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Montreaux, Inc.
P.O. Box 2231
Everett, WA 98213

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Document Title(s)

**Amendment to Declaration of Covenants, Conditions and Restrictions for
Montreaux Division 2**

Reference Number(s) of related documents:

201904050015

Grantor(s) (Last, First, and Middle Initial)

Montreaux, Inc.

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COURTESY AND ACCEPTS NO LIABILITY FOR THE
ACCURACY OR VALIDITY OF THE DOCUMENT.

SDO 113873

Grantee(s) (Last, First and Middle Initial)

Montreaux West Homeowners Association

Legal Description (abbreviated form: i.e. lot, block, plat or section, township, range,
quarter/quarter)

Plat of Montreaux Phase 2 AFN 201904050014

Assessor's Property Tax Parcel/Account Number

P134617, P134618, P134619, P134620, P134621, P134622, P134623
P134624, P134625, P134626, P134627, P134628, P134629, P134630
P134631, P134632, P134633, P134634, P134635, P134636, P134637
P134638, P134639, P134640, P134641, P134642, P134643, P134644
P134645, P134646, P134647, P134648, P134649, P134650, P134651
P134652, P134653, P134654, P134655, P134656, P134657

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Signature of Requesting Party

**Amendment to Declaration of Covenants, Conditions and Restrictions for
Montreaux Division 2**

This Amendment to Declaration of Covenants, Conditions and Restrictions for Montreaux Division 2 is made this 3 day of December, 2020.

RECITALS:

Whereas a Homeowner's Association has been established previously by recording of a certain Declaration of Covenants, Conditions and Restrictions for Montreaux Division 2 (hereafter "the Declaration"), recorded and filed under Skagit County Auditor's File Number 201904050015;

And Whereas these amended Covenants, Conditions and Restrictions were approved by the city of Mount Vernon, as required, before being recorded;

And Whereas the Association wishes to amend certain tables for Common Maintenance Areas;

Hereby, to accomplish the foregoing purposes, this Amendment to the Declaration is declared as follows:

1. Section 4 table of Common Maintenance Areas as contained in the Declaration shall be replaced by the attached Section 4 table of Common Maintenance Areas.
2. Exhibit D as contained in the Declaration shall be replaced by the attached Exhibit D.
3. There shall be a new Exhibit J, attached hereto, added as an exhibit to the Declaration.
4. This Amendment shall take effect upon recording.
5. Except as specifically modified herein, all other provisions of the Declaration shall remain in full force and effect.

In witness whereof, the undersigned have executed this Amendment to the Declaration as of the date first above given.

DECLARANT MONTREAUX, INC.

By: H. Lee Johnson
President

STATE OF WASHINGTON)
COUNTY OF SNOHOMISH)

On this 3 day of December, 2020, before me, the undersigned, a Notary Public, in and for the State of Washington, duly commissioned and sworn, personally appeared H. Lee Johnson, to me personally known (or proven on the basis of satisfactory evidence) to be the President of Declarant Montreaux, Inc., the corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument and that seal affixed, if any, is the corporate seal of said corporation.

WITNESS my hand and seal hereto affixed the day and the year in this certification above written.

NOTARY PUBLIC in and for the State of
Washington, residing in Snohomish, WA
My commission expires 6/20/22
Print Notary Name Lisa Beal-Austin

Lisa Beal-Austin

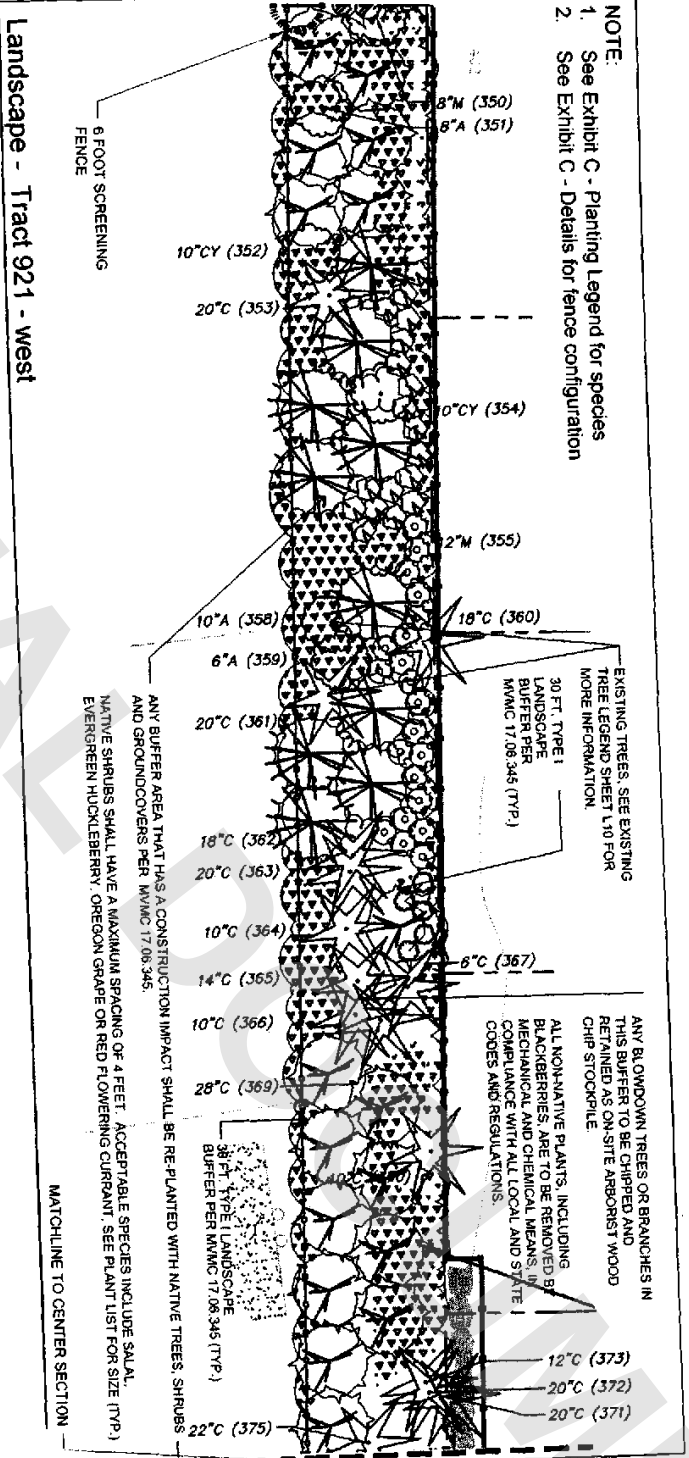


To replace Section 4 table of Common Maintenance Areas

Section 4 Common Maintenance Areas. "Common Maintenance Areas" shall mean those portions of all real property (including the improvements thereto) maintained by the Declarant and the Association for the benefit of the members of the Association. The areas to be maintained by the Declarant and the Association at the time of recording this Declaration are described as follows:

<u>TRACTS & EASEMENTS</u>	<u>DESCRIPTION</u>
<u>915</u>	<u>Landscaping, Fencing & Open Space</u>
<u>917, 920, and Boulevard Landscaping at Plat Entrance</u>	<u>Landscaping and Fencing</u>
<u>Landscaping abutting Tracts 918, 919, 922, and 930</u>	<u>Landscaping Abutting Private Roads</u>
<u>918, 919, 922, and 930</u>	<u>Access and Utilities</u>
<u>921, 931, and 928</u>	<u>Forested Buffers</u>
<u>924 and 926</u>	<u>Native Growth Protection Areas (NGPAs)</u>
<u>Retaining Walls and Easements</u>	<u>Retaining Walls Identified on Exhibit H</u>
<u>Landscaping around Stormwater Pond in Tract 932</u>	<u>Landscaping Installed Around the East, South and West Sides of Tract 932 Identified on Exhibit I</u>
<u>Tract 921</u>	<u>Retaining Wall and fence Identified on Exhibit J</u>

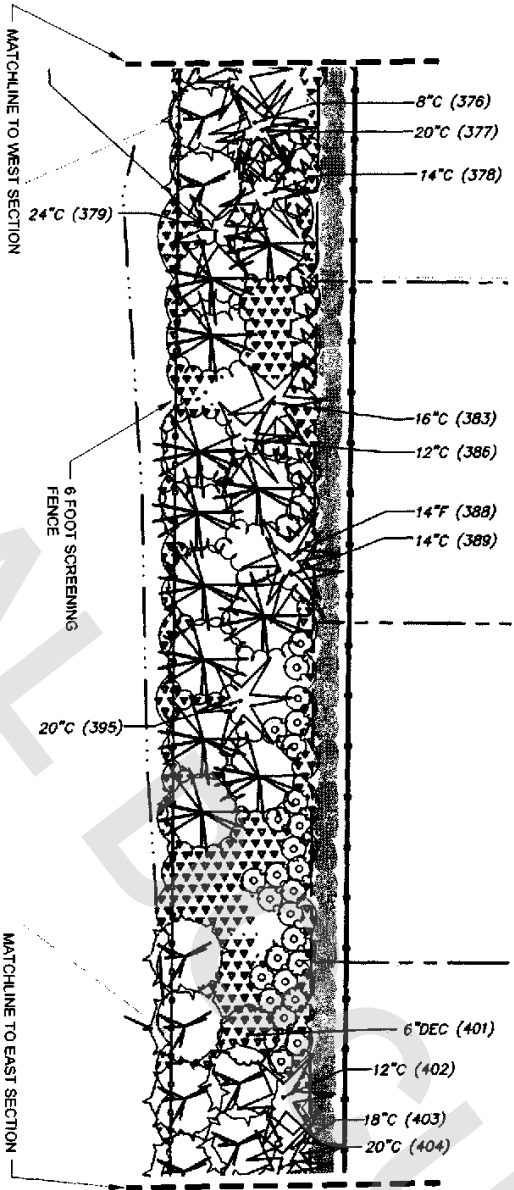
- NOTE:
1. See Exhibit C - Planting Legend for species
 2. See Exhibit C - Details for fence configuration



The forested buffers created in tracts 921, 928, and 931 are intended to screen and provide a transition from the lower density developments abutting portions of the Montreaux II plat. The forested buffer is required to have a 3 to 4 foot tall split rail fence delineating the buffer from the rear or side yard of the building lot it abuts and on the opposite side of the forested buffer it is required to have a 6-foot tall screening fence. Both the split rail and screening fence are required to remain on both sides of the forested buffer in perpetuity. Trees, shrubs, and non-invasive ground-cover within the forested buffer can be trimmed and maintained, but can only be removed with permission from the City of Mount Vernon (City). The City will authorize the removal of trees and shrubs within the forested buffer only if a professional arborist (or other similarly qualified professional) demonstrates to the City that the trees, shrubs, or ground-cover demonstrates to the City that it poses a danger and/or are dead or dying. If the City authorizes the removal of trees, shrubs, or ground-cover within the forested buffer new trees, shrubs, or non-invasive ground-cover shall be replanted in a timeframe and density established, and pre-approved, by the City. The owners of the lots that abut forested buffers and the HOA shall not disturb the trees, shrubs, or ground cover within the forested buffer unless it is for maintenance such as minor weed removal.

The HOA is responsible for monitoring, maintenance, and replacement (when necessary) of the trees, shrubs, groundcover, retaining walls and fencing, located in these tracts. These areas are the sole responsibility of the HOA, not the City of Mount Vernon.

- NOTE:
1. See Exhibit C - Planting Legend for species
 2. See Exhibit C - Details for fence configuration



Landscape - Tract 921 - center

The forested buffers created in tracts 921, 928, and 931 are intended to screen and provide a transition from the lower density developments abutting portions of the Montreux II plat. The forested buffer is required to have a 3 to 4 foot tall split rail fence delineating the buffer from the rear or side yard of the building lot it abuts and on the opposite side of the forested buffer it is required to have a 6-foot tall screening fence. Both the split rail and screening fence are required to remain on both sides of the forested buffer in perpetuity. Trees, shrubs, and non-invasive ground-cover within the forested buffer can be trimmed and maintained, but can only be removed with permission from the City of Mount Vernon (City). The City will authorize the removal of trees and shrubs within the forested buffer only if a professional arborist (or other similarly qualified professional) demonstrates to the City that the trees, shrubs, or ground-cover demonstrates to the City that it poses a danger and/or are dead or dying. If the City authorizes the removal of trees, shrubs, or ground-cover within the forested buffer new trees, shrubs, or non-invasive ground-cover shall be replanted in a timeframe and density established, and pre-approved, by the City. The owners of the lots that abut forested buffers and the HOA shall not disturb the trees, shrubs, or ground cover within the forested buffer unless it is for maintenance such as minor weed removal.

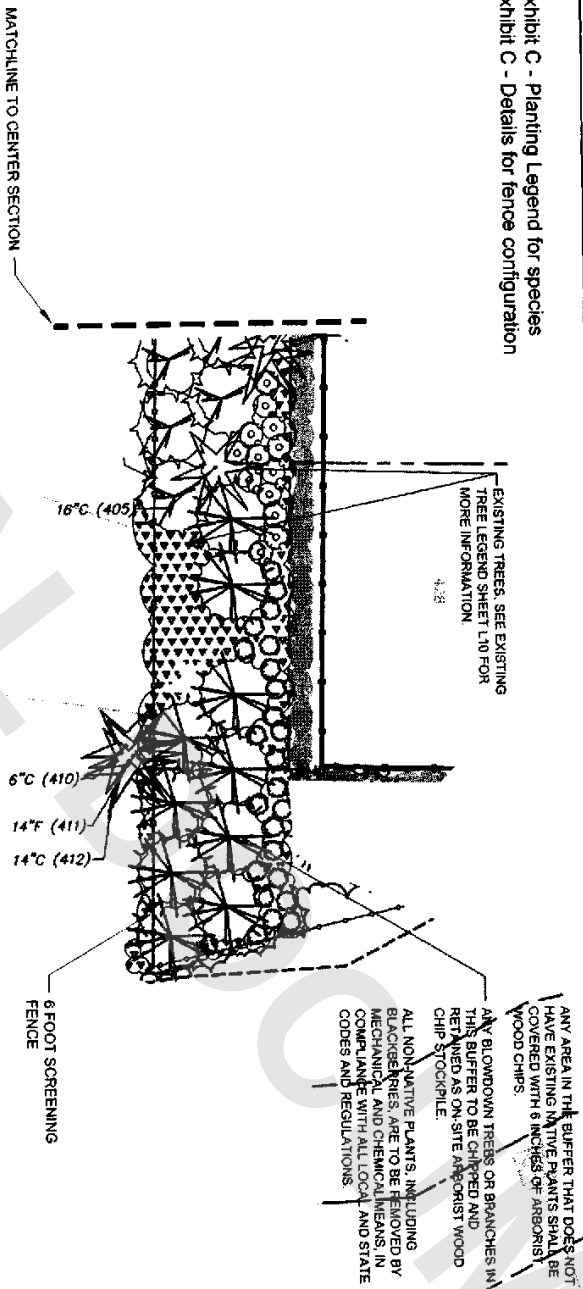
August 12, 2020 (rev 1)

The HOA is responsible for monitoring, maintenance, and replacement (when necessary) of the trees, shrubs, groundcover, retaining walls and fencing, located in these tracts. These areas are the sole responsibility of the HOA, not the City of Mount Vernon.

MONTREUX Phase 2
Final PUD plan
Exhibit D - Forested Buffer Tracts
Tract 921

no scale

- NOTE:
1. See Exhibit C - Planting Legend for species
 2. See Exhibit C - Details for fence configuration



Landscape - Tract 921 - east

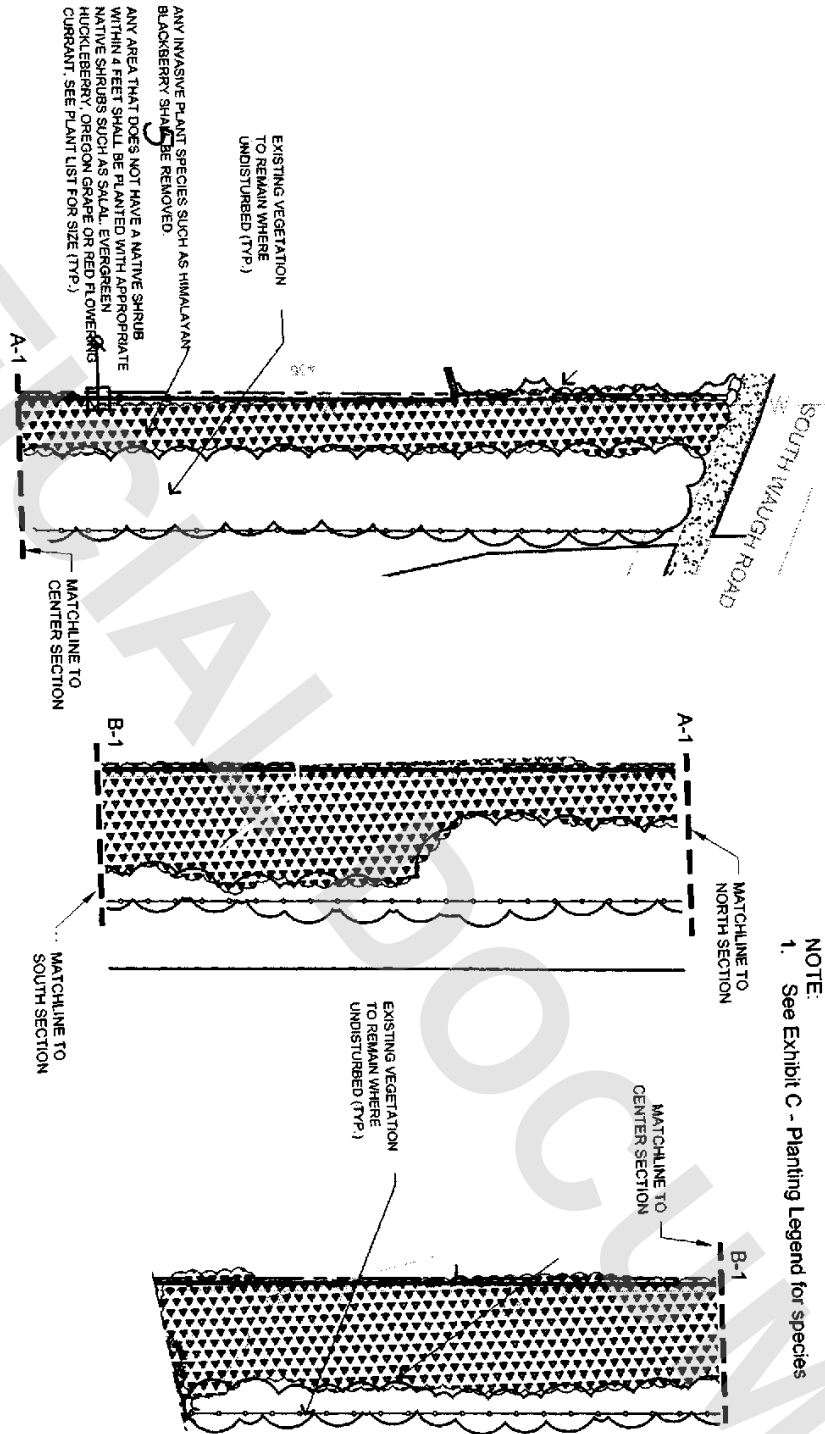
The forested buffers created in tracts 921, 928, and 931 are intended to screen and provide a transition from the lower density developments abutting portions of the Montreaux II plat. The forested buffer is required to have a 3 to 4 foot tall split rail fence, delineating the buffer from the rear or side yard of the building lot it abuts and on the opposite side of the forested buffer it is required to have a 6-foot tall screening fence. Both the split rail and screening fence are required to remain on both sides of the forested buffer in perpetuity. Trees, shrubs, and non-invasive ground-cover within the forested buffer can be trimmed and maintained, but can only be removed with permission from the City of Mount Vernon (City). The City will authorize the removal of trees and shrubs within the forested buffer only if a professional arborist (or other similarly qualified professional) demonstrates to the City that the trees, shrubs, or ground-cover demonstrates to the City that it poses a danger and/or are dead or dying. If the City authorizes the removal of trees, shrubs, or ground-cover within the forested buffer new trees, shrubs, or non-invasive ground-cover shall be replanted in a timeframe and density established, and pre-approved, by the City. The owners of the lots that abut forested buffers and the HOA shall not disturb the trees, shrubs, or ground cover within the forested buffer unless it is for maintenance such as minor weed removal.

August 12, 2020 (rev 1)

The HOA is responsible for monitoring, maintenance, and replacement (when necessary) of the trees, shrubs, groundcover, retaining walls and fencing, located in these tracts. These areas are the sole responsibility of the HOA, not the City of Mount Vernon.

MONTREAUX Phase 2
Final PUD plan
Exhibit D - Forested Buffer Tracts
Tract 921

no scale



Landscape - Tract 928 - north, center and south

The HOA is responsible for monitoring, maintenance, and replacement (when necessary) of the trees, shrubs, groundcover, retaining walls and fencing, located in these tracts. These areas are the sole responsibility of the HOA, not the City of Mount Vernon.

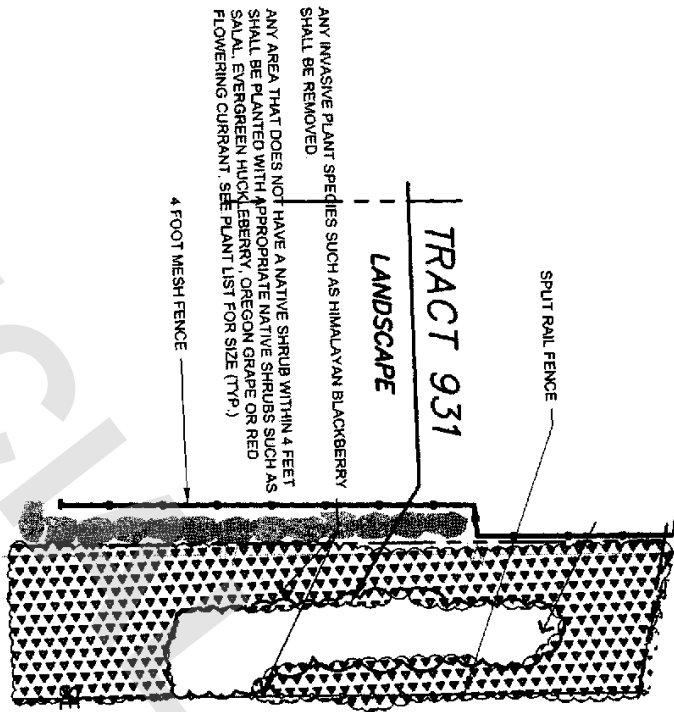
MONTREAUX Phase 2
Final PUD plan
Exhibit D - Forested Buffer Tracts
Tract 928

August 12, 2020 (rev 1)

no scale

The HOA is responsible for monitoring, maintenance, and replacement (when necessary) of the trees, shrubs, groundcover, retaining walls and fencing, located in these tracts. These areas are the sole responsibility of the HOA, not the City of Mount Vernon.

Landscape - Tract 931



NOTE:
1. See Exhibit C - Planting Legend for species

MONTREAUX Phase 2
Final PUD plan
Exhibit D - Forested Buffer Tracts
Tract 931

August 12, 2020 (rev 1)

no scale

MONTREAUX



**Tract 921
Exhibit J
Wall/Fence**

**LOTS 19-23
RETAINING
WALL EXHIBIT**

LEGEND

EXISTING RETAINING WALL
NEW RETAINING WALL

NOTE

NO UTILITIES OR EASEMENTS ARE IN THE PROXIMITY IF WHERE THE WALL/FENCE ARE PROPOSED

Retaining Wall/Fence Easement Note:
The HOA is responsible for monitoring

The HOA shall be responsible for the maintenance and repair of the existing walls within this plot as shown on this plan. These retaining walls are the sole responsibility of the HOA and not the City of Mount Vernon. Maintenance of the retaining wall/retaining includes insuring that no alterations occur without the assessment areas and that all vegetation remains undisturbed unless the express written authorization of the City of Mount Vernon has been received. Should any disturbance of the retaining wall/retaining occur, the HOA shall have the obligation to restore the wall/retaining after applying for and receiving a building permit from the City to complete the restoration needed.

