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200612210068
Skagit County Auditor

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File No. 102:041

DOCUMENT TITLE:	Amendment to Declaration of Protective Covenants, Conditions and Restrictions for Skagit Highlands Residential Property to Add Additional Real Property - Skagit Highlands Division V (Phase 1)
REFERENCE NUMBER(S):	200508170114
GRANTOR(S):	The Quadrant Corporation, a Washington corporation
GRANTEE(S):	The Quadrant Corporation, a Washington corporation; Skagit Highlands Homeowners Association; the Public
LEGAL DESCRIPTION:	Lots 1 and 2, 53 through 56, 167 through 333, 366 through 369, 405 through 423, and Tracts T-1, P-1, AU-1, OS-1 and OS-2, Skagit Highlands Division V (Phase 1), according to the plat thereof recorded at Skagit County Auditor's File No. 200612210067
ASSESSOR'S PROPERTY TAX PARCEL/ACCOUNT NUMBER	

**AMENDMENT TO THE DECLARATION OF PROTECTIVE COVENANTS,
CONDITIONS & RESTRICTIONS OF SKAGIT HIGHLANDS RESIDENTIAL
PROPERTY TO ADD ADDITIONAL REAL PROPERTY –
SKAGIT HIGHLANDS DIVISION V (Phase 1)**

A. RECITALS

1. Real Property – Skagit Highlands Division I. Skagit Highlands, LLC, a Washington limited liability company (hereafter “Skagit”) was the Declarant of the Declaration of Protective Covenants, Conditions and Restrictions of Skagit Highlands Residential Property, recorded at Skagit County Auditor’s No. 200508170114 (hereafter referred to as the “Declaration”), and was at the time of the recording of the Declaration an owner in fee simple of all the following real property (the "Real Property" as defined in the Declaration):

LOTS 1 THROUGH 45, AND TRACTS 900 THROUGH 909 OF SKAGIT
HIGHLANDS DIVISION I, ACCORDING TO THE PLAT THEREOF
RECORDED AT SKAGIT COUNTY AUDITOR'S FILE NO. 200508160182,
RECORDS OF SKAGIT COUNTY, WASHINGTON

which Real Property is platted and recorded as Skagit Highlands Division 1, referred to herein as "Division I." Skagit is also the declarant of related agreements affecting the Real Property, the (a) Declaration of Easements and Covenant To Share Costs for Skagit Highlands, recorded at Skagit County Auditor's No. 200508170113 ("Covenant"), and (b) the Supplemental Declaration of Covenants, Conditions and Restrictions for Skagit Highlands Residential Property recorded at Skagit County Auditor's Number 200508170115 ("Neighborhood Declaration"). Skagit assigned its all of it rights as Declarant of Declaration, Neighborhood Declaration and the Covenant to The Quadrant Corporation, a Washington corporation, by instrument recorded at Skagit County Auditor's Number 200607250100. The Quadrant Corporation, also known as Quadrant Homes ("Declarant"), is the successor in interest to Skagit and holder of all Declarant's rights under the Declaration, Neighborhood Declaration and the Covenant, including the sole right to amend the Declaration, Neighborhood Declaration and the Covenant.

2. Prior Amendments. Skagit and Declarant previously amended the Declaration and the Covenant by instruments recorded at Skagit County Auditor's Number 200604060049, 200605230088, 200605260150, 200605250083, 200608250117 to add Skagit Highlands Divisions 3 and IV, and portions of Division II to the Properties subject to the Declaration and Covenant, and to make corrections to such amendments. The Neighborhood Declaration was imposed upon all Skagit Highlands property when recorded, and has not been amended.

3. Additional Real Property. Declarant is the owner in fee simple of the following real property (hereafter referred to herein as the "Additional Real Property"):

LOTS 1 AND 2, 53 THROUGH 56, 167 THROUGH 333, 366 THROUGH 369, 405 THROUGH 423, AND TRACTS T-1, P-1, P-2, AU-1, OS-1 AND OS-2 OF SKAGIT HIGHLANDS DIVISION V (Phase 1), ACCORDING TO THE PLAT THEREOF RECORDED AT SKAGIT COUNTY AUDITOR'S FILE NO. 200612210067, RECORDS OF SKAGIT COUNTY, WASHINGTON.

4. Purpose of Amendment. The purpose of this Amendment is to (a) add the Additional Real Property described herein to the Properties subject to the Declaration, (b) confirm the application of the Neighborhood Declaration to the Additional Real Property, (c) subject the Additional Real Property to the terms of the Covenant, and (d) confirm the title to common areas located in Skagit Highlands Division I, II, 3, IV and V in the Skagit Highlands Homeowners Association.



**B. AMENDMENT OF THE DECLARATION AND COVENANT
TO ADD ADDITIONAL REAL PROPERTY**

The Additional Real Property qualifies under Article IX, Section 9.1 of the Declaration to be added to the definition of the "Properties" contained in the Declaration in Article II, definition number 2.33. Therefore, the Declarant, which owns title to such Additional Real Property, elects to subject the Additional Real Property to the terms of the Declaration as permitted by Article IX, making the Additional Real Property and the Real Property collectively the "Properties" subject to the terms of the Declaration, and granting to the Owners of Lots located on such Additional Real Property all the rights and benefits to which Members of the Association are entitled. By such addition to the Declaration, the Additional Real Property is also made a part of the Residential Property described in the Covenant, definition number 1.19, and subject to the terms thereof.

The undersigned Declarant hereby covenants, agrees and declares that all of the Additional Real Property and Housing Units constructed on the Additional Real Property are and will be held, sold and conveyed subject to the Declaration and the Covenant, which are made for the purpose of enhancing and protecting the value, desirability and attractiveness of the Real Property and the Additional Real Property for the benefit of all of the Real Property, the Additional Real Property and the owners thereof. The covenants, restrictions, reservations and conditions contained in the Declaration and the Covenant shall run with the Additional Real Property as easements and equitable servitudes, and shall be binding upon the Additional Real Property and each portion thereof and all persons owning, purchasing, leasing, subleasing or occupying any Lot on the Additional Real Property, and upon their respective heirs, successors and assigns.

The undersigned further confirms the application of the Neighborhood Declaration to all of the Additional Real Property. Tracts P-2 (owned by the City of Mount Vernon) and Tract Z-1 (reserved by Declarant for future development, and which may be added to the Properties if Declarant elects to do so in the future) are excluded from the Additional Real Property subjected to the terms of the Declaration and Covenant.

C. COMMON AREAS CONFIRMED OWNED BY HOMEOWNERS ASSOCIATION

The land located in the plat of Skagit Highlands Division V (Phase 1), legally described as:

TRACTS T-1, P-1, P-2, AU-1, OS-1 AND OS-2 OF SKAGIT HIGHLANDS
DIVISION V (Phase 1), ACCORDING TO THE PLAT THEREOF
RECORDED AT SKAGIT COUNTY AUDITOR'S FILE NO.
200612210067, RECORDS OF SKAGIT COUNTY, WASHINGTON.

are hereby confirmed as the property of the Skagit Highlands Homeowners Association, as conveyed to the Association by recordation of the plat of Skagit Highlands Division V (Phase 1)
AMENDMENT OF DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR SKAGIT HIGHLANDS RESIDENTIAL PROPERTY, TO ADD ADDITIONAL REAL PROPERTY - 3



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1), and is hereby added to the Common Area, as defined in the Declaration in Article II, definition number 2.9. The Common Areas shall also include any planter islands identified on the face of the plat. The Association shall henceforth administer such Common Areas located in Skagit Highlands Division V (Phase 1), along with the Common Areas delineated on the plats of Skagit Highlands Divisions I, II, 3 and IV.

D. EFFECTIVE DATE

This Amendment shall be effective on the date it is recorded in the Skagit County Recorder's Office.

DECLARANT:
THE QUADRANT CORPORATION
a Washington corporation

ACCEPTANCE OF COMMON AREAS:
Skagit Highlands Homeowners Association
a Washington non-profit corporation

By *George F. Sherwin, Jr.*
George F. Sherwin, Jr. (Printed Name)
Its Senior Vice President

By *Amelia J. Adair*
AMELIA J. ADAIR President

STATE OF WASHINGTON)
)
COUNTY OF KING)

ss.

I certify that I know or have satisfactory evidence that George F. Sherwin, Jr. is the person who appeared before me, and said person acknowledged that he was authorized to execute the instrument and acknowledged it as a Senior Vice President of The Quadrant Corporation, a Washington Corporation to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

SCOTQUE M. SHOUSE
NOTARY PUBLIC
STATE OF WASHINGTON
COMMISSION EXPIRES
JULY 14, 2010

DATED: December 19, 2006
Scotque M. Shouse
Scotque M. Shouse (Printed Name)
Notary Public - My Appointment Expires: 7-14-10

STATE OF WASHINGTON)
)
COUNTY OF KING)

ss.

I certify that I know or have satisfactory evidence that Amelia J. Adair is the person who appeared before me, and said person acknowledged that he was authorized to execute the instrument and acknowledged it as President of Skagit Highlands Homeowners Association, a Washington non - profit corporation to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

SCOTQUE M. SHOUSE
NOTARY PUBLIC
STATE OF WASHINGTON
COMMISSION EXPIRES
JULY 14, 2010

DATED: December 19, 2006
Scotque M. Shouse
Scotque M. Shouse (Printed Name)
Notary Public - My Appointment Expires: 7-14-10

AMENDMENT OF DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR SKAGIT HIGHLANDS RESIDENTIAL PROPERTY, TO ADD ADDITIONAL



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