 117 pages 267 to 270,
inclusive.

EXHIBIT C: "Shelter Bay Condominiums Declaration of Ownership
Lot 1", recorded with the Declaration of Condominium
Covenants on the 15th day of May, 1973, un-
der Auditor's File No. 785023, Volume 117
Pages 271 to 316, inclusive, Skagit County,
Washington.

In accordance with the Condominium Sublease, the Declaration
of Condominium Covenants; the EXHIBITS above-stated and subject
thereto the parcels are described as follows:

Exhibit "A" - Continued

- 1 PARCEL NO. 1: Exclusive leasehold ownership, use and
- 2 possession of Condominium Residential
- 3 Unit No. R-101; and
- 4 PARCEL NO. 2: An undivided percentage interest of 14.67
- 5 per cent in the leasehold estate of the land,
- 6 building, structures and improvements located
- 7 and described in said EXHIBITS and described
- 8 as Common Areas and Facilities; and
- 9 PARCEL NO. 3: An exclusive easement for the benefit,
- 10 use and enjoyment of land, structures
- 11 and improvements located and described
- 12 in said EXHIBITS and described as Limited
- 13 Common Areas and Facilities, R-IA No. 101
- 14 appurtenant to the Residential Unit No. 101.
- 15 PARCEL NO. 4: Reciprocal easements in the Common Areas
- 16 and Facilities of lot, or lots, annexed
- 17 or hereinafter annexed by the Declarant,
- 18 Shelter Bay Company, in the Project Area
- 19 described in the Declaration and in accord-
- 20 dance with the Declaration and Supplemental
- 21 Declaration or Declarations made by refer-
- 22 ence to the Declaration, and to which
- 23 Parcel No. 2 above-described is burdened
- 24 in accordance with the Declaration.

25 The leasehold estate of the Lessee is subject to the
26 following encumbrances:

- 27 1. Master Lease referred to in the Condominium Sublease;
- 28 2. Declaration of Protective Covenants of Shelter Bay,
- Division No. 3, dated the 5th day of March, 1970,
- as recorded in the Official Records of Skagit
- County, Washington, Auditor's File No. 737015, Volume
- 43, Pages 843 to 853 inclusive, and Amendments thereof.

29 Coupled with the ownership of the leasehold estate
30 of the Condominium Sublease are all the rights to the use of the
31 roads, utilities, beaches, paths, parks, trails and other recrea-
32 tional facilities of "Shelter Bay" described in the Condominium
33 Sublease and to the membership of the properties in each of the
34 non-profit corporations of Shelter Bay Community, Inc. and
35 Fidalgo Homeowners' Association.

36 IN WITNESS WHEREOF, the Lessor and Lessee have
37 caused this EXHIBIT to be executed and sealed of even date with
38 the Condominium Sublease.

39 LESSOR: SHELTER BAY COMPANY LESSEE: FIDALGO INC.

40 By: [Signature] By: [Signature]
41 (Title) (Title)

Exhibit "B" to Condominium Sublease

**SHELTER BAY CONDOMINIUM ASSIGNMENT OF LEASEHOLD ESTATE
AND ACCEPTANCE AND AGREEMENT**

Assignment of Condominium
Sublease No. **R-101**
Lessor: Shelter Bay Company
Lessee: Fidalgo, Inc.

Swinomish Indian Reservation
Business Lease No. 5020
Contract No. 14-20-0500-2949

Assignor(s): **ALLEN D. ELLIOTT and CHRIS ELLIOTT, husband and wife**

Assignee(s): **CURTIS KEMP, an unmarried person**

For valuable consideration, receipt of which is hereby acknowledged, the undersigned Assignor(s) hereby conveys, transfers and assigns to the Assignee(s):
CURTIS KEMP, an unmarried person

Address: Condo Unit 101 Shelter Bay Drive, La Conner, WA 98257

All right, title and interest now owned or hereinafter acquired in the leasehold estate of the undersigned and of the Lessee in Condominium Sublease No. **R-101**, dated the 25th day of May, 1973, wherein SHELTER BAY COMPANY, a Washington corporation, appears as Lessor and FIDALGO, INC., a Washington corporation appears as Lessee, and for the purposes of recording recorded by an instrument entitled " Shelter Bay Memorandum of Condominium Sublease" in Official Records of Skagit County, Washington under File No. 817716 on the 19th day of May, 1975, covering the following described real property situated in the Swinomish Indian Reservation, Skagit County, Washington:

In accordance with Shelter Bay Condominium Sublease No. **R-101** above stated, attached by reference and incorporated here. (Legal description as set out in the Condominium Sublease)

Subject to: 1. Property taxes, if any,
2. Business Lease No. 5020 (Master Lease)

Declaration of Protective Covenants of Shelter Bay; Declaration of Condominium Covenants of Shelter Bay and Supplemental Declarations, recorded in the office of the Auditor of Skagit County, Washington.

The undersigned:
CURTIS KEMP, an unmarried person

Assignee(s) named in the foregoing Assignment, hereby accept(s) said Assignment and hereby individually or jointly and severally, agree to keep, perform and be bound by all of the terms, covenants and conditions contained in said Lease on the part of the Lessee therein to be kept and performed to all intents and purposes as though the undersigned Assignee(s) were the original Lessee thereunder.

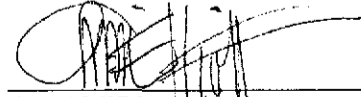
All notices intended for the Lessee under said Lease shall be mailed to the undersigned at the following address: Condo Unit 101 Shelter Bay Drive, La Conner, WA 98257

Dated this 17th, day of December, 2017.

Assignor(s):



ALLEN D. ELLIOTT



CHRIS ELLIOTT

Assignee(s):

CURTIS KEMP

STATE OF Washington)
) SS.
COUNTY OF Skagit)

On this 17th day of October, 2017 before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared **ALLEN D. ELLIOTT and CHRIS ELLIOTT** to me known to be the individuals described in and who executed the foregoing instrument and acknowledged to me that they signed and sealed the said instrument as their free and voluntary act and deed for the uses and purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.



Barbara Ann Granger
Notary Public in and for the State of Washington

Residing at Sedro Woolley, WA
My Commission Expires: 04/25/2021

STATE OF _____)
) SS.
COUNTY OF _____)

On this _____ day of _____, 2017 before me, the undersigned, a Notary Public in and for the State of _____, duly commissioned and sworn, personally appeared **CURTIS KEMP** to me known to be the individual described in and who executed the foregoing instrument and acknowledged to me that he signed and sealed the said instrument as his free and voluntary act and deed for the uses and purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.

Notary Public in and for the State of _____

Residing at _____
My Commission Expires: _____

Exhibit "B" to Condominium Sublease

SHELTER BAY CONDOMINIUM ASSIGNMENT OF LEASEHOLD ESTATE AND ACCEPTANCE AND AGREEMENT

Assignment of Condominium
Sublease No. **R-101**
Lessor: Shelter Bay Company
Lessee: Fidalgo, Inc.

Swinomish Indian Reservation
Business Lease No. 5020
Contract No. 14-20-0500-2949

Assignor(s): **ALLEN D. ELLIOTT and CHRIS ELLIOTT, husband and wife**

Assignee(s): **CURTIS KEMP, an unmarried person**

For valuable consideration, receipt of which is hereby acknowledged, the undersigned Assignor(s) hereby conveys, transfers and assigns to the Assignee(s):
CURTIS KEMP, an unmarried person

Address: Condo Unit 101 Shelter Bay Drive, La Conner, WA 98257

All right, title and interest now owned or hereinafter acquired in the leasehold estate of the undersigned and of the Lessee in Condominium Sublease No. **R-101**, dated the 25th day of May, 1973, wherein SHELTER BAY COMPANY, a Washington corporation, appears as Lessor and FIDALGO, INC., a Washington corporation appears as Lessee, and for the purposes of recording recorded by an instrument entitled "Shelter Bay Memorandum of Condominium Sublease" in Official Records of Skagit County, Washington under File No. 817716 on the 19th day of May, 1975, covering the following described real property situated in the Swinomish Indian Reservation, Skagit County, Washington:

In accordance with Shelter Bay Condominium Sublease No. **R-101** above stated, attached by reference and incorporated here. (Legal description as set out in the Condominium Sublease)

- Subject to:
1. Property taxes, if any,
 2. Business Lease No. 5020 (Master Lease)

Declaration of Protective Covenants of Shelter Bay; Declaration of Condominium Covenants of Shelter Bay and Supplemental Declarations, recorded in the office of the Auditor of Skagit County, Washington.

The undersigned:
CURTIS KEMP, an unmarried person

Assignee(s) named in the foregoing Assignment, hereby accept(s) said Assignment and hereby individually or jointly and severally, agree to keep, perform and be bound by all of the terms, covenants and conditions contained in said Lease on the part of the Lessee therein to be kept and performed to all intents and purposes as though the undersigned Assignee(s) were the original Lessee thereunder.

All notices intended for the Lessee under said Lease shall be mailed to the undersigned at the following address: Condo Unit 101 Shelter Bay Drive, La Conner, WA 98257

Dated this 17th day of October, 2017.

Assignor(s):

ALLEN D. ELLIOTT

CHRIS ELLIOTT

Assignee(s):



CURTIS KEMP

STATE OF _____)
) SS.
COUNTY OF _____)

On this _____ day of _____, 2017 before me, the undersigned, a Notary Public in and for the State of _____, duly commissioned and sworn, personally appeared

ALLEN D. ELLIOTT and CHRIS ELLIOTT
to me known to be the individuals described in and who executed the foregoing instrument and acknowledged to me that they signed and sealed the said instrument as their free and voluntary act and deed for the uses and purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.

Notary Public in and for the State of _____

Residing at _____
My Commission Expires: _____

STATE OF WA)
) SS.
COUNTY OF Walla Walla)

On this 17th day of Oct, 2017 before me, the undersigned, a Notary Public in and for the State of WA, duly commissioned and sworn, personally appeared

CURTIS KEMP
to me known to be the individual described in and who executed the foregoing instrument and acknowledged to me that he signed and sealed the said instrument as his free and voluntary act and deed for the uses and purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.



[Signature]

Notary Public in and for the State of _____

Residing at Walla Walla County
My Commission Expires: Apr. 29, 2021