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200902050087
Skagit County Auditor

2/5/2009 Page 1 of 5 3:38PM

File No. 102.041

ACCOMMODATION RECORDING

LAND TITLE OF SKAGIT COUNTY

m-17814

DOCUMENT TITLE:	Amendment to Declaration of Covenants, Conditions and Restrictions for Skagit Highlands
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:	Plats of Skagit Highlands, Division 1, AFN 200508160182; Division 2, AFN 200604040052; Division 3, AFN 200605150163; Division 4, AFN 200608230062; Division 5, Phase 1, AFN 200612210067; Division 5, Phase 2, AFN 200801170047
ASSESSOR'S PROPERTY TAX PARCEL/ACCOUNT NUMBER	P123141

**AMENDMENT TO THE DECLARATION OF COVENANTS,
CONDITIONS & RESTRICTIONS OF SKAGIT HIGHLANDS**

1. Declaration of Covenants. The Declaration of Covenants, Conditions and Restrictions of Skagit Highlands is recorded at Skagit County Recording Number 200508170114, and the amendments to add Additional Property were recorded at Skagit County Recording Numbers 200604060049, 200605230088, 200605260150, 200608250117, 200612210068 and 200806040066 (hereafter collectively referred to as the "Declaration"). The Declaration is a covenant and equitable servitude imposed upon the following real property (the "Properties" as defined in the Declaration):

Division 1:

Lots 1 through 45 and Tracts 900 through 909 of Skagit Highlands, Division 1, according to the plat thereof recorded at Skagit County Recording Number 200508160182, records of Skagit County, Washington.

Division 2:

Lots 1 through 6 and Lots 18 through 73, and Tracts 900 through 908 and Tract 911 of Skagit Highlands, Division 2, according to the plat thereof recorded at Skagit County Recording Number 200604040052, records of Skagit County, Washington.

Division 3:

Lots 1 through 62 and Tracts 900 through 907 of Skagit Highlands, Division 3, according to the plat thereof recorded at Skagit County Recording Number 200605150163, records of Skagit County, Washington.

Division 4:

Lots 1 through 69 and Tracts 900 through 911 of Skagit Highlands, Division 4, according to the plat thereof recorded at Skagit County Recording Number 200608230062, records of Skagit County, Washington.

Division 5, Phase 1:

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 5, Phase 1, according to the plat thereof recorded at Skagit County Recording Number 200612210067, records of Skagit County, Washington.

Division 5, Phase 2:

Lots 3 through 52, 57 through 166, 334 through 365, 370 through 404 and Tracts T-2, P-3, P-4, OS-3, OS-4, OS-5, OS-6, OS-7, L-1, RD-1, and SL-1 of Skagit Highlands, Division 5, Phase 2, according to the plat thereof recorded at Skagit County Recording Number 200801170047, records of Skagit County, Washington.

2. Purpose of Amendment. The purpose of this Amendment is to change the language of Section 8.10 of the Declaration, which describes the manner in which sums will be collected from first purchasers of new homes constructed on Units in the Properties, to provide capitalization for the Skagit Highlands Homeowners Association. Section 8.10, and its amendment, apply only to the first sale of an improved Unit to a homeowner, and does not apply to the resale of improved Units which had been sold to the first owner of an improved Unit at the time this amendment is adopted.

3. Declarant. The Quadrant Corporation, doing business as Quadrant Homes, a Washington corporation, is the holder of Declarant's Rights pursuant to the Assignment of Declarant's Rights recorded at Snohomish County Recording Numbers 200511020084 and 200608100126 (hereafter "Declarant").

4. Power to Amend Declaration Without Vote. Pursuant to Article XVIII, Section 18.1, "Declarant may unilaterally amend this Declaration for any other purpose, provided the amendment has no material adverse effect upon any right of any Owner..." Because Section 8.11, and its proposed amendment, applies only to property owned by Declarant

AMENDMENT OF DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR SKAGIT HIGHLANDS - 2



200902050087
Skagit County Auditor

which has not been improved with a home and has not been sold to the first owner of an improved Unit, the amendment has no material adverse effect upon any Owner other than Declarant. Therefore, Declarant may adopt this amendment without the vote of the other owners, pursuant to Section 18.1.

5. Text of Amendment. Pursuant to Section 18.1, the following amendment to Section 8.11 is adopted by the Declarant:

The existing language of Section 8.11 is deleted in its entirety, and the following language is substituted as the new text of Section 8.11 of the Declaration:

8.11. Reimbursement of Declarant for Common Area Development and Capitalization of Association. Upon acquisition of record title to a Unit by the first Owner thereof other than Declarant or a Builder, a contribution shall be made by or on behalf of the purchaser to the working capital of the Association in an amount to be determined by Declarant or in the absence of the election of the Declarant to determine the contribution, by the Board if it elects to do so. Upon acquisition of record title to a Unit by the first Owner thereof, the Declarant, if it elects to do so, shall also be entitled to collect from the purchaser of the Unit a sum, to be determined by the Declarant, as a reimbursement made to the Declarant for the expenditures made by the Declarant to improve the Areas of Common Responsibility and organize the Association, on behalf of the Members. These amounts shall be in addition to, not in lieu of, the annual Base Assessment and shall not be considered an advance payment of such assessment. These amounts shall be deposited into the purchase and sales escrow and disbursed therefrom to the Declarant for reimbursement, or to the Association for use in covering operating expenses and other expenses incurred by the Association pursuant to this Declaration and the By-Laws, as appropriate based upon the contributions required.

6. 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

By *DM*
Dave Mozzone (Printed Name)
Its *Vice President of Construction*

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

I certify that I know or have satisfactory evidence that *Dave Mozzone* is the person who appeared before me, and said person acknowledged that he was authorized to execute the instrument and acknowledged it as *Vice President* of The Quadrant

AMENDMENT OF DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR SKAGIT HIGHLANDS - -

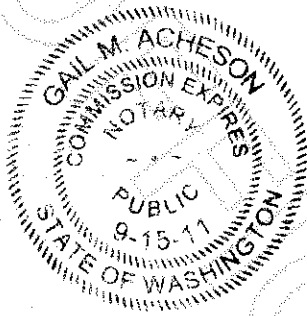


200902050087

Skagit County Auditor

Corporation, a Washington Corporation, to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

DATED: January 28, 2009



Gail M. Acheson
GAIL M. ACHESON (Printed Name)

Notary Public

My Appointment Expires: 9/15/11

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AMENDMENT OF DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR SKAGIT HIGHLANDS - 4



200902050087
Skagit County Auditor

Exhibit A

Skagit Highlands PUD-All Divisions

Div. 1	All tax #s beginning with # 4867-000
Div. 2	All tax #s beginning with # 4887-000
Div. 3	All tax #s beginning with # 4892-000
Div. 4	All tax #s beginning with # 4902-000
Div. 5, Ph. 1	All tax #s beginning with # 4915-000
Div. 5, Ph. 2	All tax #s beginning with # 4948-000



200902050087

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