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Skagit County Auditor

After Recording Return To:

Stoel Rives LLP
600 University Street, Suite 3600
Seattle, WA 98101
Attention: Nathan A. Luce

**AMENDMENT NO 2 TO
CONDOMINIUM DECLARATION FOR
KENDALL PLACE CONDOMINIUM**

Grantor: Rick A. Hanson

Grantee: Kendall Place, a Condominium

Abbreviated Legal: All Units, Kendall Place Condominium, a Condominium
Complete legal description on Exhibit A

Reference No.: 200701240073, 200709060103, 201604190049

Assessor's Parcel No.: 125652; 125653; 125654, 125655; 125656; 125657; 125658;
125659; 125660; P76931

An Amendment to Survey Map and Plans for this condominium was recorded simultaneously with the recording of this Second Amendment to Declaration under Skagit County Recording No. 202109170133.

**AMENDMENT NO 2
TO
CONDOMINIUM DECLARATION
FOR
KENDALL PLACE CONDOMINIUM**

This Second Amendment to Declaration of Kendall Place Condominium (this "**Amendment**") is executed as of the 17th day of SEPTEMBER 2021 by Rick A. Hanson ("**Declarant**").

RECITALS

Declarant recorded the Condominium Declaration for Kendall Place Condominium in Skagit County, Washington, under recording number 200701240073 (the "**Declaration**"). Declarant simultaneously recorded the Survey Map and Plans for the condominium under recording number 200701240072 (the "**Survey Map and Plans**"). Declarant recorded a First Amendment to the Declaration on September 6, 2007 under recording number 200709060103 (the "**First Amendment**"). Capitalized terms used but not otherwise defined in this Amendment have the meanings ascribed to them in the Declaration.

The Declarant's original intent was that the Condominium would consist of nine (9) total units. Units 1 through 8 were intended as the primary units in the Condominium and would operate as a traditional condominium with certain shared expenses, assessments, a budget, and the like. Unit 9 was intended to be a separately operated, independent single family home located to the northeast of Units 1 through 8. The single family home intended to be established as Unit 9 is commonly known as tax parcel number P76931 located at 895 Cook Road (the "**895 Cook Road Parcel**"). Given that the 895 Cook Road Parcel was intended to exist and operate as Unit 9 independently of Units 1 through 8, the Declarant intended to create a condominium unit on the 895 Cook Road Parcel (i.e., as Unit 9) and to withdraw it from the Condominium after it was established as a separate legal lot. The Declarant specifically reserved the right to withdraw the 895 Cook Road Parcel/Unit 9 from the Condominium in Sections 9.1 through 9.3 of the Declaration.

Due to a scrivener's error, the Survey Map and Plans for the Condominium failed to identify the 895 Cook Road Parcel as Unit 9. Accordingly, Unit 9 was never established as a separate legal lot. The Declarant attempted to address this error by re-recording the Declaration (as instrument number 201604190049) and specifically identifying the tax parcel number of the 895 Cook Road Parcel. However, the Declarant did not correct the error in the Survey Map and Plans at that time and, accordingly, Unit 9 was still never properly established as a separate legal lot.

The purpose of this Amendment is to correct the prior scrivener's errors with respect to the 895 Cook Road Parcel/Unit 9. To that end, this Amendment is intended: (1) to formally

establish the 895 Cook Road Parcel as a separate condominium unit and legal lot known as Unit 9 (and is being recorded simultaneously with a corresponding re-recording of the Survey Map and Plans to properly identify Unit 9 as a separate unit), (2) after establishing Unit 9 as a separate legal lot, to immediately withdraw Unit 9 from the Condominium as originally contemplated by Sections 9.1 through 9.2 of the Declaration, and (3) to revise the percentage interests of the remaining units to reflect the withdrawal of Unit 9 from the Condominium. The end result is that Unit 9 will have been established as a separate legal lot and then be withdrawn from the Condominium, so that the original Units 1 through 8 can operate as originally intended.

Declarant is executing this Amendment pursuant to Declarant's reserved right to make non-material amendments for the purpose of correcting technical errors or for clarification, pursuant to Section 13.2.3 of the Declaration.

NOW, THEREFORE, Declarant hereby amends the Declaration as follows:

AMENDMENT

1. Correction of Unit 9 Scrivener's Error / Recognition of Unit 9. Declarant hereby confirms that the 895 Cook Road Parcel was intended to be established—and is hereby established—as Unit 9 referred to in the Declaration. The Declarant hereby subjects the 895 Cook Road Parcel, and all improvements situated thereupon, to the Declaration, thereby imposing on the 895 Cook Road Parcel the condominium form of ownership and use pursuant to the Washington Condominium Act, and all of the covenants, conditions, easements, restrictions and reservations set forth in the Declaration. The Survey Map and Plans is being re-recorded simultaneously with this Amendment to properly identify Unit 9. As set forth above, the purpose of this Amendment is primarily to establish Unit 9 as a separate legal lot, so that it can be immediately withdrawn from the Condominium and separately conveyed.

2. Withdrawal of Unit 9. Having established Unit 9 as a separate legal lot pursuant to Section 1 above, Declarant hereby exercises its right under Section 9.1 of the Declaration to withdraw Unit 9 from the Condominium (and the re-recording of the Declaration under recording number 201604190049 is also terminated and shall be of no further force or effect with respect to Unit 9).

3. Allocated Interests. As permitted pursuant to Section 9.2 of the Declaration, Declarant hereby amends the allocated interests set forth in Article 7 of the Declaration such that all eight remaining units shall have an equal twelve and one-half percent (12.5%) allocation.

[Remainder of page intentionally left blank; signatures follow.]

Date: SEPT 17, 2021

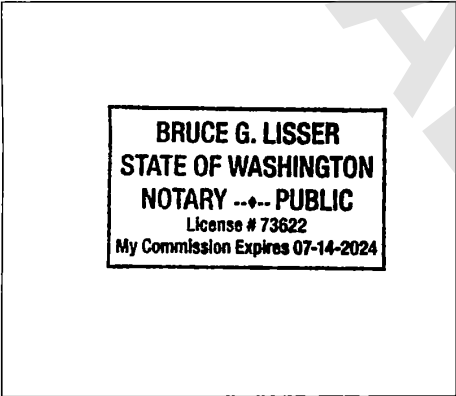
DECLARANT:


RICK A. HANSON

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGW)

This record was acknowledged before me on Rick A. Hanson by Rick A. Hanson as the
Declarant for Kendall Place Condominium.

DATED: SEPT. 17, 2021.





(Print/Name) Bruce G. Lisser
Notary Public for the State of Washington
My commission expires: 7-14-24

EXHIBIT A
Legal Description of Condominium

Units 1, 2, 3, 4, 5, 6, 7, and 8, and all the common elements of KENDALL PLACE CONDOMINIUM, according to the Declaration recorded January 24, 2007, under Auditor's File No. 200701240073, records of Skagit County, Washington, and as re-recorded under Skagit County Auditor's File No. 202109170133 to include Unit 9.

Situate in Skagit County, Washington.