



200706270193
Skagit County Auditor
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When Recorded Return To:

Washington State Department of Community,
Trade and Economic Development
Housing Trust Fund
906 Columbia Street Southwest
Post Office Box 42525
Olympia, Washington 98504-2525

Attention: Dan Schilling, (360) 725-2902

123455-P

LAND TITLE OF SKAGIT COUNTY

LOW INCOME HOUSING COVENANT AGREEMENT

Grantor (Borrower): Skagit County Community Action Agency

Grantee (Lender): Department of Community, Trade and Economic Development

Assessor's Tax Parcel ID#: P53984

Legal Description (abbreviated): Lots 1 and 2 of "Block 2, Pape's Addition to the City of Mount Vernon, according to SURVEY RECORDED AF#200112280124, records of Skagit County, Washington."

Contract Number: 07-94100-022

This Low Income Housing Covenant Agreement (the "Covenant") is made by Skagit County Community Action Agency (SCCAA), a Washington non-profit corporation ("Grantor") and is part of the consideration for the financial assistance provided by the Department of Community, Trade and Economic Development, a department of the state of Washington ("Department"), to Skagit County Community Action Agency pursuant to a Housing Trust Fund Agreement, Contract Number 07-94100-022 (the "Contract"), for the acquisition, new construction, and rehabilitation of real property ("Property") legally described as follows:

See Attached Schedule A-1

(the "Property").

This Covenant will be filed and recorded in the official public land records of Skagit County, Washington and shall constitute a restriction upon the use of the property described herein, subject to and in accordance with the terms of this Covenant, for forty (40) years beginning January 1, 2008 and ending December 31, 2047.

The covenants contained herein are to be taken and construed as covenants running with the land and shall pass to and be binding upon the Grantor, his successors and assigns heirs, grantees, or lessees of the Property, beginning January 1, 2008 and ending December 31, 2047. Each and every contract, deed or other instrument covering or conveying the Property, or any portion thereof, shall be conclusively held to have been executed, delivered and accepted subject to such covenants, regardless of whether such covenants are set forth in such contract, deed, or other instruments.

NOW, THEREFORE, it is hereby covenanted, for the forty (40) years commencing January 1, 2008 and terminating December 31, 2047, as follows:

1. The residential units in the Property will provide transitional housing for households who at the time of initial occupancy have gross annual household incomes at or below thirty percent (30%) of the local area median income for

Mount Vernon-Anacortes, WA, MSA, adjusted for family size, as estimated from time to time by the United States Department of Housing and Urban Development ("HUD"). If HUD ceases to provide such estimates of median income, then median income shall mean such comparable figure for Skagit County, Washington published or reported by a federal, state, or local agency as the Department shall select. Rents shall be adjusted for family size and are less the monthly allowance for customary utilities and services (excluding telephone, cable television and other telecommunications), to be paid by tenant.

The Grantor shall make best efforts to provide ten (10) units targeted to homeless families with children who at the time of initial occupancy have gross annual household incomes at or below thirty percent (30%) of the local area median income for Mount Vernon-Anacortes, WA, MSA. Additionally, SCCAA will make best efforts to provide 30% of the services and units to survivors of domestic violence.

2. The Grantor will provide safe and sanitary housing, and will comply with all state and local housing codes, licensing requirements, and other requirements regarding the condition of the structure and the operation of the project in the jurisdiction in which the housing is located.

3. The Grantor will keep any records and make any reports relating to compliance with this covenant that the Department may reasonably require.

4. **DEFAULT:** If a violation of this Covenant occurs, the Department may, after thirty days notice to the Grantor, institute and prosecute any proceeding at law or equity to abate, default the loan, prevent, or enjoin any such violation or to compel specific performance by the Grantor of its obligations hereunder; provided that, the Grantor shall not be required by any provision herein to evict a residential tenant. No delay in enforcing the provisions hereof as to any breach or violation shall impair, damage, or waive the right of any party entitled to enforce the provisions hereof or to obtain relief against or recover for the continuation or repetition of such breach or violations or any similar breach or violation hereof at any later time.

IN WITNESS HEREOF, Skagit County Community Action Agency has executed this Covenant on the 8th day of March, 2007.

WITNESS:

Skagit County Community Action Agency, a Washington non-profit corporation

By: William J. Shuler

Print Name: William J. Shuler

Title: Executive Director



STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that William J Shuler is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as the Executive Director of, Skagit County Community Action Agency, a Washington non-profit corporation, to be the free and voluntary act and deed of such non-profit corporation for the uses and purposes mentioned in the instrument.

Date: 06/26/07

Carmina Rodriguez
Notary Public in and for the State of Washington,
residing at Skagit County

My commission expires January 31, 2008
Carmina Rodriguez
Print Name

(seal or stamp)



Schedule "A-1"

123455-P

DESCRIPTION:

Lots 1 And 2, Block 2, "PAPE'S ADDITION TO THE CITY OF MT. VERNON," as per plat recorded in Volume 3 of Plats, page 59, records of Skagit County, Washington.

Situate in the City of Mount Vernon, County of Skagit, State of Washington.



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