


SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX
EASEMENT
SEP 20 2018


201809200122
09/20/2018 03:40 PM Pages: 1 of 8 Fees: \$106.00
Skagit County Auditor

Amount Paid \$
Skagit Co. Treasurer
By **HB** Deputy
When recorded return to:
The San Juan Preservation Trust
Box 759
Friday Harbor, WA 98250

GRANTOR: **JOOST A. BUSINGER AND MARIANNE KOOIMAN, CO-TRUSTEES OF "THE BUSINGER-KOOIMAN FAMILY REVOCABLE TRUST CREATED 01/19/2005"**

GRANTEE: **THE SAN JUAN PRESERVATION TRUST**

ABBREVIATED LEGAL: **PTN SEC 5 T35N, R2E, PTN GOV. LOTS 1&2**

FULL LEGAL: **EXHIBIT A, PAGE 6**

ASSESSOR PARCEL NUMBER: **P32703 / 350205-0-002-0000**

REFERENCE AFNS: **9212240098 (1992 CONSERVATION EASEMENT)**
201704210083 (2017 AMENDMENT TO GRANT DEED OF CONSERVATION EASEMENT)

Land Title and Escrow
02-167902-OE

SECOND AMENDMENT TO GRANT DEED OF CONSERVATION EASEMENT
(correcting error in description of Excluded Property)

This Second Amendment to Grant Deed of Conservation Easement (hereinafter referred to as "Conservation Easement Second Amendment"), by and between **JOOST A. BUSINGER AND MARIANNE KOOIMAN, CO-TRUSTEES OF "THE BUSINGER-KOOIMAN FAMILY REVOCABLE TRUST CREATED 01/19/2005"**, as successor in interest to Joost A. Businger and Marianne Kooiman, husband and wife, (hereinafter referred to as "Grantor"), and **THE SAN JUAN PRESERVATION TRUST**, a Washington non-profit corporation (hereinafter referred to

Businger Kooiman Second Amendment to Grant Deed of Conservation Easement

as "Grantee") with reference to that certain Grant Deed of Conservation Easement, herein called "Original Conservation Easement," recorded on December 24, 1992 records of Skagit County under Auditor's File Number 9212240098 as amended by that certain Amendment to Grant Deed of Conservation, herein called "Conservation Easement First Amendment," recorded on April 21, 2017 in the records of Skagit County under Auditor's File Number 201704210083, is made with reference to the following facts:

WHEREAS, Grantee, is the legal beneficiary of the covenants, conditions and restrictions set forth in the Conservation Easement, which burdens those parcels of record on Guemes Island, Skagit County, Washington described in **Exhibit "A"**, attached hereto at page 6 [Tax Parcel Number P32703 / 350205-0-002-0000] (the "Protected Property");

WHEREAS, Grantor, is the legal owner in fee simple of the parcels of record that together comprise the Protected Property;

WHEREAS, Grantor has requested that the Conservation Easement First Amendment be amended to correct an error in the location of the Excluded Property of the Conservation Easement First Amendment resulting from the accuracy of the method for determining and describing such location;

WHEREAS, Grantee believes such amendment is consistent with the original intent in donating the Conservation Easement and the Conservation Easement First Amendment; and

WHEREAS, the Board Of Trustees Of The San Juan Preservation Trust, on behalf of the Grantee, finds that such amendment is consistent with the purposes of the Conservation Easement and will not affect its perpetual duration; and

NOW THEREFORE, for the reasons stated above, and in consideration of the mutual covenants, terms, conditions, and restrictions contained herein, and for no monetary consideration, Grantor, as owner of the Protected Property, and Grantee, as beneficiary of the covenants, conditions and restrictions over the Protected Property set forth in the Conservation Easement, hereby amend the Conservation Easement First Amendment as follows:

1. Exhibit "A" of the Conservation Easement First Amendment is hereby deleted and replaced by Exhibit "A" attached hereto and incorporated herein by this reference.
2. Exhibit "B" of the Conservation Easement First Amendment is hereby deleted and replaced by Exhibits "B-1 & B-2" attached hereto and incorporated herein by this reference.

The Original Conservation Easement is hereby ratified and affirmed and shall continue in full force and effect except as expressly modified by the Conservation Easement First Amendment as

Businger: Koolman Second Amendment to Grant Deed of Conservation Easement

further modified by this Conservation Easement Second Amendment. The undersigned Grantor and the undersigned Grantee expressly intend that the Original Conservation Easement as modified by the Conservation Easement First Amendment as further modified by this Conservation Easement Second Amendment shall be binding upon, and inure to the benefit of Grantor and Grantee, and the respective successors and assigns of each and shall continue as a servitude running in perpetuity with the Protected Property. From and after the Effective Date of this Conservation Easement Second Amendment, all references to the "Conservation Easement" under the Original Conservation Easement shall mean the Original Conservation Easement as modified by the Conservation Easement First Amendment as further modified by this Conservation Easement Second Amendment.

This instrument may be executed in counterparts, each of which shall be deemed an original, and said counterparts shall together constitute one and the same document, binding all of the parties hereto, notwithstanding all of the parties are not signatory to the original or the same counterparts. In the event of any disparity between the counterparts produced, the recorded counterpart shall be controlling.

This Conservation Easement Second Amendment shall be effective as of the date of its recording in the official records of Skagit County, Washington ("Effective Date").

{Signature pages to follow}

EXHIBIT "A"

**Original Protected Property and Additional Protected Property
(collectively "Protected Property")**

Government Lot 2 and the East 9.25 acres of Government Lot 1, Section 5, Township 35 North,
Range 2 East of the Willamette Meridian

EXCEPTING THEREFROM THAT RECTANGULAR AREA (EXCLUDED PROPERTY):

Commencing at the SW Corner of Government Lot 2; then North 19° 40' 35" East 323.0 feet to
the True Point of Beginning; thence North 90° 00' 00" East, 310 feet; thence North 00° 00' 00"
East, 140 feet; thence South 90° 00' 00" West, 310 feet; then South 00° 00' 00" West, 140 feet
to the TRUE POINT OF BEGINNING

Situated in Skagit County, Washington

SUBJECT TO easements and restrictions of record.

EXHIBIT "B-1"

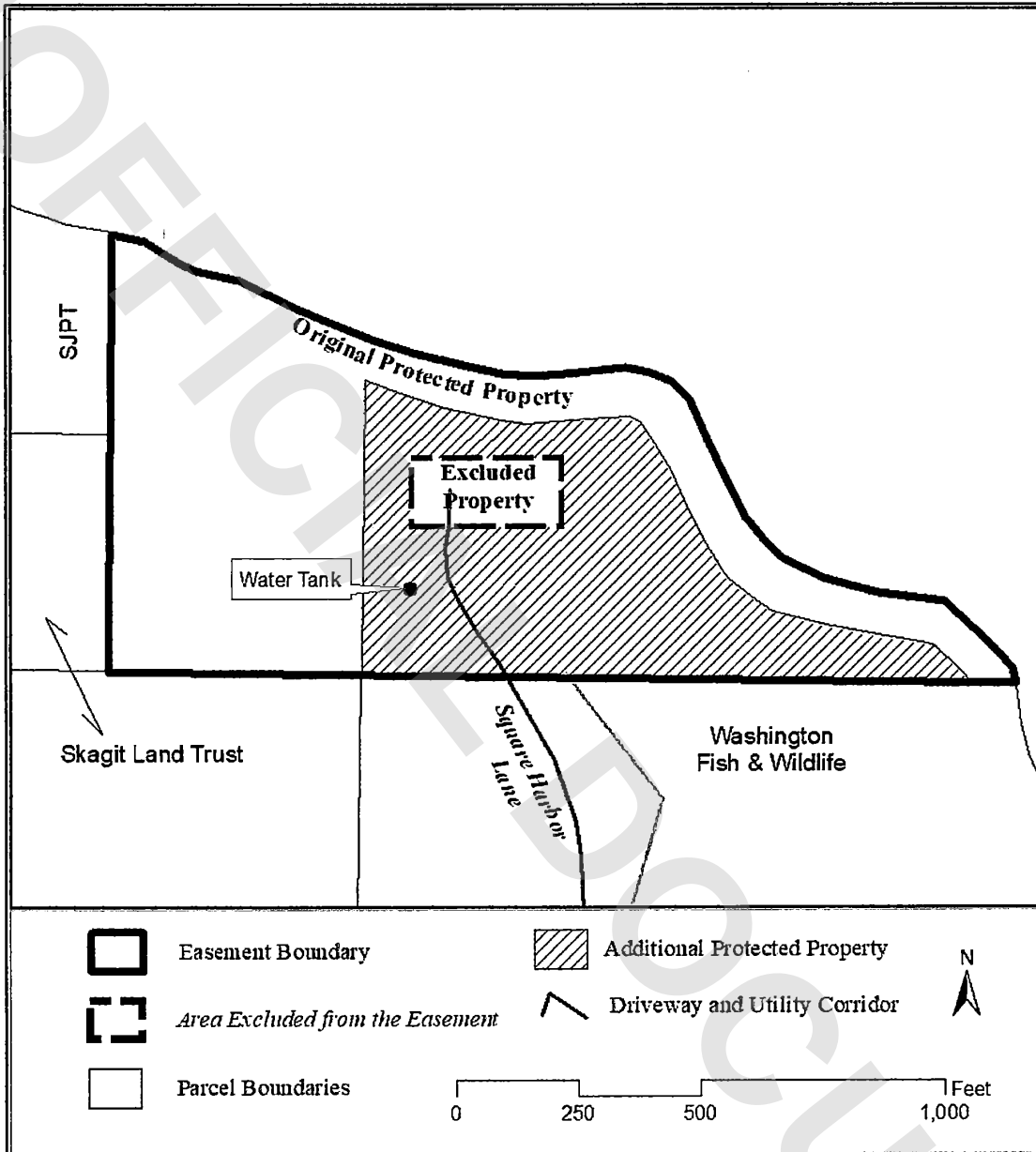
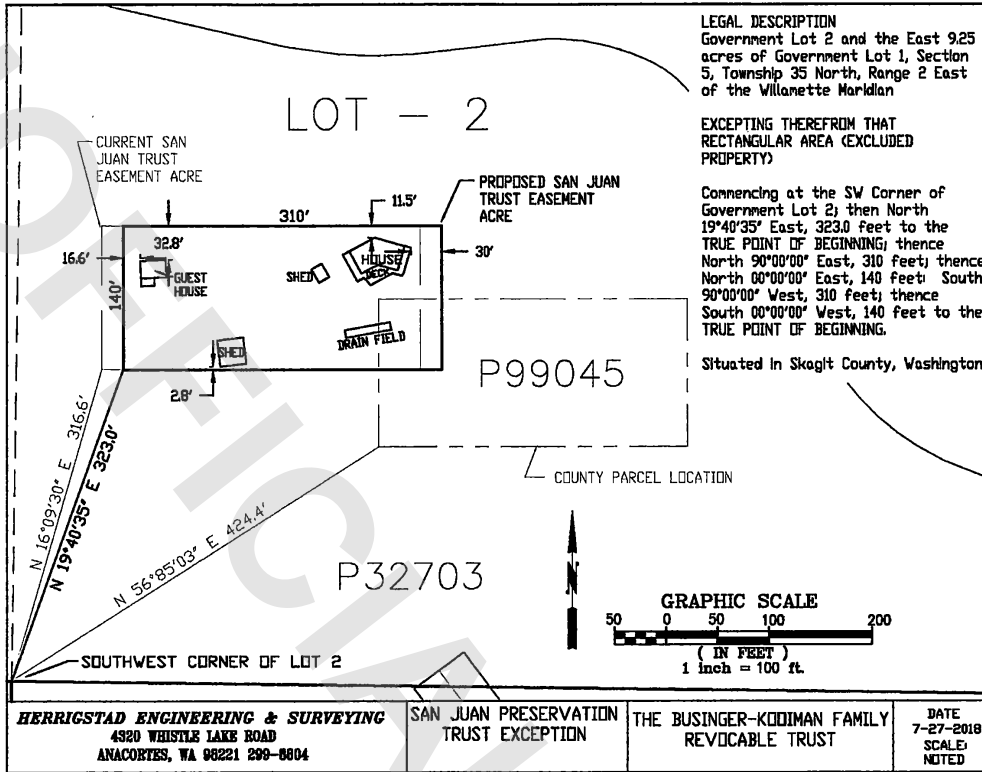


EXHIBIT "B-2"



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