



**201810040007**

10/04/2018 08:40 AM Pages: 1 of 21 Fees: \$119.00  
Skagit County Auditor

Recording requested by and  
when recorded mail to:

Horizon Tower, LLC  
117 Town & Country Drive, Ste A  
Danville, CA 94526  
925.314.1113

Re: HARRINGTON – WA4712

**COVER PAGE TO:**

**AMENDMENT TO  
PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR RIVER VALLEY VIEW ESTATES**

200105070103  
200106210005  
200202130058  
200207190134  
200207190135

**AMENDMENT TO  
PROTECTIVE COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR RIVER VALLEY VIEW ESTATES**

STATE OF WASHINGTON §

§

§

KNOW ALL MEN BY THESE PRESENTS:

§

COUNTY OF SKAGIT §

§

This Amendment to Protective Covenants, Conditions and Restrictions for River Valley View Estates is made by owners of lots subject to the Declaration (as defined below) identified on the signature page hereto (herein referred to as the "Owners"). The lots are more specifically described on Exhibit A attached hereto.

**RECITALS**

A. Reference is hereby made to those certain Protective Covenants, Conditions and Restrictions for River Valley View Estates, which instrument is filed under County Auditor's File No. 2001-05070103, and recorded in the Real Property Records of Skagit County, Washington (as previously amended by instruments filed under County Auditor's File Nos. 2001-05070103, 2001-06210005, 2002-02130058, 200207190134 and 200207190135, the "Declaration"), covering certain property described therein as the "River Valley View Estates". All terms defined in the Declaration are used in this Amendment with the same meanings.

B. Whereas Paragraph 3 of the General Provisions section of the Declaration currently provides that the Declaration may be amended at any time by the owners of not less than seventy-five (75) percent of the lots subject to the Declaration.

C. The Owners own nine (9) out of a total of nine (9) lots subject to the Declaration, which exceeds the threshold necessary to amend the Declaration.

D. The Owners desire to modify the Declaration such that a portion of the lot described on Exhibit B attached hereto (the "Subject Lot") may be leased by the Subject Lot's owner to a third party for the purpose of constructing, maintaining, repairing and operating a communications facility and uses incidental thereto, including, without limitation, installation of a tower structure that will provide antenna locations for the transmission and reception of communications signals and the installation, construction, maintenance, operation, repair, replacement and upgrade of communications fixtures and related equipment, cables, accessories and improvements.

ACCORDINGLY, the Owners hereby adopt, and agree and consent to, the terms and provisions of this Amendment and declare that the Declaration is amended as herein set forth.

I. AMENDMENTS TO THE DECLARATION

Any capitalized terms in this Amendment and not defined or modified herein shall have the meanings ascribed to them in this Declaration.

1. The Declaration is amended in its entirety to provide that the Subject Lot may be leased by the Subject Lot's owner to a third party for the purpose of constructing, maintaining, repairing and operating a communications facility and uses incidental thereto, including, without limitation, installation of a tower structure that will provide antenna locations for the transmission and reception of communications signals and the installation, construction, maintenance, operation, repair, replacement and upgrade of communications fixtures and related equipment, cables, accessories and improvements. The foregoing right may not be revoked, modified or limited in any way without the written consent of the Subject Lot's owner.

II. MISCELLANEOUS PROVISIONS

1. The terms and conditions of the this Amendment shall modify and supersede all terms and provisions of the Declaration that are in irreconcilable conflict herewith, and, except as so modified and superseded by this Amendment, the terms and provisions of the Declaration are ratified and confirmed and shall continue in full force and effect.

2. The headings in this Amendment are for reference purposes only and shall not in any way affect the meaning or the interpretation of the Amendment.

[Signature Page to Follow]

IN WITNESS WHEREOF, the Owners signatory hereto have executed this First Amendment on the date set forth in this acknowledgement, to be effective as of Aug. 7, 2018.

**Owners:**

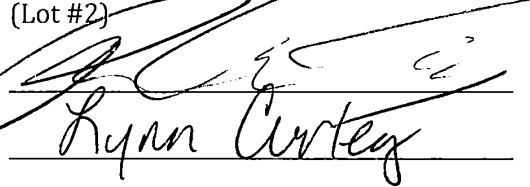
UPPER SKAGIT INDIAN TRIBE  
(Lot #1)

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

RUSSELL S. CURLEY AND LYNN CURLEY  
(Lot #2)

  
\_\_\_\_\_

ERIC DAVID WENTZ  
(Lot #3)

FRED A. OLSEN AND SANDY OLSEN  
(Lot #4)

NORMAN A RUDY AND LINDA RUDY  
(Lot #5)

MATT LEHMAN AND SUSAN LEHMAN  
(Lot #6)

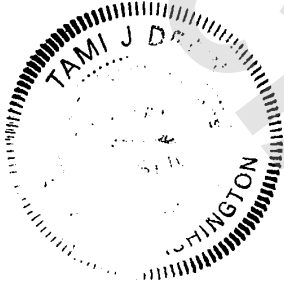
BLAIR WALKER AND APRIL WALKER  
(Lot #7)

RICHARD AMMONS  
(Lot #8)

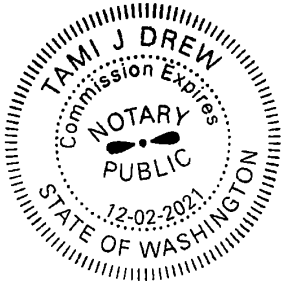
STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF Skagit )

On this 7<sup>th</sup> day of August, 2018, before me, a Notary Public in and for the State of Washington, personally appeared Russell & Lynn Curley, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed this instrument, on oath stated that he was authorized to execute the instrument, and acknowledged it as the Owners of Lot 2, to be the free and voluntary act and deed of said party for the uses and purposes mentioned in the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.



Tami J. Drew  
NOTARY PUBLIC in and for the State of WA,  
residing at Bothell, WA  
My appointment expires 12-2-2021  
Print Name Tami J. Drew



IN WITNESS WHEREOF, the Owners signatory hereto have executed this Amendment on the date set forth in this acknowledgement, to be effective as of 3-30, 2018.

**Owners:**

UPPER SKAGIT INDIAN TRIBE  
(Lot #1)

RUSSELL S. CURLEY AND LYNN CURLEY  
(Lot #2)

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ERIC DAVID WENTZ  
(Lot #3)

FRED A. OLSEN AND SANDY OLSEN  
(Lot #4)

\_\_\_\_\_

*Fred A. Olsen*

*Sandy Olsen*

NORMAN A RUDY AND LINDA RUDY  
(Lot #5)

MATT LEHMAN AND SUSAN LEHMAN  
(Lot #6)

\_\_\_\_\_

\_\_\_\_\_

BLAIR WALKER AND APRIL WALKER  
(Lot #7)

RICHARD AMMONS  
(Lot #8)

\_\_\_\_\_

\_\_\_\_\_

DONALD MCKAY & RENEE MCKAY  
(Lot #9)

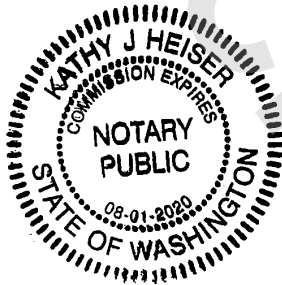
\_\_\_\_\_


\_\_\_\_\_

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF Whatcom )

On this 30<sup>th</sup> day of March, 2018, before me, a Notary Public in and for the State of Washington, personally appeared Fred A. Olsen and Sandy Olsen, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed this instrument, on oath stated that he was authorized to execute the instrument, and acknowledged it as the owners, of Lot 4, to be the free and voluntary act and deed of said party for the uses and purposes mentioned in the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.



  
NOTARY PUBLIC in and for the State of Washington  
residing at Whatcom County  
My appointment expires 08-01-2020  
Print Name Kathy J. Heiser

IN WITNESS WHEREOF, the Owners signatory hereto have executed this First Amendment on the date set forth in this acknowledgement, to be effective as of March 16, 2018.

**Owners:**

UPPER SKAGIT INDIAN TRIBE  
(Lot #1)

RUSSELL S. CURLEY AND LYNN CURLEY  
(Lot #2)

By: \_\_\_\_\_

Name: \_\_\_\_\_

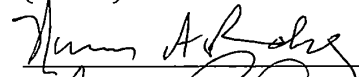
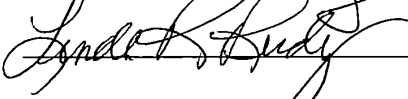
Title: \_\_\_\_\_

ERIC DAVID WENTZ  
(Lot #3)

FRED A. OLSEN AND SANDY OLSEN  
(Lot #4)

NORMAN A RUDY AND LINDA RUDY  
(Lot #5)

MATT LEHMAN AND SUSAN LEHMAN  
(Lot #6)

BLAIR WALKER AND APRIL WALKER  
(Lot #7)

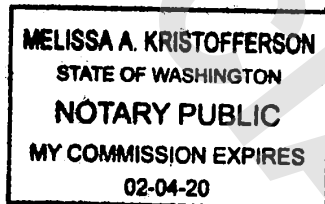
RICHARD AMMONS  
(Lot #8)



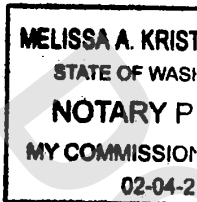
STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF Skagit )

On this 10th day of March, 2018, before me, a Notary Public in and for the State of Washington, personally appeared Linda R. Rudy & Norman A. Rudy, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed this instrument, on oath stated that he was authorized to execute the instrument, and acknowledged it as the OWNERS, of Lot #5 RIVE, to be the free and voluntary act and deed of said party for the uses and purposes mentioned in the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.



Mjfs  
NOTARY PUBLIC in and for the State of WA,  
residing at Burlington  
My appointment expires 2/4/2020  
Print Name Melissa A. Kristofferson



IN WITNESS WHEREOF, the Owners signatory hereto have executed this First Amendment on the date set forth in this acknowledgement, to be effective as of Aug. 7<sup>th</sup>, 2018.

**Owners:**

UPPER SKAGIT INDIAN TRIBE  
(Lot #1)

RUSSELL S. CURLEY AND LYNN CURLEY  
(Lot #2)

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ERIC DAVID WENTZ  
(Lot #3)

FRED A. OLSEN AND SANDY OLSEN  
(Lot #4)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

NORMAN A RUDY AND LINDA RUDY  
(Lot #5)

MATT LEHMAN AND SUSAN LEHMAN  
(Lot #6)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

BLAIR WALKER AND APRIL WALKER  
(Lot #7)

RICHARD AMMONS  
(Lot #8)

\_\_\_\_\_

\_\_\_\_\_

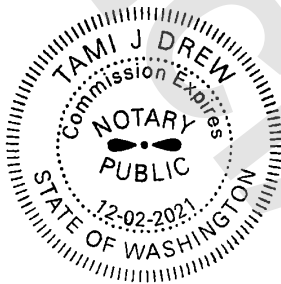
\_\_\_\_\_

\_\_\_\_\_

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF Skagit )

On this 7<sup>th</sup> day of August, 2018, before me, a Notary Public in and for the State of Washington, personally appeared Matt & Susan Lehman, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed this instrument, on oath stated that he was authorized to execute the instrument, and acknowledged it as the Owner's of Lot # 6, to be the free and voluntary act and deed of said party for the uses and purposes mentioned in the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.



Tami J. Drew  
NOTARY PUBLIC in and for the State of WA,  
residing at Bothell, WA  
My appointment expires 12-2-21  
Print Name Tami J. Drew

IN WITNESS WHEREOF, the Owners signatory hereto have executed this First Amendment on the date set forth in this acknowledgement, to be effective as of Aug. 7, 2018.

**Owners:**

UPPER SKAGIT INDIAN TRIBE  
(Lot #1)

RUSSELL S. CURLEY AND LYNN CURLEY  
(Lot #2)

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ERIC DAVID WENTZ  
(Lot #3)

FRED A. OLSEN AND SANDY OLSEN  
(Lot #4)

\_\_\_\_\_

\_\_\_\_\_

NORMAN A RUDY AND LINDA RUDY  
(Lot #5)

MATT LEHMAN AND SUSAN LEHMAN  
(Lot #6)

\_\_\_\_\_

\_\_\_\_\_

BLAIR WALKER AND APRIL WALKER  
(Lot #7)

RICHARD AMMONS  
(Lot #8)

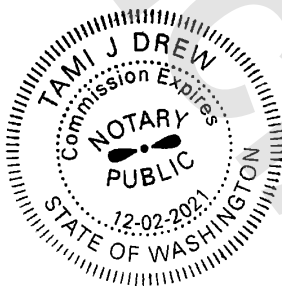
Blair Walker  
April Walker

\_\_\_\_\_  
\_\_\_\_\_

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF Skagit )

On this 7<sup>th</sup> day of August, 2018, before me, a Notary Public in and for the State of Washington, personally appeared Blair & April Walker, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed this instrument, on oath stated that he was authorized to execute the instrument, and acknowledged it as the Owners of Lot 7, to be the free and voluntary act and deed of said party for the uses and purposes mentioned in the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.



Tami J. Drew  
NOTARY PUBLIC in and for the State of WA  
residing at Bothell, WA  
My appointment expires 12-2-21  
Print Name Tami J. Drew

IN WITNESS WHEREOF, the Owners signatory hereto have executed this Amendment on the date set forth in this acknowledgement, to be effective as of Aug. 7, 2018.

**Owners:**

UPPER SKAGIT INDIAN TRIBE  
(Lot #1)

RUSSELL S. CURLEY AND LYNN CURLEY  
(Lot #2)

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ERIC DAVID WENTZ  
(Lot #3)

FRED A. OLSEN AND SANDY OLSEN  
(Lot #4)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

NORMAN A RUDY AND LINDA RUDY  
(Lot #5)

MATT LEHMAN AND SUSAN LEHMAN  
(Lot #6)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

BLAIR WALKER AND APRIL WALKER  
(Lot #7)

RICHARD AMMONS  
(Lot #8)

  
\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

DONALD MCKAY & RENEE MCKAY  
(Lot #9)

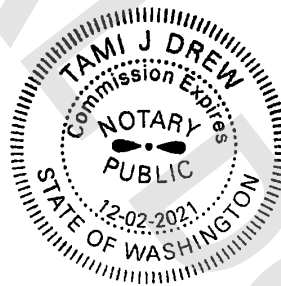
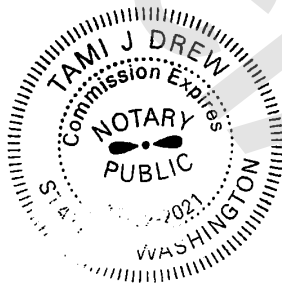
\_\_\_\_\_

\_\_\_\_\_

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF Skagit )

On this 7<sup>th</sup> day of August, 2018, before me, a Notary Public in and for the State of Washington, personally appeared Richard Ammons, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed this instrument, on oath stated that he was authorized to execute the instrument, and acknowledged it as the Owner of lot #8, to be the free and voluntary act and deed of said party for the uses and purposes mentioned in the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.



Tami J. Drew  
NOTARY PUBLIC in and for the State of WA  
residing at Bothell, WA  
My appointment expires 12-2-21  
Print Name Tami J. Drew

IN WITNESS WHEREOF, the Owners signatory hereto have executed this Amendment on the date set forth in this acknowledgement, to be effective as of Aug. 7<sup>th</sup>, 2018.

**Owners:**

UPPER SKAGIT INDIAN TRIBE  
(Lot #1)

RUSSELL S. CURLEY AND LYNN CURLEY  
(Lot #2)

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ERIC DAVID WENTZ  
(Lot #3)

FRED A. OLSEN AND SANDY OLSEN  
(Lot #4)

\_\_\_\_\_

\_\_\_\_\_

NORMAN A RUDY AND LINDA RUDY  
(Lot #5)

MATT LEHMAN AND SUSAN LEHMAN  
(Lot #6)

\_\_\_\_\_

\_\_\_\_\_

BLAIR WALKER AND APRIL WALKER  
(Lot #7)

RICHARD AMMONS  
(Lot #8)

\_\_\_\_\_

\_\_\_\_\_

DONALD MCKAY & RENEE MCKAY  
(Lot #9)

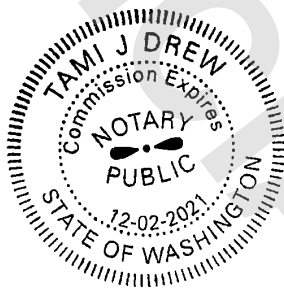
Don McKay  
Renee McKay



STATE OF WASHINGTON )  
COUNTY OF Skegit ) ss.

On this 7<sup>th</sup> day of August, 2018, before me, a Notary Public in and for the State of Washington, personally appeared Don & Renee McKay, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed this instrument, on oath stated that he was authorized to execute the instrument, and acknowledged it as the Owners, of Lot #9, to be the free and voluntary act and deed of said party for the uses and purposes mentioned in the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.



Tami J. Drew  
NOTARY PUBLIC in and for the State of WA  
residing at Bothell, WA  
My appointment expires 12-2-21  
Print Name Tami J. Drew

**EXHIBIT A**

**LOTS**

**LOT #1:**

OWNER: UPPER SKAGIT INDIAN TRIBE

**DESCRIPTION:**

Lot 1, "RIVER VALLEY VIEW ESTATES," as per plat recorded on May 7, 2001 under Auditor's File No. 200105070102, records of Skagit County, Washington;

EXCEPT that portion described as follows:

Beginning at the Southwest corner of said Lot 1;

thence: North 01°35'01" East, along the West line of said Lot 1, a distance of 448.00 feet;

thence South 57°45'27" East, a distance of 36.70 feet;

thence South 20°34'51" East, a distance of 36.70 feet;

thence South 02°00'00" East, a distance of 345.00 feet;

thence South 29°58'52" East, a distance of 63.00 feet to the South line of said Lot 1;

thence North 86°51'44" West, along said South line, a distance of 100.00 feet to the point of beginning.

Situated in the County of Skagit, State of Washington.

**LOT #2:**

OWNER: RUSSELL S. CURLEY AND LYNN CURLEY

**DESCRIPTION:**

Lot 2, "RIVER VALLEY VIEW ESTATES," as per plat recorded on February 13, 2007 under Auditor's File No. 200702130030, records of Skagit County, Washington;

Situated in the County of Skagit, State of Washington.

**LOT #3:**

OWNER: ERIC DAVID WENTZ

DESCRIPTION:

Lot 3, "RIVER VALLEY VIEW ESTATES," as per plat recorded on May 7, 2001 under Auditor's File No. 200105070102, records of Skagit County, Washington;

Situated in the County of Skagit, State of Washington.

**LOT #4:**

OWNER: FRED A. OLSEN AND SANDY OLSEN

DESCRIPTION:

Lot 4, "RIVER VALLEY VIEW ESTATES," as per plat recorded on May 7, 2001 under Auditor's File No. 200105070102, records of Skagit County, Washington;

Situated in the County of Skagit, State of Washington.

**LOT #5:**

OWNER: NORMAN A RUDY AND LINDA RUDY

DESCRIPTION:

Lot 5, "RIVER VALLEY VIEW ESTATES," as per plat recorded on May 7, 2001 under Auditor's File No. 200105070102, records of Skagit County, Washington;

Situated in the County of Skagit, State of Washington.

**LOT #6:**

OWNER: MATT LEHMAN AND SUSAN LEHMAN

DESCRIPTION:

Lot 6, "RIVER VALLEY VIEW ESTATES," as per plat recorded on May 7, 2001 under Auditor's File No. 200105070102, records of Skagit County, Washington;

Situated in the County of Skagit, State of Washington.

**LOT #7:**

OWNER: BLAIR WALKER AND APRIL WALKER

DESCRIPTION:

Lot 7, "RIVER VALLEY VIEW ESTATES," as per plat recorded on May 7, 2001 under Auditor's File No. 200105070102, records of Skagit County, Washington;

Situated in the County of Skagit, State of Washington.

**LOT #8:**

OWNER: RICHARD AMMONS

DESCRIPTION:

Lot 8, "RIVER VALLEY VIEW ESTATES," as per plat recorded on May 7, 2001 under Auditor's File No. 200105070102, records of Skagit County, Washington;

Situated in the County of Skagit, State of Washington.

**LOT #9:**

OWNER: DONALD MCKAY AND RENEE MCKAY

DESCRIPTION:

Lot 9, "RIVER VALLEY VIEW ESTATES," as per plat recorded on May 7, 2001 under Auditor's File No. 200105070102, records of Skagit County, Washington;

Situated in the County of Skagit, State of Washington.

**SUBJECT LOT**

Lot 4, "RIVER VALLEY VIEW ESTATES," as per plat recorded on May 7, 2001 under Auditor's File No. 200105070102, records of Skagit County, Washington;

Situated in the County of Skagit, State of Washington.

Fred & Sandy Olsen  
1874 Kim PL, Burlington, WA 98233

