

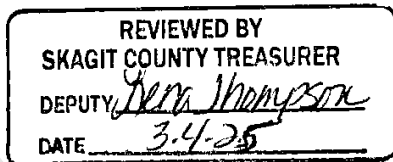


202503040063

03/04/2025 12:51 PM Pages: 1 of 3 Fees: \$305.50  
Skagit County Auditor

After Recording, please return to:

Port of Skagit County  
15400 Airport Drive  
Burlington, WA 98233  
213753-LT



Document Title(s): Third Amendment to Lease
Reference Number(s) of Documents assigned or released: (on page __ of document(s)) 202503040060
Grantor(s): Port of Skagit County, a Washington municipal corporation
Additional Names on page __ of document.
Grantee(s): Fortress West, LLC, a Limited Liability Company
Additional Names on page __ of document.
Abbreviated Legal Description: Ptn NW ¼, All SW ¼, 33-35-3 E W.M.
Additional legal is on page __ of document.
Tax Parcel Number(s): 350333-1-007-0108/P137112

**THIRD AMENDMENT TO LEASE**

This **THIRD AMENDMENT TO LEASE** (the "Third Amendment") is made and entered into this 24 day of February, 2025, by and between the **PORT OF SKAGIT COUNTY**, a Washington municipal corporation (hereinafter referred to as "Lessor"), and **FORTRESS WEST, LLC**, a Washington limited liability company, (hereinafter referred to as "Lessee").

**WHEREAS**, the Lessor and Lessee entered into that Land Lease Agreement dated September 20, 2019 and amended or modified as follows by First Amendment to Land Lease Agreement dated September 25, 2020 (the "Lease"), and Second Amendment to Land Lease Agreement dated January 24, 2025, wherein the Lessor leased property to Lessee defined as the "Premises" in the Lease; and

**WHEREAS**, a completed survey of Lessee's leased premises reflects new legal description; and

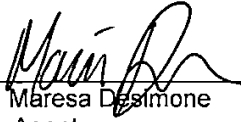
**WHEREAS**, Lessor and Lessee desire to amend the Lease on the terms and conditions set forth in this Third Amendment.

**NOW, THEREFORE**, the Lease is hereby amended as follows:

1. A new Paragraph 1.1 Access Rights is added to the Lease reading as follows:  
  
1.1 Access Rights. During the term of this Lease, Lessor grants Lessee the non-exclusive rights of ingress and egress to the Primary Lease Area over and across the private road owned by the Lessor commonly referred to as the Bayview Road Extension.
2. **CLAIM WAIVER:** In partial consideration for the Lessor consenting to this Third Amendment, the Lessee does hereby forever release, indemnify, and hold harmless the Lessor and its commissioners, employees, and agents from any and all Claims arising from, or connected with, the Lease or the Premises through the date of this Third Amendment. For purposes of this paragraph, the term "Claims" means any and all claims, demands, lawsuits, judgments, demands, fines or penalties, whether known or unknown and whether liquidated or unliquidated on the date of this Third Amendment.
3. **LEASE TERMS:** All other terms and conditions of the Lease shall remain the same and in full force and effect.
4. **VALIDATION:** IN WITNESS WHEREOF, Lessor has caused this instrument to be signed by its Executive Director by authority of the Commission of the Port of Skagit County, and this instrument has been signed and executed by Lessee, the day and year first above written

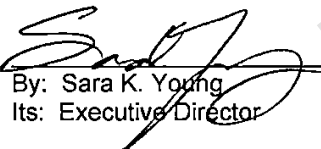
**LESSEE:**

FORTRESS WEST, LLC

  
By: Maresa Desimone  
Its: Agent

**LESSOR:**

PORT OF SKAGIT COUNTY

  
By: Sara K. Young  
Its: Executive Director

THIRD AMENDMENT TO LEASE – 1

STATE OF WASHINGTON )  
 ) ss.  
 COUNTY OF SKAGIT )

On this day before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared, Sara K. Young, to me known to be the Executive Director of the Port of Skagit County, and acknowledged the 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/she was authorized to execute the said instrument on behalf of the corporation.

GIVEN under my hand and official seal this 24 day of February, 2025.

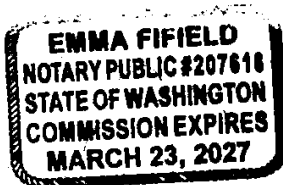


Shelley L. Nevitt  
 Print Name: Shelley L. Nevitt  
 NOTARY PUBLIC in and for the  
 State of Washington, residing at Bow  
 My commission expires: 6-19-2027

STATE OF WASHINGTON )  
 ) ss.  
 COUNTY OF Snohomish )

On this day before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared, Maresa Desimone, to me known to be the Agent of FORTRESS WEST, LLC, and acknowledged the said instrument to be the free and voluntary act and deed of said party, for the uses and purposes therein mentioned, and on oath stated that he/she was authorized to execute the said instrument on behalf of the party.

GIVEN under my hand and official seal this 21<sup>st</sup> day of February, 2025.



Emma Fifield  
 Print Name: Emma Fifield  
 NOTARY PUBLIC in and for the  
 State of Washington, residing at Snohomish County  
 My commission expires: March 23, 2027