

AFTER RECORDING RETURN TO:
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200812220036
Skagit County Auditor

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TITLE OF DOCUMENT: FIRST AMENDMENT TO DECLARATION
FOR NORTH HILL TOWNHOMES, A
CONDOMINIUM
AF# OF AFFECTED DOCUMENT: 200706260089
GRANTOR: HANSELL/MITZEL, LLC
GRANTEE: THE GENERAL PUBLIC

**FIRST AMENDMENT TO DECLARATION
FOR NORTH HILL TOWNHOMES, A CONDOMINIUM**

PURPOSE: TO EXERCISE DEVELOPMENT RIGHT
TO ADD ADDITIONAL PHASE (PHASE 2)

THIS AMENDMENT is made this 19 day of Dec, 2008, by
HANSELL/MITZEL, LLC, a Washington Limited Liability Company ("Declarant").

WITNESSETH THAT:

WHEREAS, the Declarant executed certain Condominium Instruments establishing NORTH HILL TOWNHOMES, A CONDOMINIUM in Mount Vernon, Washington and caused the Declaration to be recorded in the land records of Skagit County, Washington, at Auditor's File No. 200706260089, along with a Survey Map and Plans, which were contemporaneously recorded at Auditor's File No. 200706260088;

WHEREAS, the Declarant was incorrectly identified in the Declaration and Survey Map and Plans as "Hansell Mitzell LLC"; the true name of the Declarant is used in this First Amendment to Declaration.

WHEREAS, pursuant to RCW 64.34.236 and Sections 23.2.2, 23.2.7 and Article 21 of the Declaration, the Declarant may unilaterally amend the Condominium Declaration and Survey Map and Plans from time to time to exercise Development Rights;

WHEREAS, in Section 23.2.2 of the Declaration, the Declarant reserved Development Rights to develop the Condominium in several "Phases" by adding improvements to the Condominium and creating additional Units, Common Elements, or Limited Common Elements within real property which may be added to the Condominium [described as "subsequent phase land" in Section 23.2.2(b) of the Declaration]; and

WHEREAS, in the "PLAT OF NORTH HILL P.U.D.", [the "P.U.D. Plat Map"] recorded May 5, 2005 under Skagit County Auditor's File No. 200505050094, Records of Skagit County, Washington, the City of Mount Vernon approved a phasing plan for the land within the Condominium in which the project could be developed in three (3) discrete phases, with units positioned in locations generally specified in said P.U.D. Plat Map.

WHEREAS, the Declarant now wishes to exercise Development Rights and has created additional improvements, Units, Common Elements, and Limited Common Elements as more particularly described below, all for the purpose of creating an additional Phase of Development, known as "Phase 2", which is consistent with the location and dimensions of such Phase on the P.U.D. Plat Map. Phase 2 consists of six (6) additional Units which are substantially completed. This new Phase 2 is being created on a parcel of "Subsequent Phase Land" described hereinafter, which is added to the Condominium by this Amendment.

NOW, THEREFORE, pursuant to and in compliance with Section 3.3.2 of the Declaration and RCW 64.34.236, the Declarant hereby amends the following Sections of the Declaration, as follows:

2.1 Land and Street Addresses.

The land on which the buildings and improvements of this Condominium are located is situated on River Vista Place, Mount Vernon, Skagit County, Washington, as is described with more particularity in the First Amendment to Exhibit "A" to the Declaration, attached hereto.

4.1.1 Number of Units Following Amendment. The Condominium contains twelve (12) Units which contain dwelling space which is substantially completed. The locations and dimensions of existing Units are shown on the Condominium Survey Map and Plans, as amended. The First Amendment to Exhibit B to the Declaration attached hereto contains a list of all Units, their identifying numbers, location, style, the Allocated Interests appurtenant to each Unit, and other useful information. The Allocated Interests have been reallocated among all Units in accordance with Section 23.2.2(e) of the Declaration and with RCW 64.34.236(l).

22.7 Reference to First Amendment to Survey Map.

Contemporaneously with the recordation of this Amendment, the Declarant has recorded with the Auditor of Skagit County, Washington a First Amendment to the Survey Map and Condominium plans, showing the location and dimensions of the new Units and other improvements constructed or contemplated to be constructed for Phase 2 of this Condominium, together with other information required by the Condominium Act; this First Amendment to the Survey Map and Plans is recorded at Auditor's File No. _____ among the land records of Skagit County, Washington.



23.2.2 Development Rights.

(e) Allocated Interests - Differential Assessment of Development Units.

The Allocated Interests allocated to the Units in all the Units have been reallocated among the Units in the manner described in Exhibit B to the original Declaration.

Exhibits.

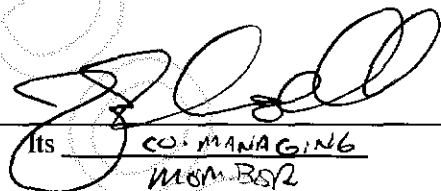
Attached hereto are the First Amendment to Exhibit A to the Declaration, along with the First Amendment to Exhibit B to the Declaration.

EXCEPT as modified by this Amendment, all of the terms and provisions of the Condominium Instruments are hereby expressly ratified and confirmed and shall remain in full force and effect.

IN WITNESS WHEREOF, the Declarant has caused this Amendment to be executed as of the date first written above.

DECLARANT:
HANSELL/MITZEL, LLC

BY:


Its CO-MANAGING
MEMBER

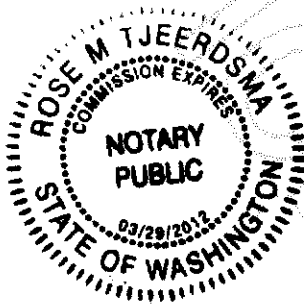


STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that Jeff Hansell 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 that he acknowledged it as the Managing Member of the Declarant, HANSELL/MITZEL, LLC to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

DATED: Dec. 19, 2008.

Rose M Tjeerdsma
NOTARY PUBLIC in and for the State of
Washington. My commission expires:
3/29/2012



FIRST AMENDMENT TO EXHIBIT "A"

TO DECLARATION FOR NORTH HILL TOWNHOMES, A CONDOMINIUM

1. Legal Description of Land Within the Condominium

Parcel A - "Phase 1"

Lot 26 of the "Plat of North Hill P.U.D.", recorded May 5, 2005 under Skagit County Auditor's File No. 200505050094, Records of Skagit County, Washington.

Parcel B - "Phase 2"

Lot 27 of the "Plat of North Hill P.U.D.", recorded May 5, 2005 under Skagit County Auditor's File No. 200505050094, Records of Skagit County, Washington.

All Parcels Situate in Skagit County, Washington. Subject to covenants, conditions, restrictions, reservations, agreements, encumbrances and other matters of record.

2. Description of any Real Property which may be allocated subsequently by the Declarant as Limited Common Elements (other than Limited Common Elements specified in Sections 4.1.2 and 4.1.4): None.

3. Description of the Real Property to which any Development Right or Special Declarant Right applies:

Real Property Subject to Development Rights:

Parcel C - "Phase 3" - MAY BE ADDED TO THE CONDOMINIUM

Lot 28 of the "Plat of North Hill P.U.D.", recorded May 5, 2005 under Skagit County Auditor's File No. 200505050094, Records of Skagit County, Washington, being a portion of the Southwest Quarter of Section 9, Township 34 North, Range 4 East, WM. TOGETHER WITH that portion of Tract A of said Plat described as follows: Beginning at the most northerly corner of said Lot 28, thence south 35° 56' 17" west, along the westerly line of said Lot 28 a distance of 304.12 feet to an angle point in said Lot 28, thence continuing along the westerly line of said Lot 28 the following courses: North 54° 03' 43" west 5.56 feet; thence south 35° 56' 17" west 77.92 feet; thence south 81° 25' 21" west 35.02 feet; thence leaving said westerly line north 40° 13' 58" east 407.73 feet to the point of beginning.

4. Moorage Slips: None

5. Recreational Facilities: None

6. Parking:

a.	Uncovered	24
b.	Covered	0
c.	Enclosed	24
	TOTAL	<u>48</u>



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FIRST AMENDMENT TO EXHIBIT "B"

TO DECLARATION FOR NORTH HILL TOWNHOMES, A CONDOMINIUM

Unit No.	Unit Type	Address	Square Footage†	Number of Bedrooms	Number of Bathrooms	Number of Fireplaces	Limited Common Elements**	Allocated Interest*
31A	Residential	2610 River Vista Lane	1731	2	3	1	Deck, patio, walkway, driveway	8.3333%
32A	Residential	2612 River Vista Lane	1731	2	3	1	Deck, patio, walkway, driveway	8.3333%
33A	Residential	2608 River Vista Lane	2437	3	3.5	2	Deck, patio, porch, walkway, driveway	8.3333%
33B	Residential	2608 River Vista Lane	2437	3	3.5	2	Deck, patio, porch, walkway, driveway	8.3333%
34A	Residential	2614 River Vista Lane	2343	3	2.5	1	Deck, porch, walkway, driveway	8.3333%
34B	Residential	2614 River Vista Lane	2343	3	2.5	1	Deck, porch, walkway, driveway	8.3333%
35A	Residential	2511 River Vista Place	2343	3	2.5	1	Deck, patio, porch, walkway, driveway	8.3333%
35B	Residential	2343 River Vista Place	2343	3	2.5	1	Deck, patio, porch, walkway, driveway	8.3333%
36A	Residential	2507 River Vista Place	2437	3	3.5	2	Deck, patio, porch, walkway, driveway	8.3333%
36B	Residential	2507 River Vista Place	2437	3	3.5	2	Deck, patio, porch, walkway, driveway	8.3333%
37A	Residential	2503 River Vista Place	2437	3	3.5	2	Deck, patio, porch, walkway, driveway	8.3333%
37B	Residential	2503 River Vista Place	2437	3	3.5	2	Deck, patio, porch, walkway, driveway	8.3333%
Totals								100%

* Allocated interests are the percentages of undivided interests in the Common Elements, fractional liability for the Common Expenses of the Association, and portions of the votes in the Association, allocated to each Unit pursuant to RCW 64.34.224(1).

** Items listed are Limited Common Elements permanently assigned to their respective Units as identified above, pursuant to Section 6.1 of the Declaration.

† Square footages of Residential Units are calculated with reference to the interior dimensions of the completed improvements within the Units. The Declarant will amend this Exhibit upon the exercise of Development Rights to complete dwelling improvements within Development Units, to properly describe the square footages of the new Residential Units so created.



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