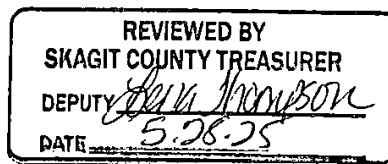




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05/28/2025 10:08 AM Pages: 1 of 6 Fees: \$308.50
Skagit County Auditor

AFTER RECORDING RETURN TO:
KRISTEN A. CAVANAUGH
BELCHER SWANSON LAW FIRM, P.L.L.C.
900 DUPONT ST.
BELLINGHAM, WA 98225



Document Title: First Amendment to Declaration of Covenants, Conditions, Restrictions, and Reservations for Highpoint Estates
Declarant/Grantor/Grantee: GB Emerald, L.L.C., a Washington limited liability company; and SITA Enterprises LLC, a Washington limited liability company
Abbrev. Legal Description: Lots 1-49 and Tracts A, B, C, D, E, F, G, and H of Plat of Highpoint Estates
Full Legals Appear: Exhibit "A"
Tax Parcel Nos: P137036; P137037; P137038; P137039; P137040; P137041; P137042; P137043; P137044; P137045; P137046; P137047; P137048; P137049; P137050; P137051; P137052; P137053; P137054; P137055; P137056; P137057; P137058; P137059; P137060; P137061; P137062; P137063; P137064; P137065; P137066; P137067; P137068; P137069; P137070; P137071; P137072; P137073; P137074; P137075; P137076; P137077; P137078; P137079; P137080; P137081; P137082; P137083; P137084; P137085; P137086; P137087; P137088; P137089; P137090;
Referenced Document: 202402140069

FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, AND RESERVATIONS FOR HIGHPOINT ESTATES

GENERAL PURPOSE: CLARIFY AND AMEND ASSOCIATION RESPONSIBILITIES REGARDING COMMON ELEMENT TRACTS

THIS FIRST AMENDMENT to the Declaration of Covenants, Conditions, Restrictions and Reservation for Highpoint Estates ("First Amendment") is made the date all parties have affixed their signature below, by GB Emerald, L.L.C., a Washington limited liability company, and SITA Enterprises LLC, a Washington limited liability company (the "Declarant").

WITNESSETH THAT:

WHEREAS, certain Governing documents establishing Highpoint Estates were

recorded among the land records of Skagit County, Washington; the Declaration of Covenants, Conditions, Restrictions, and Reservations for Highpoint Estates (the "CC&Rs") were recorded at Auditor's File No. 202402140069 along with a Plat Map, which was contemporaneously recorded at Auditor's File No. 202402140068.

WHEREAS, the CC&Rs created Tract E and Tract F which are also known as Lot 43 and Lot 42 respectively. These are future development tracts that are not, at the present time, able to be further developed. The CC&Rs are not clear regarding the allocation of common expenses and maintenance for these lots/tracts.

WHEREAS, RCW 64.90.285(9) allows for amendments to the declaration for a scrivener's error upon 30-days' notice to the owners.

WHEREAS, the Declarant desires to clarify certain association responsibilities contained within the CC&Rs regarding maintenance of Tract E and Tract F.

NOW, THEREFORE, pursuant to and in compliance with RCW 64.90.285, the Declarant hereby amends various sections of the CC&Rs as hereinafter specified:

Section 5.1.2 of the CC&Rs are hereby amended and replaced as follows:

5.1.2 Tracts B, E, F, G, and H including landscaping, pavement, fencing sidewalks (if any) subject to the special conditions set forth in section 5.8 below.

* * * * *

Section 5.8 is hereby amended and replaced as follows:

5.8 Tracts E and F. Tracts E and F (which are Lots 43 and 42 respectively) are future development tracts. It is the intention of the Declarant to work with the City of Mount Vernon to approve these lots for future development. Until that time: 1) the Association shall maintain these as common area tracts but the cost of said maintenance shall be a specially allocated expense to the owners of Tracts E and F; and 2) the owner of Lots 42 and 43 shall be considered a 'Lot' for all purposes including assessments and voting pursuant to section 10.3 and 7.4. Once the City of Mount Vernon has approved Lots 42 and 43 for development, the Association shall be relieved of its obligations to maintain them as set forth in section 5.1.2 above.

* * * * *

EXCEPT as modified by this First Amendment, all of the terms and provisions of the CC&Rs are hereby expressly ratified and confirmed and shall remain in full force and effect.

IN WITNESS WHEREOF, the Declarant has caused this First Amendment to be executed and certifies, pursuant to the CC&Rs and RCW 64.90.285 that this First Amendment was properly adopted.

//////////////////// Signature Pages Follow //////////////////////

By BARINDER HAYRE
Its: Manager

A circular notary seal for Katy C. James, a Notary Public in the State of Washington. The seal features her name at the top, the expiration date "COMMISSION EXPIRES July 01, 2024" in the center, and the words "NOTARY PUBLIC" below that. The bottom of the seal reads "COMB # 177008" and "STATE OF WASHINGTON". The entire seal is surrounded by a decorative border of small dots.

Kathy C. James
PRINTED NAME: Kathy C. James
Notary Public in and for the State of Washington,
residing at Bellingham
My commission expires: 7/1/2027

SITA Enterprises LLC,
A Washington limited liability company

By 

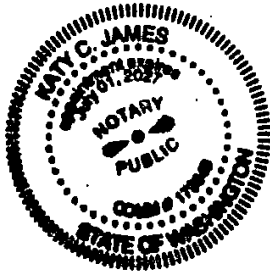
GURPREET S. CHEEMA

Its: Manager

STATE OF WASHINGTON)
) ss.
COUNTY OF WHATCOM)

On this 22 day of April, 2025 before me personally appeared Gurpreet Cheema, to me known to be the Manager of the company, who executed the within and foregoing instrument to be the free and voluntary act and deed of said limited liability company for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.



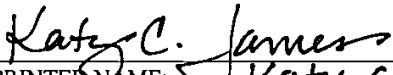

PRINTED NAME: Katy C. James
Notary Public in and for the State of Washington,
residing at Bellingham
My commission expires: 7/1/2027

EXHIBIT "A"

LOTS 1 THROUGH 49, PLAT OF HIGHPOINT ESTATES, RECORDED UNDER AUDITOR'S FILE NUMBER 202402170068, BEING A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M.

SITUATE IN SKAGIT COUNTY, WASHINGTON.

AND

TRACTS A, B, C, D, E, F, G AND H, PLAT OF HIGHPOINT ESTATES, RECORDED UNDER AUDITOR'S FILE NUMBER 202402170068, BEING A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M.

SITUATE IN SKAGIT COUNTY, WASHINGTON.