

137/15

JERRY MCINTURFF  
SKAGIT COUNTY AUDITOR

LAND TITLE COMPANY OF SKAGIT COUNTY

'94 FEB 16 P3:10

#489 SWC College Way  
& Riverside  
Mount Vernon, WA  
12/15/93

9402160108

RECORDED \$ \_\_\_\_\_  
REQUEST OF \_\_\_\_\_

T- 71676

AMENDMENT TO SHOPPING CENTER LEASE

THIS AMENDMENT TO SHOPPING CENTER LEASE ("Amendment") is entered into as of the 21<sup>st</sup> day of December 1993, between Skagit Mall 90 Associates, a Washington general partnership ("Landlord"), and Albertson's, Inc., a Delaware corporation ("Tenant").

1. Recitals: This Amendment amends that certain Shopping Center Lease between the parties dated April 22, 1992 (the "Lease"), a memorandum of which was recorded October 2, 1992, as Auditor's No. 9210020069, Records of Skagit County, Washington (the "Lease Memorandum").

2. Substitute Exhibit "A": For all purposes of the Lease, the parties hereby agree that the revised site plan attached hereto as Exhibit "A" is hereby substituted for the Exhibit "A" attached to the Lease and the Lease Memorandum. To the extent the size of the Building Areas shown on Exhibit "A" conflict with the size of the Building Areas referenced in the Lease, the substitute Exhibit "A" controls.

3. Substitute Schedule 1: For all purposes of the Lease, the parties hereby agree that the revised legal descriptions attached hereto as Schedule 1 are hereby substituted for Schedule 1 to the Lease and Lease Memorandum.

4. Shopping Center: For all purposes of the Lease, the parties hereby agree that the Shopping Center consists of Parcels 1 through 7 as described in Schedule I attached hereto.

9402160108

SKAGIT COUNTY WASHINGTON  
Real Estate Excise Tax  
PAID

FEB 16 1994

BK 1298 PG 0204

Amount Paid \$ \_\_\_\_\_  
By: \_\_\_\_\_  
Skagit County Treasurer  
Deputy

5. **Rent Commencement Date:** The parties acknowledge that the Rent Commencement Date in Section 1.16 of the Lease was December 1, 1993.

6. **LID Assessments:** The parties anticipate that the Shopping Center will be a part of a local improvement district ("LID") created for the purpose of paying the cost of improving Roosevelt Street, installing a traffic signal at the intersection of Roosevelt Street and Riverside Drive and related improvements. The parties agree that the Landlord shall bear the cost of any such LID assessments and that such assessments shall not be included among the taxes and assessments to be paid by Tenant under Section 13.1 of the Lease.

Except as amended herein, the Lease remains in full force and effect.

**TENANT:**

**LANDLORD:**

Skagit Mall 90 Associates  
a Washington general partnership  
S&H SKAGIT, INC.

BY: [Signature], Sec.

W.C. CORPORATION

BY: [Signature]

**LANDLORD:**

**TENANT:**

Albertson's, Inc.  
a Delaware corporation

BY: [Signature]

William H. Arnold,  
Vice President, Real Estate Law

STATE OF IDAHO )  
 ) ss.  
County of Ada )

On this 21st day of December, 1993, before me, JOSEPHINE M. McDONALD a Notary Public in and for said State, personally appeared William H. Arnold, known or identified to me to be the Vice President, Real Estate Law, of Albertson's, Inc., the corporation that executed the within instrument; or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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



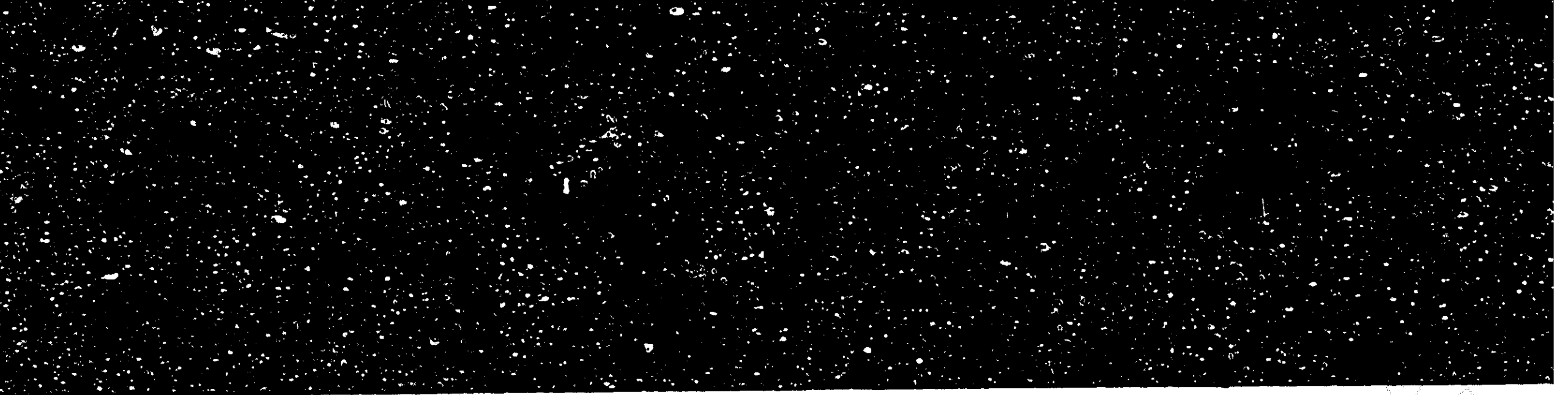
Josephine M. McDonald  
Notary Public for Idaho  
Residing at Nampa, Idaho  
My commission expires 2-01-99

STATE OF WASHINGTON )  
 ) ss.  
County of Skagit )

On this 30th day of DECEMBER, 1993, before me, DIANE LOGSDON a Notary Public in and for said state, personally appeared GERARD W. CHRISTENSEN and G. STEVENSON HITE, partners of Skagit Mall 90 Associates, a Washington general partnership, known or identified to me to be the general partners of the Partnership and the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

Diane L. Logsdon  
Notary Public for Washington  
Residing at Newport Vernon, Washington  
My commission expires 11-1-96



**Exhibit A - Revised Site Plan**  
**Schedule 1 - Revised legal description**

INTERSTATE HIGHWAY 5

PROPOSED RESTAURANT  
6,760 S.F.

EXISTING SHOPPING CENTER  
P.V. ON SIGN

COLLEGE

EXISTING L.O.M. 55'

PARCEL 6

PARCEL 5

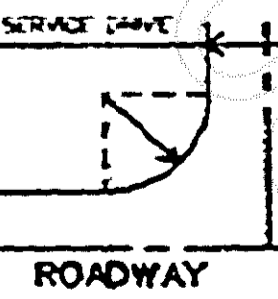
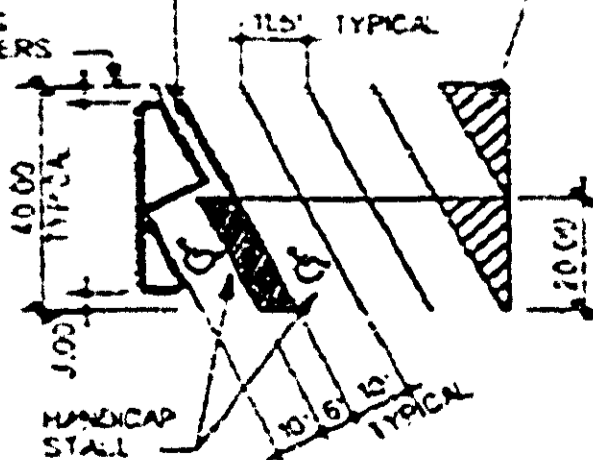
PROPOSED ERNST HOME IMPROVEMENT  
46,500 S.F.

114.75'  
PROPOSED SHOPS  
7,803

114.75'  
PROPOSED SHOPS  
13,234

CART STORAGE AREA  
3.00' TYPICAL BOTH ENDS ALL PLANTERS

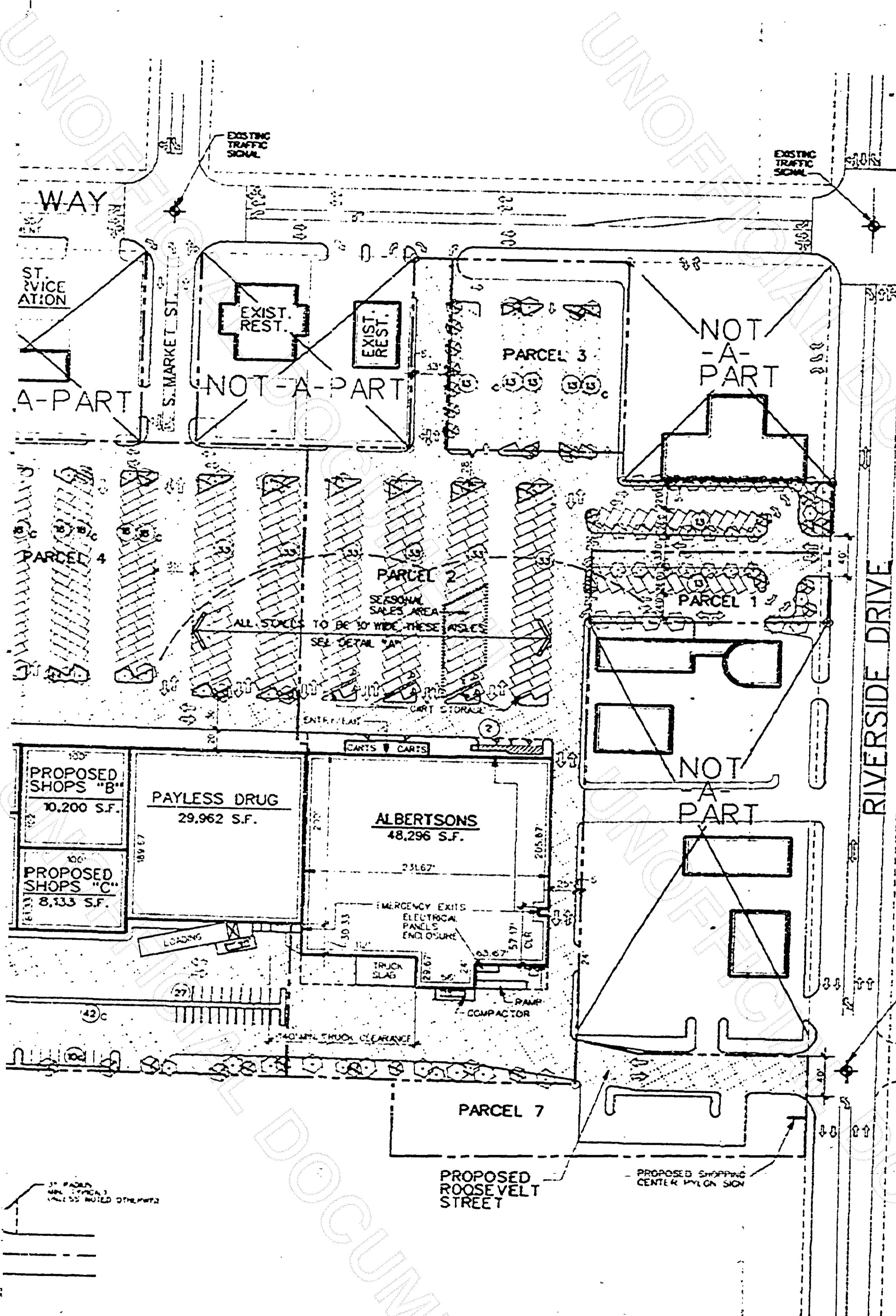
HATCHED AREA INDICATES PAINTED STRIPES



9402160108

**A** PARKING DETAIL U208  
1'-50'-0"

**B** CURB  
1'-00'-0"



T DETAIL  
 9402160108

BK 1298PGJ209

UNOFFICIAL

NOT A PART

CEL 1

NOT A PART

STOPPING SIGN



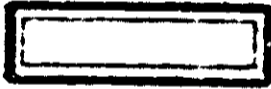

RIVERSIDE DRIVE

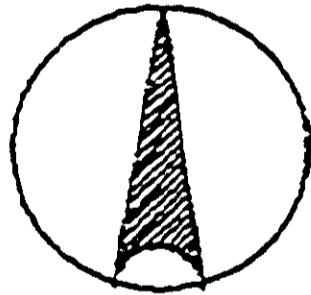
REVISIONS	
3-30-92	R.A.C. CHANGED TO SHEET "A"
M.R. D.W.	4-3-92 R.A.C. REV. Pylon SIGN LOCATIONS, ADD EXIST/PAY IN SAVE NAMES
M.R. D.W.	4-8-92 R.A.C. ADD SEASONAL SALES AREA
M.R. D.W.	3-28-93 REV. PARKING C.E.A. PLOTS, FOOTPRINT FOR P.D.C. PLAN, ADD 100 STALLS PER CLARK CO REPORTS
DRW	4-23-93 REV. PARKING, DRUG C.E.A. AND PAR. 7, REV. H.C. & A.B.T.S.

### GENERAL NOTES

- DRAWN WITH OUT BENEFIT OF SURVEY
- NO TRUCK WELLS, NATURAL DOCK ONLY
- PARKING REQUIREMENTS:
  - RETAIL - 1/200 S.F.
  - RESTAURANT - 1/100 S.F.
- BUILDING SETBACK REQUIREMENTS:
  - FRONT - UNKNOWN
  - REAR - UNKNOWN
  - SIDE - UNKNOWN
- LANDSCAPE REQUIREMENTS: UNKNOWN
- ZONING REQUIREMENTS:
  - EXISTING - COMMERCIAL (EXIST. MALL)
  - REQUIRED - SAME

### LEGEND

- PROPERTY LINE / PARCEL LINE 
- EXPANSION LIMIT LINE 
- BUILDING AREA 
- HEAVY DUTY ASPHALT 



NORTH  
SCALE: 1"=100'-0"

BK 1298FG0210

## EXHIBIT "A" SITE PLAN

TOTAL GROSS BUILDING AREA	170,888 S.F.
TOTAL CARPARKS REQUIRED	592
TOTAL CARPARKS PROVIDED	887 (-5)
TOTAL CARPARKS W/IN 200' RAD.	132
TOTAL SITE AREA	732,029 S.F. (18.81 ac.)

APPROVED BY:		DATE:
CHAIRMAN	SIGNED	3-30-92
PRESIDENT	SIGNED	3-30-92
DEC. V.P./SP	SIGNED	3-30-92
SR. V.P. CONST.		
SR. V.P.-REG.	SIGNED	3-30-92

ALBERTSONS NO. 489  
S.W.C. COLLEGE WAY & RIVERSIDE DRIVE  
MT. VERNON, WA  
890 P. JUNCTION BLVD BOSTE, DWA 83788



DRAWN	CHECKED
R.A.C.	R.W.
DATE	3-28-92

SHEET TITLE  
EXHIBIT "A"  
SITE PLAN

SHEET  
1  
OF 1  
48249

SCHEDULE I  
LEGAL DESCRIPTIONS

Parcel 1

Lot 1, Binding Site Plan No. MV-1-93 entitled Skagit Valley Square, approved September 29, 1993, recorded September 30, 1993 in Book 10 of Short Plats, pages 240-246, inclusive, under Auditor's File No. 9309300143 and being a portion of the Northeast 1/4 of the Southeast 1/4 of Section 18, Township 34 North, Range 4 East, W.M.

Situate in the County of Skagit, State of Washington.

Parcel 2

Lot 2, Binding Site Plan No. MV-1-93 entitled Skagit Valley Square, approved September 29, 1993, recorded September 30, 1993 in Book 10 of Short Plats, pages 240-246, inclusive, under Auditor's File No. 9309300143 and being a portion of the Northeast 1/4 of the Southeast 1/4 of Section 18, Township 34 North, Range 4 East, W.M.

Situate in the County of Skagit, State of Washington.

Parcel 3

Lot 3, Binding Site Plan No. MV-1-93 entitled Skagit Valley Square, approved September 29, 1993, recorded September 30, 1993 in Book 10 of Short Plats, pages 240-246, inclusive, under Auditor's File No. 9309300143 and being a portion of the Northeast 1/4 of the Southeast 1/4 of Section 18, Township 34 North, Range 4 East, W.M.

Situate in the County of Skagit, State of Washington.

Parcel 4

Lot 4, Binding Site Plan No. MV-1-93 entitled Skagit Valley Square, approved September 29, 1993, recorded September 30, 1993 in Book 10 of Short Plats, pages 240-246, inclusive, under Auditor's File No. 9309300143 and being a portion of the Northeast 1/4 of the Southeast 1/4 of Section 18, Township 34 North, Range 4 East, W.M.

Situate in the County of Skagit, State of Washington.



Parcel 5

Lot 5, Binding Site Plan No. MV-1-93 entitled Skagit Valley Square, approved September 29, 1993, recorded September 30, 1993 in Book 10 of Short Plats, pages 240-246, inclusive, under Auditor's File No. 9309300143 and being a portion of the Northeast 1/4 of the Southeast 1/4 of Section 18, Township 34 North, Range 4 East, W.M.

Situate in the County of Skagit, State of Washington.

Parcel 6

Lot 6, Binding Site Plan No. MV-1-93 entitled Skagit Valley Square, approved September 29, 1993, recorded September 30, 1993 in Book 10 of Short Plats, pages 240-246, inclusive, under Auditor's File No. 9309300143 and being a portion of the Northeast 1/4 of the Southeast 1/4 of Section 18, Township 34 North, Range 4 East, W.M.

Situate in the County of Skagit, State of Washington.

Parcel 7

Lot 7, Binding Site Plan No. MV-1-93 entitled Skagit Valley Square, approved September 29, 1993, recorded September 30, 1993 in Book 10 of Short Plats, pages 240-246, inclusive, under Auditor's File No. 9309300143 and being a portion of the Northeast 1/4 of the Southeast 1/4 of Section 18, Township 34 North, Range 4 East, W.M.

Situate in the County of Skagit, State of Washington.