

Filed for Record at Request of:
Law Offices of Gregory E. Thulin, PS
2200 Rimland Drive, Suite 115
Bellingham, WA 98226

Document Title: FIRST AMENDMENT TO JOINT USE, MAINTENANCE &
COST SHARING COVENANT

Grantors: Michael D. & Mary P. Reynolds;
John F. & Betty J. Wozniak;
Kathleen A. Ehman & Charles A. Dignum;
James A. & Shendelle T. Polk;
Gregory T. & Andrea E. Insley;
Denise M. Gechas;
Roy T. & Laura M. Chen;
Derek S. Philliber;
Barry W. & Carol A. Matthews;
Frank & Mary F. Bavaro, TTEE Bavaro Living Trust
Robert S. Miller & Brenda K. Reimnitz;
Jonathan & Melanie Ross, TTEE Ross Living Trust;
John T. Lewis, TTEE Lewis Trust

Grantees: Michael D. & Mary P. Reynolds;
John F. & Betty J. Wozniak;
Kathleen A. Ehman & Charles A. Dignum;
James A. & Shendelle T. Polk;
Gregory T. & Andrea E. Insley;
Denise M. Gechas;
Roy T. & Laura M. Chen;
Derek S. Philliber;
Barry W. & Carol A. Matthews;
Frank & Mary F. Bavaro, TTEE Bavaro Living Trust
Robert S. Miller & Brenda K. Reimnitz;
Jonathan & Melanie Ross, TTEE Ross Living Trust;
John T. Lewis, TTEE Lewis Trust;
48 North HOA; and
General Public

Ref. No. Related Doc. 201706020017 & 201705020029

Abbreviated legal: Lots 2, 3, 4, 17, 18, 19, 20, 21, 26, 27, 28, 29 & 30, 48 North Plat
& PUD AF# 201705020028

Tax Parcel Nos: P133660, P133661, P133662, P133675, P133676, P133677,
P133678, P133679, P133684, P133685, P133686, P133687 &
P133688

**FIRST AMENDMENT TO JOINT USE,
MAINTENANCE & COST SHARING COVENANT**

THIS FIRST AMENDMENT TO JOINT USE, MAINTENANCE & COST SHARING COVENANT, is effective this 15th day of October, 2021, and is by and between Michael D. Reynolds and Mary P. Reynolds, husband and wife ("Reynolds"); John F. Wozniak and Betty J. Wozniak, husband and wife ("Wozniak"); Kathleen A. Ehman & Charles A. Dignum, both single individuals ("Ehman"); James A. Polk, Jr. and Shendelle T. Polk, husband and wife ("Polk"); Gregory T. Insley and Andrea E. Insley, husband and wife ("Insley"); Denise M. Gechas, a single individual ("Gechas"); Roy T. Chen and Laura M. Chen, husband and wife ("Chen"); Derek S. Philliber, a single individual ("Philliber"); Barry W. Matthews and Carol A. Matthews, husband and wife ("Matthews"); Frank Bavaro and Mary F. Bavaro, Trustees of the Bavaro Living Trust ("Bavaro"); Robert S. Miller and Brenda K. Reimnitz, husband and wife ("Miller"); Jonathan Ross and Melanie Ross, Trustees of the Ross Living Trust; John T. Lewis, Trustee of the Lewis Trust; and 48 North Association, a Washington nonprofit corporation ("48 North") [collectively "Lot Owners" or "Parties"].

RECITALS

A. A Joint Use, Maintenance & Cost Sharing Covenant was executed on May 31, 2017, and filed under Skagit County Auditor's File No. 201706020017 (hereinafter "Covenant").

B. The Covenant failed to include two (2) lots within the definition of the "Benefitted Lots"; specifically the following lots:

Lots 17 and 26, "48 North Plat & PUD", recorded May 2, 2017, under Skagit County Auditor's File No. 201705020028, records of Skagit County, Washington.

Situate in the City of Anacortes, County of Skagit, State of Washington

C. The failure to include the two (2) lots affects the use, maintenance and cost sharing provisions of the Covenant.

D. With this Amendment, the Benefitted Lots that were defined on page 1 of the Covenant, are now defined as follows:

Lots 2, 3, 4, 17, 18, 19, 20, 21, 26, 27, 28, 29 & 30, "48 North Plat & PUD, recorded May 2, 2017, under Skagit County Auditor's File No. 201705020028, records of Skagit County, Washington.

Situate in the City of Anacortes, County of Skagit, State of Washington

Hereinafter collectively referred to as the "Benefitted Lots".

E. The Benefitted Lots, along with Common Area Tracts A and B, are burdened with two separate private sanitary sewer (serving Lots 17, 18, 19, 20, 21, 26, 27, 28, 29 & 30) and three separate storm drainage easements (serving all the Benefitted Lots) appearing on the face of the PUD Plat; within such easement areas, private sanitary sewer and storm drain pipes or lines [collectively "Drainage Lines"] exist to serve the Benefitted Lots.

F. With the addition of two (2) lots, the Parties desire to amend the Covenants and specifically Exhibit "A" to clarify the maintenance responsibilities and cost sharing of the Benefitted Lots.

NOW, THEREFORE, the Parties hereto amend the Covenant as follows:

* * * * *

____.____ Exhibits

Attached hereto is the First Amendment to Exhibit "A" to the Joint Use, Maintenance & Cost Sharing Covenant, amending and replacing Exhibit "A" in its entirety.

* * * * *

EXCEPT as modified by this First Amendment, all of the terms and provisions of the Joint Use, Maintenance & Cost Sharing Covenant shall remain in full force and effect.

This Amendment may be executed in counterparts, each of which shall be deemed an original, and which together shall constitute a single, integrated contract.

IN WITNESS WHEREOF, the Parties hereto, as the owners of all real property described herein, have caused this agreement to be executed on the day, month, and year first above written.

[signatures on following pages]

Owners of Lot 2:

Michael D. Reynolds
 Michael D. Reynolds

Mary P. Reynolds
 Mary P. Reynolds

STATE OF WASHINGTON)
) ss.
 COUNTY OF SKAGIT)

On this day personally appeared before me Michael D. Reynolds and Mary P. Reynolds, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Subscribed and Sworn to before me this 12th day of October, 2021.

Notary Public
 State of Washington
 Gustavo Camacho
 Commission No. 163632
 Commission Expires 02-06-2024

Gustavo Camacho
 Notary Public in and for the State of Washington
 Print name: Gustavo Camacho
 My commission expires: 02/06/2024

Owners of Lot 3:

John F. Wozniak

Betty J. Wozniak

STATE OF WASHINGTON)
) ss.
 COUNTY OF SKAGIT)

On this day personally appeared before me John F. Wozniak and Betty J. Wozniak, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Subscribed and Sworn to before me this _____ day of _____, 2021.

 Notary Public in and for the State of Washington
 Print name: _____
 My commission expires: _____

Owners of Lot 2:Michael D. ReynoldsMary P. Reynolds

STATE OF WASHINGTON)
) ss.
 COUNTY OF SKAGIT)

On this day personally appeared before me Michael D. Reynolds and Mary P. Reynolds, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Subscribed and Sworn to before me this _____ day of _____, 2021.

Notary Public in and for the State of Washington

Print name: _____

My commission expires: _____

Owners of Lot 3:

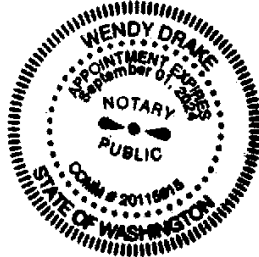
John F. Wozniak
 John F. Wozniak

Betty J. Wozniak
 Betty J. Wozniak

STATE OF WASHINGTON)
) ss.
 COUNTY OF SKAGIT)

On this day personally appeared before me John F. Wozniak and Betty J. Wozniak, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Subscribed and Sworn to before me this 5 day of October, 2021.



Wendy Drake
 Notary Public in and for the State of Washington
 Print name: Wendy Drake
 My commission expires: Sept. 1st, 2024

Owners of Lot 4:

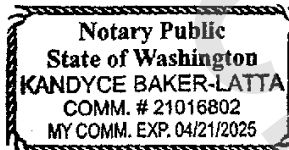
Kathleen A. Ehman
Kathleen A. Ehman

Charles A. Dignum
Charles A. Dignum

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

On this day personally appeared before me Kathleen A. Ehman & Charles A. Dignum, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Subscribed and Sworn to before me this 10 day of Oct., 2021.



Kandyce Baker-Latta
Notary Public in and for the State of Washington
Print name: Kandyce Baker-Latta
My commission expires: 04/21/2025

Owners of Lot 17:

James A. Polk, Jr.

Shendelle T. Polk

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

On this day personally appeared before me James A. Polk, Jr. and Shendelle T. Polk, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Subscribed and Sworn to before me this _____ day of _____, 2021.

Notary Public in and for the State of Washington
Print name: _____
My commission expires: _____

Owners of Lot 4:_____
Kathleen A. Ehman_____
Charles A. DignumSTATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

On this day personally appeared before me Kathleen A. Ehman & Charles A. Dignum, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Subscribed and Sworn to before me this 15th day of October, 2021.

_____
Notary Public in and for the State of WashingtonPrint name: B K GainerMy commission expires: 01/08/2025**Owners of Lot 17:**_____
James A. Polk, Jr._____
Shendelle T. PolkSTATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

On this day personally appeared before me James A. Polk, Jr. and Shendelle T. Polk, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Subscribed and Sworn to before me this _____ day of _____, 2021.

Notary Public in and for the State of Washington

Print name: _____

My commission expires: _____

Owners of Lot 18:

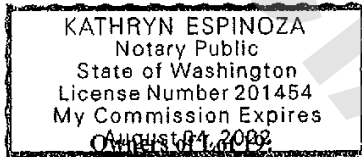
Gregory T. Insley
 Gregory T. Insley

Andrea E. Insley
 Andrea E. Insley

STATE OF WASHINGTON)
) ss.
 COUNTY OF SKAGIT)

On this day personally appeared before me Gregory T. Insley and Andrea E. Insley, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Subscribed and Sworn to before me this 27 day of Sept., 2021.



Kathryn Espinoza
 Notary Public in and for the State of Washington
 Print name: KATHRYN ESPINOZA
 My commission expires: Aug 4, 2022

 Denise M. Gechas

REPUBLIC OF ITALY)
 PROVINCE OF SICILY) ss.
 CITY OF _____)

On this day personally appeared before me Denise M. Gechas, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

Subscribed and Sworn to before me this _____ day of _____, 2021.

 Notary Public in and for the Republic of Italy
 Print name: _____
 My commission expires: _____

Owners of Lot 18:_____
Gregory T. Insley_____
Andrea E. InsleySTATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

On this day personally appeared before me Gregory T. Insley and Andrea E. Insley, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Subscribed and Sworn to before me this _____ day of _____, 2021.

Notary Public in and for the State of Washington

Print name: _____

My commission expires: _____

Owners of Lot 19:_____
Denise M. GechasREPUBLIC OF ITALY)
PROVINCE OF SICILY) ss.
CITY OF Sigmonella)

On this day personally appeared before me Denise M. Gechas, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

Subscribed and Sworn to before me this 12 day of October, 2021.

Notary Public in and for the Republic of ItalyPrint name: MARTA MOTYLMy commission expires: 29 Jul 23111 Marta Motyl, JAGC, U.S. Navy

Federal Notary, Under Authority of 10 U.S.C. § 1044a

Office of the Judge Advocate General of the Navy

Commission Expires: 29 Jul 23

Owners of Lot 20:

Roy T. Chen
Roy T. Chen

Laura M. Chen
Laura M. Chen

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

On this day personally appeared before me Roy T. Chen and Laura M. Chen, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Subscribed and Sworn to before me this 8th day of October, 2021.

Notary Public
State of Washington
Gustavo Camacho
Commission No. 163632
Commission Expires 02-06-2024

Gustavo Camacho
Notary Public in and for the State of Washington
Print name: Gustavo Camacho
My commission expires: 02/06/2024

Owners of Lot 21:

Derek S. Philliber
Derek S. Philliber

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

On this day personally appeared before me Derek S. Philliber, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

Subscribed and Sworn to before me this _____ day of _____, 2021.

Notary Public in and for the State of Washington
Print name: _____
My commission expires: _____

Owners of Lot 20:_____
Roy T. Chen_____
Laura M. ChenSTATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

On this day personally appeared before me Roy T. Chen and Laura M. Chen, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Subscribed and Sworn to before me this _____ day of _____, 2021.

Notary Public in and for the State of Washington

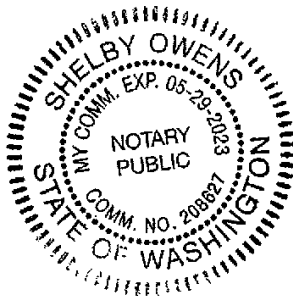
Print name: _____

My commission expires: _____

Owners of Lot 21:_____
Derek S. PhilliberSTATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

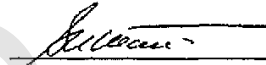
On this day personally appeared before me Derek S. Philliber, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

Subscribed and Sworn to before me this 7th day of October, 2021.

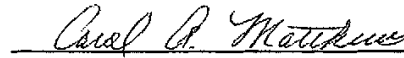


Notary Public in and for the State of Washington
Print name: Shelby Owens
My commission expires: 05/29/2023

Owners of Lot 26:



Barry W. Matthews



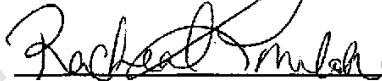
Carol A. Matthews

STATE OF WASHINGTON)
) ss.
 COUNTY OF SKAGIT)

On this day personally appeared before me Barry W. Matthews and Carol A. Matthews, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Subscribed and Sworn to before me this 8 day of October, 2021.




 Notary Public in and for the State of Washington
 Print name: Rachael Meloche
 My commission expires: 7/28/25

Owners
 Bavaro Living Trust

 Frank Bavaro, Trustee

 Mary F. Bavaro, Trustee

STATE OF WASHINGTON)
) ss.
 COUNTY OF SKAGIT)

On this day personally appeared before me Frank Bavaro and Mary F. Bavaro, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Subscribed and Sworn to before me this _____ day of _____, 2021.

 Notary Public in and for the State of Washington
 Print name: _____
 My commission expires: _____

Owners of Lot 26:_____
Barry W. Matthews_____
Carol A. MatthewsSTATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

On this day personally appeared before me Barry W. Matthews and Carol A. Matthews, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Subscribed and Sworn to before me this 15 day of _____, 2021.

Notary Public in and for the State of Washington

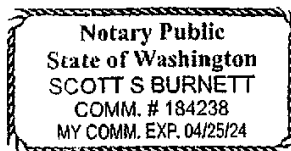
Print name: _____

My commission expires: _____

Owners of Lot 27:**Bavaro Living Trust**_____
Frank Bavaro, Trustee_____
Mary F. Bavaro, TrusteeSTATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

On this day personally appeared before me Frank Bavaro and Mary F. Bavaro, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Subscribed and Sworn to before me this 15 day of Oct, 2021.

_____
Notary Public in and for the State of WashingtonPrint name: Scott S. BurnettMy commission expires: 4-25-24

Owners of Lot 28:

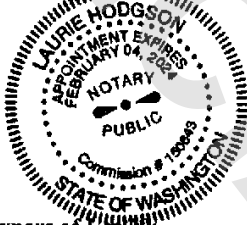
Robert S. Miller

Brenda K. Reimnitz

STATE OF WASHINGTON)
) ss.
 COUNTY OF SKAGIT)

On this day personally appeared before me Robert S. Miller and Brenda K. Reimnitz, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Subscribed and Sworn to before me this 16 day of October, 2021.



Notary Public in and for the State of Washington

Print name: Laurie HodgsonMy commission expires: 02-04-2024

Owners of Lot 29:

Ross Living Trust

Jonathan Ross, Trustee

Melanie Ross, Trustee

STATE OF WASHINGTON)
) ss.
 COUNTY OF SKAGIT)

On this day personally appeared before me Jonathan Ross and Melanie Ross, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Subscribed and Sworn to before me this _____ day of _____, 2021.

Notary Public in and for the State of Washington

Print name: _____

My commission expires: _____

Owners of Lot 28:

Robert S. Miller

Brenda K. Reimnitz

STATE OF WASHINGTON)
) ss.
 COUNTY OF SKAGIT)

On this day personally appeared before me Robert S. Miller and Brenda K. Reimnitz, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Subscribed and Sworn to before me this _____ day of _____, 2021.

Notary Public in and for the State of Washington

Print name: _____

My commission expires: _____

Owners of Lot 29:**Ross Living Trust**

Jonathan Ross, TRUSTEE
 Jonathan Ross, Trustee

Melanie Ross, trustee
 Melanie Ross, Trustee

STATE OF WASHINGTON)
) ss.
 COUNTY OF SKAGIT)

On this day personally appeared before me Jonathan Ross and Melanie Ross, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Subscribed and Sworn to before me this 8th day of OCTOBER, 2021.



Katherine M. Hargett
 Notary Public in and for the State of Washington
 Print name: Katherine M. Hargett
 My commission expires: 12/06/2021

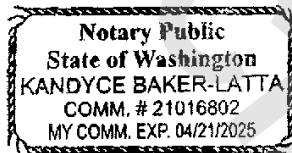
Lot 30:
Lewis Trust

John T. Lewis

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

On this day personally appeared before me John T. Lewis, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

Subscribed and Sworn to before me this 7 day of October, 2021.



Kandyce Baker-Latta
Notary Public in and for the State of Washington
Print name: Kandyce Baker-Latta
My commission expires: 04/21/2025

48 North Association:

By: _____
Robert S. Miller, President

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

I hereby certify that I know or have satisfactory evidence that Robert S. Miller is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the President of 48 North Association, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: _____, 2021.

Notary Public in and for the State of Washington
Print name: _____
My commission expires: _____

Lot 30:
Lewis Trust

John T. Lewis

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

On this day personally appeared before me John T. Lewis, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

Subscribed and Sworn to before me this _____ day of _____, 2021.

Notary Public in and for the State of Washington

Print name: _____

My commission expires: _____

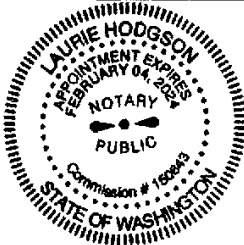
48 North Association:

By: _____
Robert S. Miller, President

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

I hereby certify that I know or have satisfactory evidence that Robert S. Miller is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the President of 48 North Association, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: October 16, 2021.



Notary Public in and for the State of Washington

Print name: Laurie Hodgson

My commission expires: 02-04-2024

**FIRST AMENDMENT TO
EXHIBIT "A"**

Schedule of Maintenance Shares

Lots 2, 3 & 4: 33.3333% each

Lots 17, 18, 19, 20 & 21: 20% each

Lots 26, 27, 28, 29 & 30: 20% each