

Return Address:
Land Title and Escrow Company
3010 Commercial Avenue
Anacortes, WA 98221
02-163776-0E ✓



Skagit County Auditor \$134.00
10/31/2017 Page 1 of 11 3:21PM

Land Title and Escrow

Please print or type information **WASHINGTON STATE RECORDER'S Cover Sheet** (RCW 65.04)

Document Title(s) (or transactions contained therein): (all areas applicable to your document must be filled in)

1. Assignment of Lease 2. _____
3. _____ 4. _____

Reference Number(s) of Documents assigned or released:

Additional reference #'s on page _____ of document

Grantor(s) Exactly as name(s) appear on document

1. Deer Ridge Investments LLC, _____
2. _____, _____

Additional names on page _____ of document.

Grantee(s) Exactly as name(s) appear on document

1. Mark A. Bundy, _____
2. Debra A. Bundy, _____

Additional names on page _____ of document.

Legal description (abbreviated: i.e. lot, block, plat or section, township, range)

Tract 16, Dr. Joe Waterfront Tracts

Additional legal is on page 1 of document.

Assessor's Property Tax Parcel/Account Number

assigned 5101-000-016-0000/P129712/S3302030057

☐ Assessor Tax # not yet

The Auditor/Recorder will rely on the information provided on this form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

"I am signing below and paying an additional \$50 recording fee (as provided in RCW 36.18.010 and referred to as an emergency nonstandard document), because this document does not meet margin and formatting requirements. Furthermore, I hereby understand that the recording process may cover up or otherwise obscure some part of the text of the original document as a result of this request."

Kathy Rodgers

Signature of Requesting Party

Note to submitter: Do not sign above nor pay additional \$50 fee if the document meets margin/formatting requirements

Annual Rent: \$2,875 + \$10.00 Tideland
AOS/Performance Bond: \$2,875

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

20175150
OCT 31 2017

Amount Paid \$ 2319.⁰⁰
Skagit Co. Treasurer
By *Mam* Deputy

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

ASSIGNMENT OF LEASE

Allotment: 122 43 Dr. Joe Division I Waterfront Tracts Lease Number: 122 2087590656 HS

It is hereby agreed by and between Deer Ridge Investments LLC, Lessee(s), and the Dr. Joe Division I Waterfront Landowners, Allotment No. 122 43, Swinomish Indian Reservation, Lessors, that Lease Number 122 2087590656 HS covering Lot 16, of the Dr. Joe Division I Waterfront Tracts, within Govt. Lot 2, Section 3, Township 33 North, Range 2 East, Willamette Meridian, Skagit County, Washington be modified for the following reasons:

To assign the lease to the name of Mark A. Bundy and Debra A. Bundy, of 4701 Beaver Pond Drive North, Mount Vernon, WA 98274.

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. On June 1, 2018 the Lessee will pay the annual amount due of \$2,875 + \$10.00 Tideland Fee.
3. 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 2017 and forward, the annual rent and tideland fee will be due on June 1st of each year.

7.1 **Rental Adjustment.** Rent shall be adjusted every fourth year starting on June 1, 2015, for the remaining term of this lease. Except for years 2023, 2035, 2047, and 2059 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

Annual Rent: \$2,875 + \$10.00 Tideland
AOS/Performance Bond: \$2,875

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.

7.2 Rental Adjustment. For the years 2023, 2035, 2047, and 2059 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).

And 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 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 of \$2,875.

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.

Annual Rent: \$2,875 + \$10.00 Tideland
AGS/Performance Bond: \$2,875

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 2087590656 HS expires on July 31, 2056.

This modification does not change any terms, conditions, or stipulations, except as specifically set forth herein.


Seller:

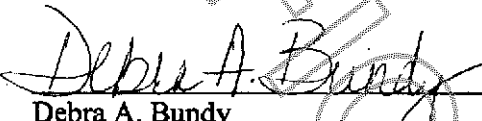


Lisa Newman
Deer Ridge Investments, LLC
Post Office Box 2754
Mount Vernon, WA 98273

Annual Rent: \$2,875 + \$10.00 Tideland
AOS/Performance Bond: \$2,875

Lessee(s):


Mark A. Bundy
4701 Beaver Pond Drive North
Mount Vernon, Washington 98274


Debra A. Bundy
4701 Beaver Pond Drive North
Mount Vernon, Washington 98274

Trust Signatories:

Wilfred Guy Johnston, for himself
*and Mark W. Joe, Sr., Robert Randy Johnston,
David William Johnston, and Rebecca Ann Swinton*
Total Ownership Percentage: 0.5000000000
P.O. Box 916
La Conner, Washington 98257
CONTACT PHONE #: 360-708-2734

Bettina Joe Sylvester, for herself,
**And POA for Robert Wayne Joe Jr., Bradley Joe,
Ida Joe Sylvester, Steven Randall Joe
Per 25 CFR Part 162.013**
Ownership Percentage: 0.0925925925
Bettina Joe Sylvester
Post Office Box 1163
La Conner, Washington 98257
(360) 840-8554

TOTAL PERCENTAGE: 0.5925925925

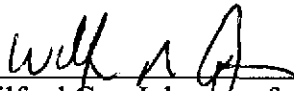
Annual Rent: \$2,875 + \$10.00 Tideland
AOS/Performance Bond: \$2,875

Lessee(s):

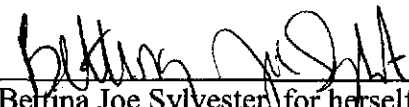
Mark A. Bundy
4701 Beaver Pond Drive North
Mount Vernon, Washington 98274

Debra A. Bundy
4701 Beaver Pond Drive North
Mount Vernon, Washington 98274

Trust Signatories:



Wilfred Guy Johnston, for himself
**and Mark W. Joe, Sr., Robert Randy Johnston,
David William Johnston, and Rebecca Ann Swinton**
Total Ownership Percentage: 0.5000000000
P.O. Box 916
La Conner, Washington 98257
CONTACT PHONE #: 360-708-2734



Bettina Joe Sylvester, for herself,
**And POA for Robert Wayne Joe Jr., Bradley Joe,
Ida Joe Sylvester, Steven Randall Joe**
Per 25 CFR Part 162.013
Ownership Percentage: 0.0925925925
Bettina Joe Sylvester
Post Office Box 1163
La Conner, Washington 98257
(360) 840-8554

TOTAL PERCENTAGE: 0.5925925925

Annual Rent: \$2,875 + \$10.00 Tideland
AOS/Performance Bond: \$2,875

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

10/30/2017
Date

Marcella Helus
Superintendent
Puget Sound Agency

Area	Pnumber
Shelter Bay	P69080
Shelter Bay	P69081
Shelter Bay	P69082
Shelter Bay	P69083
Shelter Bay	P69084
Shelter Bay	P69085
Shelter Bay	P69086
Shelter Bay	P69087
Shelter Bay	P69088
Shelter Bay	P69089
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Shelter Bay	P69091
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Shelter Bay	P69119
Shelter Bay	P69120
Shelter Bay	P69121
Shelter Bay	P69122
Shelter Bay	P69123
Shelter Bay	P69124
Shelter Bay	P69125
W.Shore	P20575
W.Shore	P20577
W.Shore	P20579
W.Shore	P20580
W.Shore	P20581
W.Shore	P20582
W.Shore	P20583
W.Shore	P20585
W.Shore	P20587
W.Shore	P20588
W.Shore	P20589
W.Shore	P20590
W.Shore	P20591

Area	Pnumber
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W.Shore	P20593
W.Shore	P20595
W.Shore	P20596
W.Shore	P20597
W.Shore	P20598
W.Shore	P20599
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W.Shore	P20750
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W.Shore	P20765
W.Shore	P20766
W.Shore	P20768
W.Shore	P20769
W.Shore	P20770
W.Shore	P20773
W.Shore	P20782
W.Shore	P20783
W.Shore	P20812
W.Shore	P20814
W.Shore	P20815

Area	Pnumber
W.Shore	P65266
W.Shore	P65267
W.Shore	P65268
W.Shore	P65269
W.Shore	P65270
W.Shore	P65271
W.Shore	P65272
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W.Shore	P69206
W.Shore	P69207
W.Shore	P69208
W.Shore	P69605
W.Shore	P69606

Area	Pnumber
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W.Shore	P69609
W.Shore	P69611
W.Shore	P69612
W.Shore	P69613
W.Shore	P69614
W.Shore	P69620
W.Shore	P69621
W.Shore	P69622
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W.Shore	P70212
W.Shore	P70213
W.Shore	P70214

Area	Pnumber
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W.Shore	P70216
W.Shore	P70217
W.Shore	P70218
W.Shore	P70219
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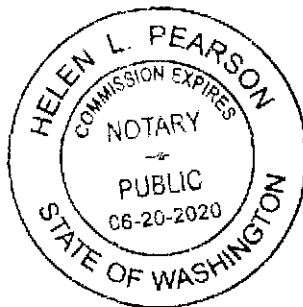
ATTACHED TO ASSIGNMENT OF LEASE

STATE OF WASHINGTON }
COUNTY OF SKAGIT } SS:

I certify that I know or have satisfactory evidence that Lisa J. Newman
is the person who appeared before
me, and said person acknowledged that that she signed this instrument, on oath stated she
is authorized to execute the instrument and acknowledge that as the
Member of Deer Ridge Investments, LLC
to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Dated: October 30, 2017

Helen L Pearson
Notary Public in and for the State of Washington
Residing at Starwood
My appointment expires: 6-20-2020



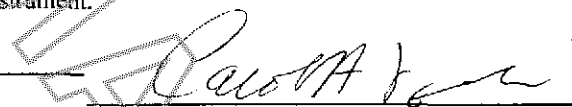
ATTACHED TO ASSIGNMENT OF LEASE

STATE OF WASHINGTON }
COUNTY OF SKAGIT } SS:

I certify that I know or have satisfactory evidence that **Mark A. Bundy and Debra A. Bundy**

are the persons who appeared before me, and said personare 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.

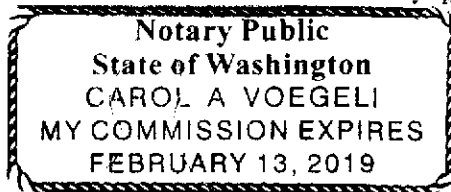
Dated: October 30, 2017



Notary Public in and for the State of Washington

Residing at: Oak Harbor

My appointment expires: 2-13-2019



Schedule "A-1"

02-163776-OE

DESCRIPTION:

A leasehold interest in the following described tract:

Tract 16 of "Dr. Joe Waterfront Tracts" (Division I) Swinomish Indian Reservation, Skagit County, Washington, as shown upon that certain unrecorded plat survey on file with the United States Department of the Interior, Bureau of Indian Affairs, Western Washington Indian Agency, Everett, Washington, and being located in Government Lot 2 of Section 3, Township 33 North, Range 2 East, W.M., and being more particularly described as follows:

Beginning at the Southeast corner of said Government Lot 2;
thence West along the South line thereof, a distance of 100 feet to the East line of a road, as shown on said unrecorded plat;
thence North 0°08' East along said East line, a distance of 210 feet to the Southwest corner of the tract herein described and the true point of beginning of this description;
thence continue North along the East line of the aforementioned road, a distance of 50 feet to the Northwest corner of said Tract 16;
thence East along the North line of Tract 16, a distance of 80 feet, more or less, to the West line of Road as shown upon said survey;
thence Southerly along said West line, a distance of 50 feet, more or less, to the Southeast corner of said Tract 16, as shown upon the survey;
thence West along the South line of said Tract 16, a distance of 80 feet, more or less, to the true point of beginning.

(Said tract being also as shown on that certain map attached to document recorded under Auditor's File No. 830527.)

Situate in the County of Skagit, State of Washington.