

Skagit County Auditor 9/15/2015 Page

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1 of 911:02AM

After recording return document to:

Nookachamp Hills LEC 1111 Cleveland Avenue Mount Vernon, WA 98273

DOCUMENT TITLE: Designation Re "Participating Builder for Nookachamp Hills Planned Unit Development

REFERENCE NUMBERS OF RELATED DOCUMENTS: 9811020155; 200508230083; 200807240091; 2008123101074;

GRANTOR(S): Nookachamp Hills LLC by Daniel R. Mitzel, Managing Member; Daniel R. Mitzel and Patricia R. Burklund, husband and wife; and Paul W. Rutter, a married man, as his separate property

ADDITIONAL GRANTORS ON PAGE N/A OF DOCUMENT.

GRANTEE(S): Nookachamp Hills Planned Unit Development

ADDITIONAL GRANTEE ON PAGE 1 OF DOCUMENT.

ABBREVIATED LEGAL DESCRIPTION: See attached Exhibits "A" & "B" Legal Descriptions for Phase I, Phase II, Phase 11B, Phase III & Phase 4 of Nookachamp Hills Planned Unit Development

ADDITIONAL LEGAL DESCRIPTION ON PAGE(S) 4 through 8 OF DOCUMENT.

ASSESSOR'S TAX/PARCEL NUMBER(S): PHASE I—P113841-P113900, inclusive, and P113902-P113905 inclusive; PHASE II—P120792, P120793; PHASE IIB—P123255, P123256; PHASE III—P127806, P127807, P127808, P127809, P127810, P127811. P127812, P127813, P127815, P127816, P127817, P127818 and P127819; PHASE 4—P30524, P30525, P30467, P27848

After recording return document to:

Nookachamo Hills LLC 1111 Cleveland Avenue Mount Vernon, WA 98273

DESIGNATION RE "PARTICIPATING BUILDER FOR NOOKACHAMP HILLS PLANNED UNIT DEVELOPMENT"

Pursuant to Article I, Section 11.5, and all other pertinent Articles of the "Declaration of Covenants, Conditions, Restrictions, Easements and Reservations for Nookachamp Hills Planned Unit Development," and all Amendments thereto, Declarant Nookachamp Hills LLC, together with Successor Declarants (Owners of Lots) DANIEL R. MITZEL and PATRICIA R. BURKLUND, husband and wife, and Declarant (Owner of Lots) PAUL W. RUTTER, a married man, as his separate property, does hereby designate DANIEL R. MITZEL, PATRICIA R. BURKLUND and PAUL W. RUTTER, as Participating Builders, and declare that, as Participating Builders, they shall and do have all of the rights of Declarant as set forth in the Declaration of Covenants, Conditions, Restrictions, Easements and Reservations of Nookachamp Hills Planned Unit Development and all Amendments thereto.

It is also declared that the said DANIEL R. MITZEL and PATRICIA R. BURKLUND are doing business as HANSELL/MITZEL HOMES and PAUL W. RUTTER is doing business as Penultimate Contracting Company. Further, PAUL WOODMANSEE and TIM WOODMANSEE, also known as BYK BUILDERS, and KEVIN SULLIVAN are hereby designated as "Participating Builders" with all of the rights of the above referenced Participating Builders.

NOOKACHAMP HILLS, LLC, a Washington

Limited Liability Company

By

DANIELR. MITZEL, Managing Member

DANIEL R. MITZEL

PATRICIA R. BURKLUND

PAUL W. RUTTER

STATE OF WASHINGTON)
: ss
COUNTY OF SKAGIT)
On this 10 day of DeO+, 2015, before me, the undersigned, a Notary
Public in and for the State of Washington, duly commissioned and sworn, personally appeared
DANIEL R. MITZEL, to me known to be the Managing Member of NOOKACHAMP HILLS,
LLC, a Washington Limited Liability, the limited liability company that executed the foregoing
instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said
limited liability company, for the uses and purposes therein mentioned, and on oath stated that they
are authorized to execute the said instrument and that the seal affixed is the corporate seal of said
limited liability company.
Witness my hand and official seal hereto affixed the day and year first above written.
Notary Public in and for the State of Washington, residing at Buckington.
Notary Public in and for the State of
Washington, residing at Bulling 12
ES MURIC SE
ATE OF WILL
STATE OF WASHINGTON)
:SS
COUNTY OF SKAGIT)
On this day personally appeared before me, DANIEL R. MITZEL, known to be the
individuals described in and who executed the within and foregoing instrument and acknowledged
that they signed the same as their free and voluntary act and deed, for the uses and purposes therein
mentioned.
GIVEN under my hand and official seal this 10 day of 3e04, 2015.
, 2013.
WEERDSWILL TOO MITONARE
Notary Public in and for the State of Washington,
residing at Bug lington
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STATE OF WASHINGTON)
COUNTY OF SKAGIT	: SS

On this day personally appeared before me, PATRICIA R. BURKLUND, known to be the individuals described in and who executed the within and foregoing instrument and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

On this day personally appeared before me, PAUL W. RUTTER, known to be the individual described in and who executed the within and foregoing instrument and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

EXHIBIT A

- Phase I Nookachamp Hills Planned Unit Development, Phase I as per plat recorded in volume 17 of Plats, pages 26-31, inclusive, records of Skagit County, Washington.
- Phase II Neokachamp Hills PUD Phase 11A, Acres 3.27, Tract "E" AKA Open Space and Detention Pond, and

Nookachamp Hills PUD Phase 11A, Acres 0.10 Tract "F" AKA Open Space/Buffer Area

- Phase II B Nookachamp Hills PUD Phase 11B, AF#200508230082, Tract "G" Open Space and Detention Pond being a portion of SE 1/2 Section 25, Township 34 North, Range 4 East and NE 1/2 of Section 36, Township 34 North, Range 4 East, and NW 1/2 of Section 31, Township 34 North, Range 5 East.
- Phase II B Nookachamp Hills PUD Phase 11B, AF#200508230082, Tract "H," being a portion of SE ¼ Section 25, Township 34 North, Range 4 East and NE ¼ of Section 36, Township 34 North, Range 4 East, and NW ¼ of Section 31, Township 34 North, Range 5 East.
- Phase III Tract 1 of Nookachamp Hills PUD Phases 3 and 4, recorded under AF#200807240089, located in Southwest 1/4 of Section 30, Township 34 North, Range 5 East, being a portion of Southeast 1/4 of Section 25 Township 34 North, Range 4 East, and Northwest 1/4 of Section 31, Township 34 North, Range 5 East, and Southwest 1/4 of Section 30, Township 34 North, Range 5 East.

Tract 2 of Nookachamp Hills PUD Phases 3 and 4, recorded under AF#200807240089, located in Southwest ¼ of Section 30. Township 34 North, Range 5 East, being a portion of Southeast ¼ of Section 25 Township 34 North, Range 4 East, and Northeast ¼ of Section 36, Township 34 North, Range 4 East and Northwest ¼ of Section 31, Township 34 North, Range 5 East, and Southwest ¼ of Section 30, Township 34 North, Range 5 East.

Tract 3 of Nookachamp Hills PUD Phases 3 and 4, recorded under AF#200807240089, located in Southwest ¼ of Section 30, Township 34 North, Range 5 East, being a portion of Southeast ¼ of Section 25 Township 34 North, Range 4 East, and Northeast ¼ of Section 36, Township 34 North, Range 4 East and Northwest ¼ of Section 31, Township 34 North, Range 5 East, and Southwest ¼ of Section 30, Township 34 North, Range 5 East.

Tract 4 of Nookachamp Hills PUD Phases 3 and 4, recorded under AF#200807240089, located in Southwest ¼ of Section 30, Township 34 North, Range 5 East, being a portion of Southeast ¼ of Section 25 Township 34 North, Range 4 East, and Northeast ¼ of Section 36, Township 34 North, Range 4 East and Northwest ¼ of Section 31, Township 34 North, Range 5 East, and Southwest ¼ of Section 30, Township 34 North, Range 5 East.

Portion of Tract 5 of Nookachamp Hills PUD Phases 3 and 4, recorded under AF#200807240089, located in Southwest ¼ of Section 30, Township 34 North, Range 5 East, being a portion of Southeast ¼ of Section 25 Township 34 North, Range 4 East, and Northeast ¼ of Section 36, Township 34 North, Range 4 East and Northwest ¼ of Section 31, Township 34 North, Range 5 East, and Southwest ¼ of Section 30, Township 34 North, Range 5 East.

Portion of Tract 5 of Nookachamp Hills PUD Phases 3 and 4, recorded under AF#206807240085, located in Northwest ¼ of Section 31, Township 34 North, Range 5 East, being a portion of Southeast ¼ of Section 25 Township 34 North, Range 4 East, and Northeast ¼ of Section 36, Township 34 North, Range 4 East and Northwest ¼ of Section 31, Township 34 North, Range 5 East, and Southwest ¼ of Section 30, Township 34 North, Range 5 East.

Tract 6 of Nookachamp Hills PUD Phases 3 and 4, recorded under AF#200807240089, located in Northwest % of Section 31, Township 34 North, Range 5 East, being a portion of Southeast % of Section 25 Township 34 North, Range 4 East, and Northwest % of Section 36, Township 34 North, Range 4 East and Northwest % of Section 31, Township 34 North, Range 5 East, and Southwest % of Section 30, Township 34 North, Range 5 East.

Tract 7 of Nookachamp Hills PUD Phases 3 and 4, recorded under AF#200807240089, located in Northwest 1/2 of Section 31, Township 34 North, Range 5 East, being a portion of Southeast 1/2 of Section 25 Township 34 North, Range 4 East, and Northeast 1/2 of Section 36, Township 34 North, Range 4 East and Northwest 1/2 of Section 31, Township 34 North, Range 5 East, and Southwest 1/2 of Section 30, Township 34 North, Range 5 East.

Tract 9 of Nookachamp Hills PUD Phases 3 and 4, recorded under AF#200807240089, located in Northwest ¼ of Section 31, Township 34 North, Range 5 East, being a portion of Southeast ¼ of Section 25 Township 34 North, Range 4 East, and Northwest ¼ of Section 36, Township 34 North, Range 4 East and Northwest ¼ of Section 31, Township 34 North, Range 5 East, and Southwest ¼ of Section 30, Township 34 North, Range 5 East,

Portion of Tract 10 of Nookachamp Hills PUD Phases 3 and 4, recorded under AF#200807240089, located in Southeast ¼ of Section 25, Township 34 North, Range 4 East, being a portion of Southeast ¼ of Section 25 Township 34 North, Range 4 East, and Northeast ¼ of Section 36, Township 34 North, Range 4 East and Northwest ¼ of Section 31, Township 34 North, Range 5 East, and Southwest ¼ of Section 30, Township 34 North, Range 5 East.

Portion of Tract 10 of Nockachamp Hills PUD Phases 3 and 4, recorded under AF#200807240089, located in Northeast ¼ of Section 36, Township 34 North, Range 4 East, being a portion of Southeast ¼ of Section 25 Township 34 North, Range 4 East, and Northeast ¼ of Section 36, Township 34 North, Range 4 East and Northwest ¼ of Section 31, Township 34 North, Range 5 East, and Southwest ¼ of Section 30, Township 34 North, Range 5 East, (LEVY CODE 1300)

Portion of Tract 10 of Nookachamp Hills PUD Phases 3 and 4, recorded under AF#200807240089, located in Southwest ¼ of Section 30, Township 34 North, Range 4 East, being a portion of Southeast ¼ of Section 25 Township 34 North, Range 4 East, and Northeast ¼ of Section 36, Township 34 North, Range 4 East and Northwest ¼ of Section 31, Township 34 North, Range 5 East, and Southwest ¼ of Section 30, Township 34 North, Range 5 East. (LEVY CODE 2310)

Portion of Tract 10 of Nookachamp Hills PUD Phases 3 and 4, recorded under AF#200807240089, located in Northwest ¼ of Section 31, Township 34 North, Range 4 East, being a portion of Southeast ¼ of Section 25 Township 34 North, Range 4 East, and Northwest ¼ of Section 36, Township 34 North, Range 4 East and Northwest ¼ of Section 31, Township 34 North, Range 5 East, and Southwest ¼ of Section 30, Township 34 North, Range 5 East.

EXHIBIT "B"

PHASE 3 AND 4:

THOSE PORTIONS OF SECTIONS 25 AND 36, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M., AND SECTIONS 30 AND 31, TOWNSHIP 34 NORTH, RANGE 5 EAST, W.M., SKAGIT COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH OUARTER CORNER OF SAID SECTION 25: THENCE NORTH 89 DEGREES 23 49 WEST ALONG THE SOUTH LINE OF SAID SECTION A DISTANCE OF 83,18 FEET TO THE NORTHEASTERLY MARGIN OF STATE HIGHWAY SR9. AS SHOWN ON SHEET 2 OF 3 SHEETS OF WASHINGTON STATE DEPARTMENT OF TRANSPORTATION DRAWING TITLED "SR9 - MP47.22 TO MP 47.78 NORTH BIG LAKE VICINITY", BEARING APPROVAL DATE OF NOVEMBER 14, 1977, THENCE NORTH 24 DEGREES 00'41" WEST ALONG SAID HIGHWAY MARGIN 189.74 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 24 DEGREES 00'41" EAST ALONG SAID HIGHWAY MARGIN A DISTANCE OF 610.58 FEET TO THE NORTH LINE OF THE SOUTH 935 FEET OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 36; THENCE SOUTH 89 DEGREES 06'52" EAST ALONG SAID NORTH LINE 388.53 FEET TO THE EAST LINE OF THE WEST 490 FEET OF SAID NORTHWEST 1/4 OF THE NORTHEAST 1/4: THENCE SOUTH 2 DEGREES 01'17" WEST ALONG SAID EAST LINE 360.07 FEET TO THE NORTH LINE OF THE SOUTH 575 FEET OF SAID SUBDIVISION: THENCE SOUTH 89 DEGREES 06'52" EAST ALONG SAID NORTH LINE 297.95 FEET; THENCE SOUTH 0 DEGREES 53'08" WEST 575.00 FEET TO THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF SAID SECTION 36; THENCE SOUTH 89 DEGREES 06'52" EAST ALONG SAID SOUTH LINE 970.00 FEET TO THE WEST LINE OF THAT CERTAIN TRACT CONVEYED TO THE PUBLIC UTILITY DISTRICT NO. OF SKAGIT COUNTY BY DEED RECORDED UNDER AUDITOR'S FILE NO. 9205120072; THENCE NORTH 0 DEGREES 53'08" EAST ALONG SAID WEST LINE 200.00 FEET TO THE WORTH LINE OF SAID TRACT: THENCE SOUTH 89 DEGREES 06'52" EAST ALONG SAID NORTH LINE 200.00 FEET TO THE EAST LINE OF SAID TRACT; THENCE SOUTH 0 DEGREES 53'08" WEST ARONG SAID EAST LINE 200.00 FEET TO RETURN TO THE SOUTH LINE OF SAID NORTH 1/2 OF THE NORTHEAST 1/4: THENCE SOUTH 89 DEGREES 06'52" EAST ALONG SAID SOUTH LINE 649.40 FEET TO THE SOUTHWEST CORNER OF GOVERNMENT LOT 1 OF SAID SECTION 31. THENCE NORTH 89 DEGREES 40'38" EAST ALONG THE SOUTH LINE OF SAID LOT'A DISTANCE OF 1316.76 FEET TO THE SOUTHEAST CORNER THEREOF, THENCE NORTH DEGREE 43'22" EAST ALONG THE EAST LINE OF SAID LOT A DISTANCE OF 1333.62 FEET TO THE SOUTHEAST CORNER OF GOVERNMENT LOT 4 OF SAID SECTION 30, THENCE NORTH I DEGREE 34'34" EAST ALONG THE EAST LINE OF SAID LOT AND THE EAST LINE OF GOVERNMENT LOT 3 OF SAID SECTION 30. A TOTAL DISTANCE OF 1943.81 FEET TO THE NORTH LINE OF THE SOUTH 1/2 OF SAID GOVERNMENT LOT 3; THENCE SOUTH 89 DEGREES 5245 WEST ALONG SAID NORTH LINE 799.76 FEET; THENCE SOUTH 0 DEGREES 0000 WEST 61499 FEET; THENCE SOUTH 90 DEGREES 00'00" WEST 1152.74 FEET; THENCE NORTH 13 DEGREES 51'13" EAST 82.61 FEET; THENCE SOUTH 60 DEGREES 25'56" WEST 2492 41 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT WITH A RADIUS OF 30.00 FEET, THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 95 DEGREES 33 23 AN ARC LENGTH OF 50.03 FEET TO RETURN TO THE NORTHEASTERLY MARGIN OF STATE HIGHWAY SR 9 AND THE POINT OF BEGINNING:

EXCEPT THAT PORTION LYING WITHIN THAT PLAT KNOWN AS "NOOKACHAMP HILLS P.U.D., PHASE I", RECORDED NOVEMBER 2, 1998 UNDER SKAGIT COUNTY UNDER AUDITOR'S FILE NO.9811020154.

AND EXCEPT ANY PORTION LYING WITHIN PROPOSED PHASE 2A AND PHASE 2B OF MOOKACHAMP HILLS P.U.D.";

AND ALSO EXCEPT THE FOLLOWING DESCRIBED PARCEL:

THAT PORTION OF THE SOUTH 1/2 OF GOVERNMENT LOT 3, SECTION 30, TOWNSHIP 34 NORTH, RANGE 5 PAST, W.M., DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHWEST CORNER OF SAID SOUTH 1/2 OF GOVERNMENT LOT 3; THENCE NORTH 89 DEGREES 53'45" EAST ALONG THE NORTH LINE THEREOF, A DISTANCE OF 52000 FEET TO THE TRUE POINT OF THE BEGINNING; THENCE SOUTH 0 DEGREES 00'00" WEST A DISTANCE OF 614.99 FEET; THENCE NORTH 89 DEGREES 53'45" EAST, PARALLEL WITH THE NORTH LINE OF SAID SOUTH 1/2 OF GOVERNMENT LOT 3, A DISTANCE OF 783.00 FEET, MORE OR LESS, TO THE EAST LINE OF SAID GOVERNMENT LOT 3; THENCE NORTH 1 DEGREE 34'34" EAST ALONG SAID EAST LINE, A DISTANCE OF 615.00 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF SAID SOUTH 1/2; THENCE SOUTH 89 DEGREES 53,45: WEST, ALONG SAID LINE, A DISTANCE OF 799.76 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING;

AND ALSO EXCEPT ROADS.