



200110190086

, Skagit County Auditor

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Return Address:

STARBIRD PROPERTIES
904 S 3RD ST
MT. VERNON, WA 98273

LAND TITLE COMPANY OF SKAGIT COUNTY

898094

Document Title(s) (or transactions contained therein):

1. AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS
- 2.
- 3.
- 4.

Reference Number(s) of Documents assigned or released:
(on page of document(s))

200105100119

Grantor(s) (Last name, First, Middle Initial)

1. STARBIRD PROPERTIES, LLC
- 2.
- 3.
4. Additional names on page of document

Grantee(s) (Last name, First, Middle Initial)

1. PUBLIC
- 2.
- 3.
4. Additional names on page of document

Legal Description (lot, block, plat or s/t/r, quarter/quarter)

Additional legal is on page of document

Assessor's Property Tax Parcel/Account Number:

330429-4-001-0500

**AMENDMENT TO
DECLARATION OF COVENANTS AND RESTRICTIONS
STARBIRD HEIGHTS SUBDIVISION**

THIS IS AN AMENDMENT TO THE ORIGINAL DECLARATION OF COVENANTS AND RESTRICTIONS FOR THE SUBDIVISION OF STARBIRD HEIGHTS SUBDIVISION ("Declaration"), and is made by STARBIRD PROPERTIES, L.L.C., a Washington Limited Liability Company, by COLONEL F. BETZ, JAMES N. SCOTT, THOMAS L. ALLEN and NORTHWEST FOOT CLINIC, INC., P.S.P., a Washington professional service corporation (the said BETZ, SCOTT, ALLEN and NORTHWEST FOOT CLINIC, INC., P.S.P., being members of STARBIRD PROPERTIES, L.L.C.) hereinafter referred to as the "Declarant." This amendment amends the original Declaration which was filed for record in the office of the Skagit County Auditor on May 10, 2001, pages 1 through 18, under auditor's file number 200105100119, and is effective the 18th day of October, 2001.

RECITALS

Declarant is the owner of certain real property (the "Property") in Skagit County, Washington, legally described on Exhibit 1, which was attached to the original Declaration of Covenants and Restrictions referred to above, and Declarant wishes to amend the original Declaration and subject the Property to this Amendment of Declaration of the original Declaration of Covenants and Restrictions.

WITNESSETH:

WHEREAS, since the original Declaration of Covenants and Restrictions was filed, subjecting the Property to said Declaration, Declarant has determined that it is desirable and necessary to provide for the preservation of values and amenities in said Property and, in particular, the views afforded from each of the lots in said Property, and therefore, Declarant desires to subject the Property to an additional covenant and restriction relative to the height of any improvements to be constructed or placed on any of the lots contained in STARBIRD HEIGHTS SUBDIVISION;

NOW, THEREFORE, Declarant hereby amends and supplements the original Declaration of Covenants and Restrictions to add a paragraph to Article 3, entitled "Land Use Building Type," as follows:

3.7 Maximum Heights Standards. No single family dwelling, out-building, structure or improvements shall be constructed or caused to be constructed on any lot which, when completed, shall be of a height exceeding 35 feet above the mean elevation of said lot. Similarly, no plant, tree or other flora shall be placed or planted and maintained on any lot to exceed a height of 35 feet above the mean elevation of said lot.



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Other than as hereinabove set forth, the original Declaration of Covenants and Restrictions for the Starbird Heights Subdivision is hereby reaffirmed in its entirety as though fully set forth.


DATED this 15th day of October, 2001.

STARBIRD PROPERTIES, L.L.C.,
a Washington Limited Liability Company

By


COLONEL F. BETZ

By

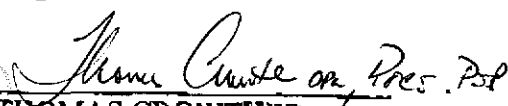

JAMES N. SCOTT

By


THOMAS L. ALLEN

NORTHWEST FOOT CLINIC, INC., a
Washington Professional Service

By


THOMAS CROWTHER



200110190086

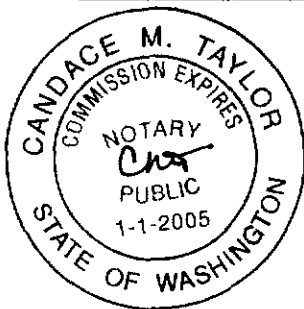
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STATE OF Washington }
County of Skagit } SS:

I certify that I know or have satisfactory evidence that Colonel F Betz, James H
Scott + Thomas L. Allen ^{before me} signed this instrument, on oath stated that they are authorized to
execute the instrument and acknowledged it as the members of
of Starbird Properties, LLC to be the free and voluntary act of such
party for the uses and purposes mentioned in this instrument.

Dated: October 18, 2001



Candace M. Taylor
Notary Public in and for the State of Washington
Residing at Mount Vernon
My appointment expires: 4/1/05

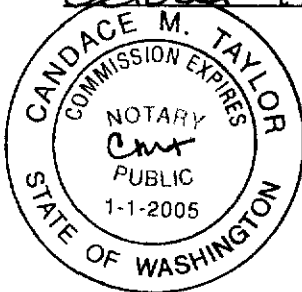


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STATE OF Washington }
County of Skagit } SS:

I certify that I know or have satisfactory evidence that Thomas Crowther
before me signed this instrument, on oath stated that he is authorized to
execute the instrument and acknowledged it as the President of Northwest Foot Clinic
& a member of Starbird Properties LLC to be the free and voluntary act of such
party for the uses and purposes mentioned in this instrument.

Dated: October 17, 2001



Candace M. Taylor
Notary Public in and for the State of Washington
Residing at Mount Vernon
My appointment expires: 11/1/05



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DESCRIPTION:

Lot 2 of Short Plat No. 01-0151, recorded May 10, 2001, under Auditor's File No. 200105100117, records of Skagit County, Washington; and being a portion of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 29, Township 33 North, Range 4 East, W.M.;

TOGETHER WITH a non-exclusive easement for ingress, egress and utilities, over and across Bella Vista Lane as shown on the face of the Short Plat.

Situate in the County of Skagit, State of Washington.



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