



200808150146

Skagit County Auditor

8/15/2008 Page 1 of 2 10:32AM

**Return to:**

Portalis Island Homes Condominium Association  
c/o Allan Schroeder  
4819 Portalis Way  
Anacortes, WA 98221

**Document Title:** First Amendment to Declaration for Portalis Island Homes Condominium  
**Grantor:** Portalis Island Homes Condominium Association  
**Grantee:** Portalis Island Homes Condominium  
**Legal Description:** Lot 1, City of Anacortes Short Plat No. ANA 04-005, recorded under No. 200411030031  
**Assessor's Property Tax Parcel Account Numbers:**

350122-0-021-0007 P31655; 350122-0-013-0007 P31580; 350122-0-020-0000 P31588

**First Amendment to Declaration for Portalis Island Homes Condominium**

In order to complete the amendment of the Declaration for Declaration for Portalis Island Homes Condominium recorded in Skagit County, Washington, under recording number 200412080102 and in accordance with Section 8.8 of that Declaration, the undersigned Allan Schroeder, as president of the Portalis Island Homes Condominium Association, which is the unit owners association for the Portalis Island Homes Condominium, hereby certifies that the following amendment was duly adopted by more than 67 percent of all unit owners:

1. Section 4.3 of the Declaration for Portalis Island Homes Condominium shall be and is amended to read as follows:

**4.3 Declarant's Right to Control.** The Declarant or its designee shall have the exclusive right to control the Association from the time when this Declaration is recorded until the earlier of (a) 60 days after the date by which 75 percent of the units which may be created have been conveyed to unit owners other than Declarant's designee or (b) two years after the last conveyance or transfer of record of a unit by Declarant's designee except as security for a debt. Subject to the limitations of RCW 64.34.308(5) requiring the election of certain members of the board of directors by the unit owners, during the period of Declarant control, the Declarant's designee may appoint and remove officers of the Association and members of the board of directors. The Declarant's designee may voluntarily surrender the right to appoint and remove officers and members of the board of directors before the expiration of the period defined by (a) or (b) of this paragraph and require that, for the remainder of that period, specified action by the Association or the board of directors as described in an instrument recorded and executed by the Declarant be approved by the Declarant before the action becomes effective. However, in no event shall the Declarant or its designee have authority to cause the Association to enter into a management or employment contract calling for performance over a term of more than 90 days or a lease on behalf of the Association unless by its terms the contract or lease may be terminated on not more than 90 days' notice without penalty and without cause. In no event shall the Declarant or its

designee have the authority to cause the Association to enter into a contract for professional management of the condominium unless the contract gives the Association the right to terminate the contract without cause at any time after the period during which the Declarant has the right of control expires as provided in this paragraph or the Declarant or its designee voluntarily surrenders control of the Association, whichever is first.

2. Section 5.8 of The Declaration for Portalis Island Homes Condominium shall be and is amended to read as follows:

**5.8 Contribution.** In addition to the assessments herein provided for, at the time that the Declarant's designee or an owner of a condominium unit shall have conveyed a unit to a third party, a sum equal to two times the amount of the first Monthly Assessment made against the unit shall be paid or shall have been paid to the Association by the owner of the unit, provided that in any event at the time that the Declarant's right to control the Association terminates, such a sum shall be paid to the Association by the owner of each unit for which no such sum had been previously paid. Such sum shall be a contribution to working capital of the Association belonging to it, shall not be deemed an advance payment or security for common expense assessments, and is referred to as a "Contribution" herein. Immediately on receipt, Contributions shall be deposited to a segregated fund in the name of the Association. While the Declarant or its designee has control of the Association, no part of any Contribution may be used by the Declarant or its designee to defray any of Declarant's or its designee's expenses, reserve contributions, or construction costs or make up any deficits in the budget. Nothing shall prohibit the Declarant or its designee from taking reimbursement for Contributions previously made by either of them for a unit from funds collected from a purchaser of the unit. This contribution shall be calculated on the amount of the Monthly Assessment without adjustment as provided in paragraph 5.3.

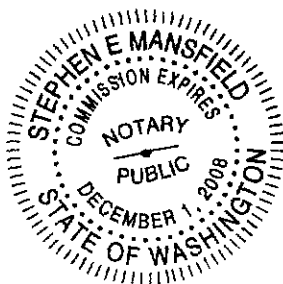
Dated: August 13, 2008.

Allan Schroeder  
Allan Schroeder, as president of the Portalis Island Homes Condominium Association

State of Washington  
County of Skagit

I certify that I know or have satisfactory evidence that Allan Schroeder is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it individually and as the president of Portalis Island Homes Condominium Association, a non profit corporation, to be the free and voluntary action of such party for the use and purposes mentioned in the instrument.

Dated: 8/13, 2008.



Stephany  
Notary Public  
RESIDING AT ANAHEIM  
My appointment expires 12/1/08

