

Filed at the Request of:

Dewey W. Weddle
Law Office of Dewey W. Weddle, PLLC
909 7th Street
Anacortes, WA 98221



201805300073

05/30/2018 02:11 PM Pages: 1 of 6 Fees: \$79.00
Skagit County Auditor

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

2018 2242
MAY 30 2018

Amount Paid \$ 4,455.00
Skagit Co. Treasurer
By *W. W. Weddle* Deputy

Document Title: MEMORANDUM OF LEASE AND ASSIGNMENT OF LEASE

Grantors: The Estate of JOY WERNER, by FELICITY EADON, Personal Representative, and MARILYN W. DERIG, Manager of DMMD, LLC

Grantee: POTASH LIVING TRUST GUARDIAN NORTHWEST TITLE CO.

Tax/Parcel Number: 3772-040-020-0002 / P55110

A115406

MEMORANDUM OF LEASE AND ASSIGNMENT OF LEASE

THIS MEMORANDUM, dated May 24, 2018, is between the ESTATE of JOY WERNER, by FELICITY EADON, Personal Representative, and DMMD, LLC, a Washington Limited Liability Company, by MARILYN W. DERIG, Manager (collectively, "Lessor"); WASHINGTON GT INVESTMENTS, INC., a Washington Corporation, by TED FILLER, President ("Assignor"); and THE POTASH LIVING TRUST, by WARREN POTASH, Trustee ("Assignee").

1. **Lease of Land.** Lessor leased to Assignor (as Lessee), upon the terms and conditions of the lease agreement (including all modifications thereto) in effect between the parties, dated October 27, 2008, which terms and conditions are incorporated by this reference, that certain real property, situated in the City of Anacortes, Skagit County, Washington, commonly known as 1004 12th Street, Anacortes, Skagit County, Washington, legally described as:

Assessor's Tax / Parcel Identification Number: 3772-040-020-0002 / P55110

Lots 17, 18, 19 and 20, Block 40, ORIGINAL PLAT OF THE CITY OF ANACORTES, according to the plat thereof recorded in Volume 2 of Plats, page 4, records of Skagit County, Washington,

TOGETHER WITH the South Half of vacated alley abutting thereon; and Tract 10, "PLATE NO. 10, TIDE AND SHORE LANDS of Section 19, Township 35 North, Range 2 E., W.M., of Anacortes Harbor," according to the official map thereof on file in the office of the State Land Commissioner at Olympia, Washington.

MEMORANDUM OF LEASE AND ASSIGNMENT OF LEASE

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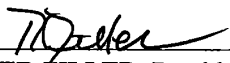
2. **Term.** The lease is for a period of thirty-six years, commencing June 1, 1993 and running through May 31, 2029, unless sooner terminated as provided in the lease. Lessee then has two options to extend the lease for additional terms of five (5) years each, until May 31, 2034 and then again until May 31, 2039, subject to the terms and conditions of the lease agreement (including all modifications thereto).


3. **Assignment.** Assignor has assigned all its rights and responsibilities as Lessee under the lease to Assignee, Assignee has assumed those rights and responsibilities, and Lessor has consented to said assignment pursuant to the lease agreement. Therefore, Assignee is now the Lessee under the lease agreement.

4. **Purpose of Memorandum of Lease.** This memorandum of lease is prepared for the purpose of recordation, and it in no way modifies the lease agreement between the parties. IN WITNESS, each party to this memorandum of lease and lease assignment has caused it to be executed at Anacortes, Washington on the date indicated above.

5. **Counterparts.** This memorandum may be executed in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute a single instrument. Photocopies and fax copies of this memorandum shall have the same force and effect as the originals and may be used in lieu of the originals in any legal proceeding.

ASSIGNOR: WASHINGTON GT INVESTMENTS, INC.

By: 
TED FILLER, President

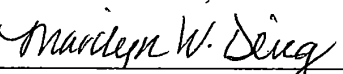

TED FILLER (Individually)

ASSIGNEE: THE POTASH LIVING TRUST

By: 
WARREN POTASH, Trustee


WARREN POTASH (Individually)

LESSOR #1: DMMD, LLC

By: 
MARILYN W. DERIG, Manager

LESSOR #2: THE ESTATE OF JOY WERNER

By: _____
FELICITY EADON, Personal Representative

2. **Term.** The lease is for a period of thirty-six years, commencing June 1, 1993 and running through May 31, 2029, unless sooner terminated as provided in the lease. Lessee then has two options to extend the lease for additional terms of five (5) years each, until May 31, 2034 and then again until May 31, 2039, subject to the terms and conditions of the lease agreement (including all modifications thereto).

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ASSIGNOR: WASHINGTON GT INVESTMENTS, INC.

By: _____
TED FILLER, President

TED FILLER (Individually)

ASSIGNEE: THE POTASH LIVING TRUST

By: _____
WARREN POTASH, Trustee

WARREN POTASH (Individually)

LESSOR #1: DMMD, LLC

By: _____
MARILYN W. DERIG, Manager

LESSOR # 2: THE ESTATE OF JOY WERNER

By: 
FELICITY EADON, Personal Representative

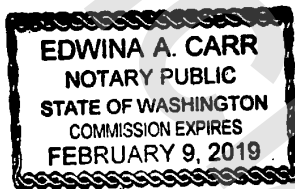
STATE OF WASHINGTON)
COUNTY OF SKAGIT) ss.

I certify that I know or have satisfactory evidence that TED FILLER is the person who appeared before me, and said person acknowledged that he signed the foregoing instrument, on oath stated that he was authorized to execute the instrument, and acknowledged it, individually and as President of WASHINGTON GT INVESTMENTS, INC., to be the free and voluntary act and deed of such party for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 24 day of May, 2018.



(signature)



NOTARY PUBLIC in and for the state of
Washington, residing at Anacortes, WA
My commission expires: 2/9/19

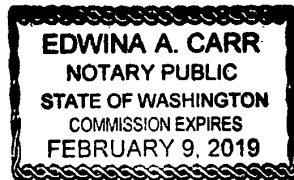
STATE OF WASHINGTON)
COUNTY OF SKAGIT) ss.

I certify that I know or have satisfactory evidence that WARREN POTASH is the person who appeared before me, and said person acknowledged that he signed the foregoing instrument, on oath stated that he was authorized to execute the instrument, and acknowledged it, individually and as Trustee of the POTASH LIVING TRUST, to be the free and voluntary act and deed of such party for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 25 day of May, 2018.



(signature)



NOTARY PUBLIC in and for the state of
Washington, residing at Anacortes, WA
My commission expires: 2/9/19

STATE OF WASHINGTON)
COUNTY OF SKAGIT) ss.

I certify that I know or have satisfactory evidence that MARILYN DERIG is the person who appeared before me, and said person acknowledged that she signed the foregoing instrument, on oath stated that she was authorized to execute the instrument, and acknowledged it as Manager of DMMD, LLC, to be the free and voluntary act and deed of such party for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this _____ day of _____, 2018.

(signature)

NOTARY PUBLIC in and for the state of
Washington, residing at _____, WA
My commission expires: _____

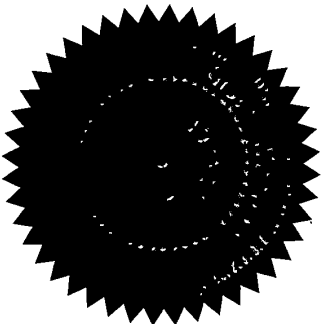
STATE OF WASHINGTON)
COUNTY OF SKAGIT) ss.

I certify that I know or have satisfactory evidence that FELICITY EADON is the person who appeared before me, and said person acknowledged that she signed the foregoing instrument, on oath stated that she was authorized to execute the instrument, and acknowledged it as Personal Representative of THE ESTATE OF JOY WERNER, to be the free and voluntary act and deed of such party for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 24 day of May, 2018.

(signature)

NOTARY PUBLIC in and for the state of PROVINCE OF B.C.
Washington, residing at NORTH VANCOUVER, B.C., CANADA
My commission expires: n/a (permanent commission)



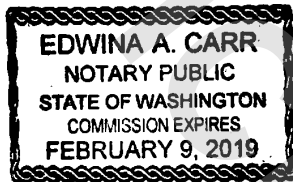
MEMORANDUM OF LEASE AND ASSIGNMENT OF LEASE
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Kirsten Wharton
Barrister & Solicitor
Westcoast Wills & Estates
308 - 1200 Lonsdale Avenue
North Vancouver, BC V7M 3H6

STATE OF WASHINGTON)
COUNTY OF SKAGIT) ss.

I certify that I know or have satisfactory evidence that MARILYN DERIG is the person who appeared before me, and said person acknowledged that she signed the foregoing instrument, on oath stated that she was authorized to execute the instrument, and acknowledged it as Manager of DMMD, LLC, to be the free and voluntary act and deed of such party for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 25 day of May, 2018.



(signature)

NOTARY PUBLIC in and for the state of
Washington, residing at Anacortes, WA
My commission expires: 2/9/19

STATE OF WASHINGTON)
COUNTY OF SKAGIT) ss.

I certify that I know or have satisfactory evidence that FELICITY EADON is the person who appeared before me, and said person acknowledged that she signed the foregoing instrument, on oath stated that she was authorized to execute the instrument, and acknowledged it as Personal Representative of THE ESTATE OF JOY WERNER, to be the free and voluntary act and deed of such party for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this _____ day of _____, 2018.

(signature)

NOTARY PUBLIC in and for the state of
Washington, residing at _____, WA
My commission expires: _____