

WHEN RECORDED RETURN TO:

Alston, Courtnage & Bassetti LLP
1420 Fifth Avenue, Suite 3650
Seattle, WA 98101
Attn: Charles E. Shigley

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Skagit County Auditor

Land Title and Escrow

01-165984-S

**FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS AND EASEMENTS**

Grantor: LARSON COOK ROAD LLC, a Washington limited liability company, ROETER COOK ROAD LLC, a Washington limited liability company, BISSELL REAL ESTATE HOLDINGS LLC, a Washington limited liability company, and YONG HO KIM and JUNG HEE KIM, husband and wife

Grantee: LARSON COOK ROAD LLC, a Washington limited liability company, ROETER COOK ROAD LLC, a Washington limited liability company, BISSELL REAL ESTATE HOLDINGS LLC, a Washington limited liability company, and YONG HO KIM and JUNG HEE KIM, husband and wife

Abbreviated Legal Description: Lots 1, 2 and 3 of Binding Site Plan No. PL07-0601 (Complete legal description contained in Exhibit A)

Assessor's Property Tax Parcel Account Numbers: 8075-000-001-0000, P127410
8075-000-002-0000, P127417
8075-000-003-0000, P127418

Reference Numbers of Documents Assigned or Released: 201406160125

**FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS AND EASEMENTS**

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS ("*Amendment*") is made and declared as of December 12, 2018, by LARSON COOK ROAD LLC, a Washington limited liability company, ROETER COOK ROAD LLC, a Washington limited liability company, BISSELL REAL ESTATE HOLDINGS LLC, a Washington limited liability company, as tenants-in-common ("*Lot 1 and Lot 2 Owners*") and YONG HO KIM and JUNG HEE KIM, husband and wife ("*Lot 3 Owner*" and collectively, together with the Lot 1 and Lot 2 Owner, the "*Owners*").

RECITALS

A. The Owners own those certain parcels of real property situated in the City Burlington, Skagit County, Washington, more particularly described on Exhibit A attached hereto (the "*Project*").

B. The Project is subject to that certain Declaration of Covenants, Conditions, Restrictions and Easements dated June 12, 2014, and recorded under Skagit County Auditor's File No. 201406160125 (the "*Declaration*"). Unless otherwise defined herein, all capitalized terms shall have the same meaning set forth in the Declaration.

C. The Owners desire to amend the Declaration as set forth below.

AGREEMENT

IN CONSIDERATION of the recitals, grants and covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Owner's hereby agree as follows:

1. Starbucks Exclusive. Nothing in Section 4.1 of the Declaration shall prohibit BP West Coast Products Co., LLC from selling on lots 1 and 2: (i) non-gourmet, unbranded brewed or drip coffee, (ii) brewed tea, (iii) self-serve machine-made espresso or self-serve espresso-based drinks, (iv) non-gourmet, unbranded coffee-based drinks, or (v) pre-bottled tea or pre-bottled tea-based drinks.

2. Counterparts. This Amendment may be executed in any number of counterparts and all counterparts shall be deemed to constitute a single agreement. The execution of one counterpart by any party shall have the same force and effect as if that party had signed all other counterparts. The signatures to this Amendment may be executed on separate pages and when attached to this Amendment shall constitute one complete document.

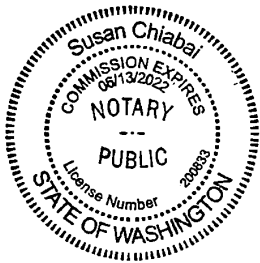
3. No Other Modification. Except as specifically set forth herein, all other terms and conditions of the Declaration shall remain unmodified and in full force and effect, the same being confirmed and republished hereby.

STATE OF WASHINGTON)
) SS.
COUNTY OF Whatcom)

On this 4th day of December, 2018, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn personally appeared Yong Ho Kim and Jung Hee Kim, husband and wife, known to me to be the individuals hat executed the foregoing instrument, and acknowledged the said instrument to be their free and voluntary act and deed for the purposes therein mentioned.

I certify that I know or have satisfactory evidence that the person appearing before me and making this acknowledgment is the person whose true signature appears on this document.

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



Susan Chiabai
Signature

Susan Chiabai
Print Name

NOTARY PUBLIC in and for the State of Washington,
residing at: Burlington 98233
My commission expires: 6-13-2022

EXHIBIT A

LEGAL DESCRIPTION

LOTS 1, 2 AND 3 OF BINDING SITE PLAN NO. PL07-0601 RECORDED MARCH 3, 2008, UNDER AUDITOR'S FILE NO. 200803030109, RECORDS OF SKAGIT COUNTY, WASHINGTON; BEING A PORTION OF THE NORTHEAST QUARTER OF SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 35, RANGE 4 EAST OF WILLAMETTE MERIDIAN.

SITUATED IN SKAGIT COUNTY, WASHINGTON.