



WHEN RECORDED RETURN TO:

Mark Rowley
Garvey Schubert Barer
1191 Second Avenue, Suite 1800
Seattle, WA 98101

Document Title: Amendment to Easement Agreement
Grantor: 1. NWCC Investments VIII, LLC
2. NWCC Investments IX, LLC
Grantee: Highland Two, LLC
Legal Description: Abbreviated Legal Description: Ptn. Tr. 10, Plat of Mount Vernon Acreage
Full Legal Description: See Exhibits A and B attached
Assessor's Tax Parcel Nos.: 3746-000-010-0467
Reference Docs.: 200811050054 and 2010223006

AMENDMENT TO EASEMENT AGREEMENT

This Amendment to Easement Agreement is made by and among NWCC Investments VIII, LLC, a Washington limited liability company ("NWCC VIII"), and NWCC Investments IX, LLC, a Washington limited liability company (collectively, "NWCC") and Highland Two, LLC, a Delaware limited liability company ("Highland Two")

RECITALS:

- A. Highland Two is the owner of the real property described in Exhibit A hereto (the "Dominant Estate").
B. NWCC is the owner of the real property described on Exhibit B hereto (the "Corner Parcel").
C. Highland Two and NWCC are parties to an Easement Agreement recorded February 23, 2010 under Skagit County Auditor's No. 20100223006 (the "Existing Easement Agreement").

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX
EASEMENT
APR 05 2018
Amount Paid \$
Skagit Co. Treasurer
By Deputy

D. Since the date of the Existing Easement Agreement, NWCC has acquired the Corner Parcel and, in connection with the development of the Corner Parcel, has re-located the easements described in Section 1 of the Existing Easement Agreement.

E. The parties desire to amend the Existing Easement Agreement on the terms stated herein.

NOW THEREFORE, the parties covenant and agree as follows:

1. Exhibits C and D of the Existing Easement Agreement are hereby deleted. The location of the Sign is now depicted in Exhibit C attached hereto and is legally described in Exhibit D attached hereto. The first sentence of the Existing Easement Agreement is hereby deleted and in substitution thereof is the following:

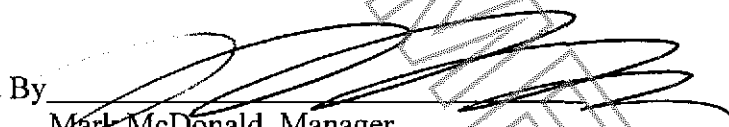
“NWCC hereby grants to Highland Two and its successors and assigns in title or interest to all or any portion of the Dominant Estate a permanent exclusive easement for the sign (the "Sign") at the location shown as "New Sign Easement" on attached Exhibit C and as legally described on attached Exhibit D and for the installation of an underground electrical line (the "Line") from the Dominant Estate to the Sign and a temporary non-exclusive easement from the Dominant Estate across the Corner Parcel to the Sign and Line for the installation, repair, improvement, replacement and use of the Sign and from the Dominant Estate across the Corner Parcel for the installation, repair, replacement and use of the Line.”

2. NWCC hereby grants to Highland Two and its successors and assigns in title or interest to all or any portion of the Dominant Estate a permanent exclusive easement for the the encroachment of the building located on the Dominant Estate onto the Corner Parcel, as generally shown at the top of Exhibit C and indicated by the “16” box.


3. The Existing Easement Agreement shall otherwise continue in full force and effect as written.

NWCC:

NWCC INVESTMENTS VIII, LLC,
a Washington limited liability company

By 
Mark McDonald, Manager
Date: 9/6/18

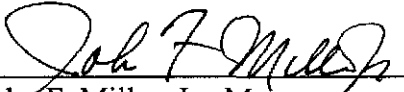
NWCC INVESTMENTS IX, LLC,
a Washington limited liability company

By: 
Mark McDonald, Manager
Date: 9/6/18

HIGHLAND TWO:

HIGHLAND TWO, LLC, a Delaware
limited liability company

By: Highland Enterprises, L.L.C., a
Washington limited liability company

By: 
John F. Miller, Jr., Manager

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

On this 6 day of March, 2018, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn personally appeared **Mark McDonald**, known to me to be the Manager of **NWCC INVESTMENTS VIII, LLC** and **NWCC INVESTMENTS IX, LLC**, the limited liability companies that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said limited liability companies, for the purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

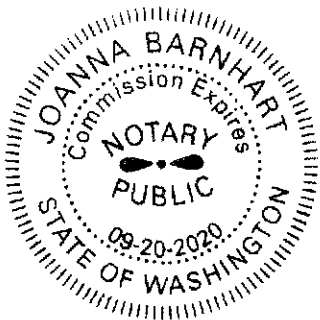
I certify that I know or have satisfactory evidence that the person appearing before me and making this acknowledgment is the person whose true signature appears on this document.

WITNESS my hand and official seal hereto affixed the day and year in the certificate above written.

Joanna Barnhart
Signature

Joanna Barnhart
Print Name

NOTARY PUBLIC in and for the State of
Washington, residing at Seattle, WA.
My commission expires Sept. 20, 2020.



STATE OF WASHINGTON)
) ss.
COUNTY OF _____)

On this _____ day of _____, 2018, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn personally appeared **John F. Miller, Jr.**, known to me to be the Manager of Highland Enterprises, L.L.C., the sole member of **HIGHLAND TWO, LLC**, 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 purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

I certify that I know or have satisfactory evidence that the person appearing before me and making this acknowledgment is the person whose true signature appears on this document.

WITNESS my hand and official seal hereto affixed the day and year in the certificate above written.

Signature

Print Name

NOTARY PUBLIC in and for the State of
Washington, residing at _____.

My commission expires _____.

Please see attached California Acknowledgment Certificate

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Riverside)

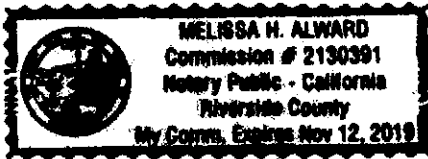
On March 22, 2018 before me, Melissa H. Alward, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared John Frederic Miller, Jr
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Melissa H. Alward
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Amendment to Easement Agreement
Document Date: March 22, 2018 Number of Pages: 9
Signer(s) Other Than Named Above: Mark McDonald

Capacity(ies) Claimed by Signer(s)

Signer's Name: John F. Miller, Jr
 Corporate Officer — Title(s): Manager
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

EXHIBIT A

LEGAL DESCRIPTION OF DOMINANT ESTATE

The West 168 feet of Tract 9, PLAT OF MOUNT VERNON ACREAGE, SKAGIT COUNTY, WASHINGTON, according to the plat thereof, recorded in Volume 3 of Plats, page 102, records of Skagit County, Washington, and the North 29.5 feet of the East 100 feet of the West 268 feet of said Tract 9, Plat of Mount Vernon Acreage.

Together with a non-exclusive easement for ingress and egress over and across the North 30 feet of the West 168 feet and across the East 30 feet of the West 168 feet of Tract 8, Plat of Mount Vernon Acreage, Skagit County, Washington, according to the plat thereof, recorded in Volume 3 of Plats, page 102, records of Skagit County, Washington as described in instrument recorded April 1, 1977, under Auditor's File No. 853753, records of Skagit County, Washington.

Together with a non-exclusive easement for vehicular and pedestrian ingress, egress, parking and access over and upon the drive aisle portions of Tracts Band C, City of Mount Vernon Short Plat No. MV-26-76, approved September 10, 1976, recorded September 23, 1976 in Volume I of Short Plats, page 175, under Auditor's File No. 843161, records of Skagit County, Washington and being a portion of Tracts 9 and 10, Plat of Mount Vernon Acreage, Skagit County, Washington, according to the plat thereof, recorded in Volume 3 of Plats, page 102, records of Skagit County, Washington as disclosed by instrument recorded September 22, 2004, under Auditor's File No. 200409220116, records of Skagit County Washington.

All situated in Skagit County, Washington



EXHIBIT B

LEGAL DESCRIPTION OF CORNER PARCEL

The West 120 feet of Tract 10, Plat of Mount Vernon Acreage, Skagit County, Washington, as per plat recorded in Volume 3 of Plats, page 102, records of Skagit County, Washington, except the South 10 feet thereof conveyed to the City of Mount Vernon by Auditor's File No. 816622

Situate in the City of Mount Vernon, County of Skagit, and State of Washington.



EXHIBIT C

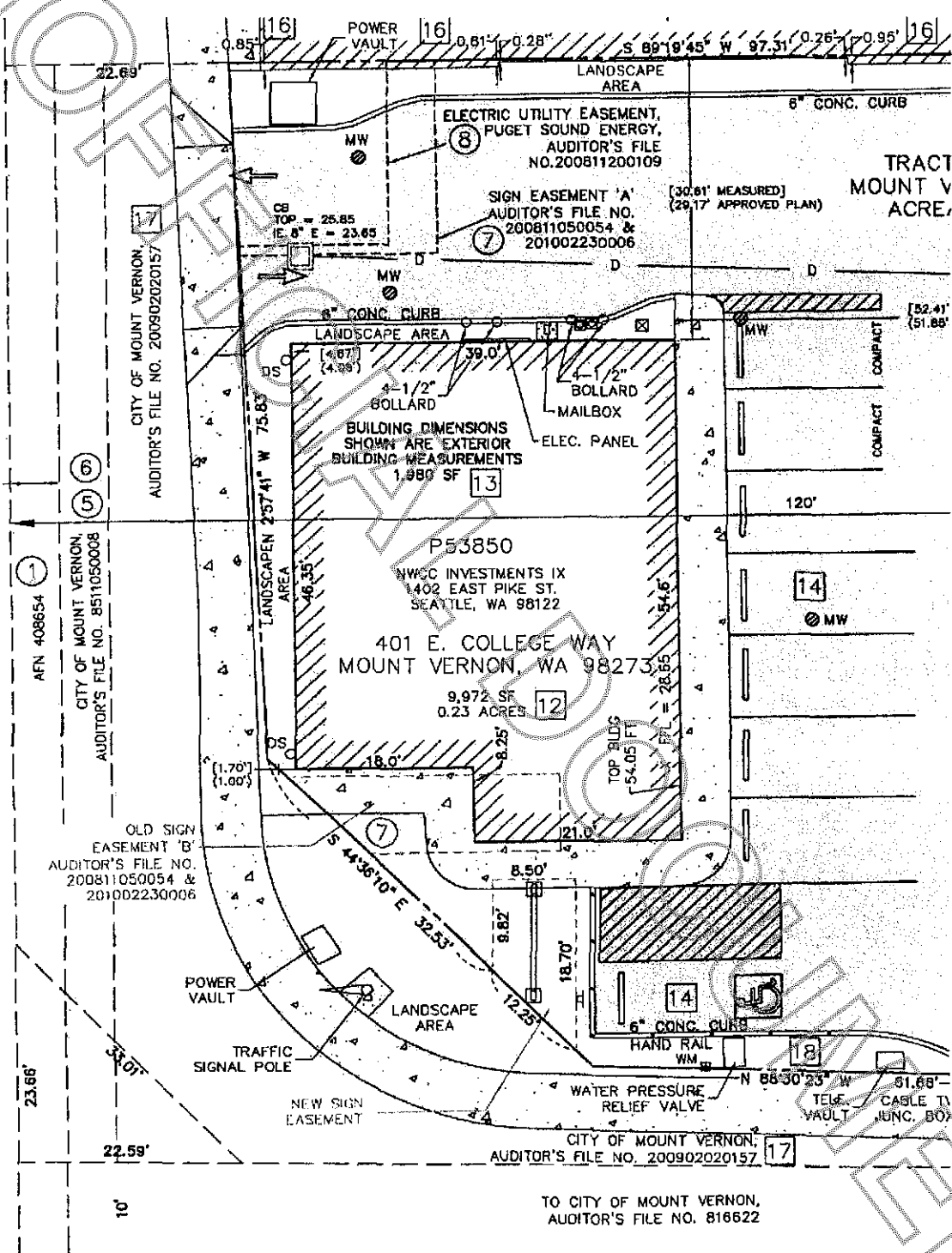


EXHIBIT D

NEW SIGN EASEMENT

New Sign Easement

An easement for signage installation and the maintenance thereof over, under, and across a portion of Tract 10, "Plat of Mount Vernon Acreage, Skagit County, Wash.," as per plat recorded in Volume 3 of Plats, Page 102, records of Skagit county, Washington, and being more particularly described as follows:

Beginning at the Northwest corner of said Tract 10, Plat of Mount Vernon Acreage, Skagit County, Wash.,
thence North 89°19'45" East along the North line of said Tract 10 for a distance of 22.69 feet, more or less, to the Easterly right-of-way margin of Riverside Drive as recorded in Auditor's File No. 200902020157, records of Skagit County, Washington;
thence South 2°57'41" East along said Easterly right-of-way margin for a distance of 75.83 feet to an angle point on said margin;
thence South 44°36'10" East along said margin for a distance of 32.53 feet to the TRUE POINT OF BEGINNING;
thence North 0°38'46" West for a distance of 9.82 feet;
thence North 89°21'14" East for a distance of 8.50 feet;
thence South 0°38'46" East for a distance of 18.70 feet, more or less, to said Easterly right-of-way margin of Riverside Drive at a point bearing South 44°36'10" East from the TRUE POINT OF BEGINNING;
thence North 44°36'10" West along said Easterly right-of-way margin for a distance of 12.25 feet, more or less, to the TRUE POINT OF BEGINNING.

Situate in the City of Mount Vernon, County of Skagit, State of Washington.

