

Skagit County Auditor

9/15/2015 Page

1 of

\$80.00

9 11:02AM

After recording return document to:

Nookachamp Hills LLC  
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

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Mount Vernon, WA 98273

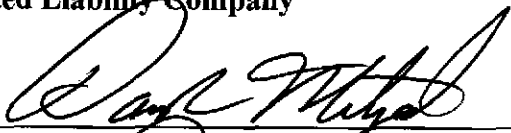
**DESIGNATION RE "PARTICIPATING BUILDER FOR  
NOOKACHAMP HILLS PLANNED UNIT DEVELOPMENT"**

Pursuant to Article I, Section 1.1.5, 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

  
\_\_\_\_\_  
**DANIEL R. MITZEL, Managing Member**

  
\_\_\_\_\_  
**DANIEL R. MITZEL**

  
\_\_\_\_\_  
**PATRICIA R. BURKLUND**

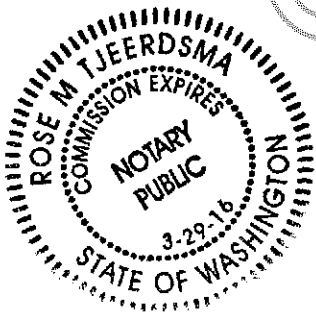
  
\_\_\_\_\_  
**PAUL W. RUTTER**



STATE OF WASHINGTON )  
: SS  
COUNTY OF SKAGIT )

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.

GIVEN under my hand and official seal this 10 day of Sept, 2015.

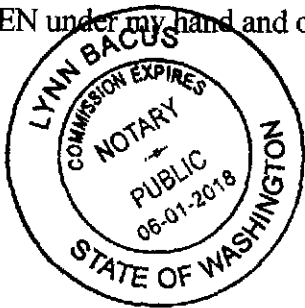


Rose M Tjeerdsma  
Notary Public in and for the State of Washington,  
residing at Burlington.

STATE OF WASHINGTON )  
: SS  
COUNTY OF SKAGIT )

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.

GIVEN under my hand and official seal this 4th day of September, 2015.



Lynn Bacus  
Notary Public in and for the State of Washington,  
residing at Molet Jernon

## 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 - Nookachamp 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  $\frac{1}{4}$  Section 25, Township 34 North, Range 4 East and NE  $\frac{1}{4}$  of Section 36, Township 34 North, Range 4 East, and NW  $\frac{1}{4}$  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  $\frac{1}{4}$  Section 25, Township 34 North, Range 4 East and NE  $\frac{1}{4}$  of Section 36, Township 34 North, Range 4 East, and NW  $\frac{1}{4}$  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  $\frac{1}{4}$  of Section 30, Township 34 North, Range 5 East, being a portion of Southeast  $\frac{1}{4}$  of Section 25 Township 34 North, Range 4 East, and Northeast  $\frac{1}{4}$  of Section 36, Township 34 North, Range 4 East and Northwest  $\frac{1}{4}$  of Section 31, Township 34 North, Range 5 East, and Southwest  $\frac{1}{4}$  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  $\frac{1}{4}$  of Section 30, Township 34 North, Range 5 East, being a portion of Southeast  $\frac{1}{4}$  of Section 25 Township 34 North, Range 4 East, and Northeast  $\frac{1}{4}$  of Section 36, Township 34 North, Range 4 East and Northwest  $\frac{1}{4}$  of Section 31, Township 34 North, Range 5 East, and Southwest  $\frac{1}{4}$  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  $\frac{1}{4}$  of Section 30, Township 34 North, Range 5 East, being a portion of Southeast  $\frac{1}{4}$  of Section 25 Township 34 North, Range 4 East, and Northeast  $\frac{1}{4}$  of Section 36, Township 34 North, Range 4 East and Northwest  $\frac{1}{4}$  of Section 31, Township 34 North, Range 5 East, and Southwest  $\frac{1}{4}$  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#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 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 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 7 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 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 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 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 Nookachamp Hills PUD Phases 3 and 4, recorded under AF#200807240089, located in Southeast  $\frac{1}{4}$  of Section 25, Township 34 North, Range 4 East, being a portion of Southeast  $\frac{1}{4}$  of Section 25 Township 34 North, Range 4 East, and Northeast  $\frac{1}{4}$  of Section 36, Township 34 North, Range 4 East and Northwest  $\frac{1}{4}$  of Section 31, Township 34 North, Range 5 East, and Southwest  $\frac{1}{4}$  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 Northeast  $\frac{1}{4}$  of Section 36, Township 34 North, Range 4 East, being a portion of Southeast  $\frac{1}{4}$  of Section 25 Township 34 North, Range 4 East, and Northeast  $\frac{1}{4}$  of Section 36, Township 34 North, Range 4 East and Northwest  $\frac{1}{4}$  of Section 31, Township 34 North, Range 5 East, and Southwest  $\frac{1}{4}$  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  $\frac{1}{4}$  of Section 30, Township 34 North, Range 4 East, being a portion of Southeast  $\frac{1}{4}$  of Section 25 Township 34 North, Range 4 East, and Northeast  $\frac{1}{4}$  of Section 36, Township 34 North, Range 4 East and Northwest  $\frac{1}{4}$  of Section 31, Township 34 North, Range 5 East, and Southwest  $\frac{1}{4}$  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  $\frac{1}{4}$  of Section 31, Township 34 North, Range 4 East, being a portion of Southeast  $\frac{1}{4}$  of Section 25 Township 34 North, Range 4 East, and Northeast  $\frac{1}{4}$  of Section 36, Township 34 North, Range 4 East and Northwest  $\frac{1}{4}$  of Section 31, Township 34 North, Range 5 East, and Southwest  $\frac{1}{4}$  of Section 30, Township 34 North, Range 5 East.





AND EXCEPT ANY PORTION LYING WITHIN PROPOSED PHASE 2A AND PHASE 2B OF  
"NOOKACHAMP 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 EAST, 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 520.00 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.