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Skagit County Auditor

WHEN RECORDED RETURN TO:

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Document Title: Second Amendment to Declaration for Skagit Sound Business Park, a Condominium  
Grantor: Skagit Sound Business Park Association  
Grantee: Skagit Sound Business Park Association  
Legal Description: Skagit Sound Business Park, a Condominium, Skagit County AF No. 200705030119  
AF No. of Affected Documents: 200705030119

**SECOND AMENDMENT TO DECLARATION FOR SKAGIT SOUND BUSINESS PARK, A CONDOMINIUM**

PURPOSE: To allocate Limited Common Element Parking Spaces

This Amendment is made this 22<sup>nd</sup> day of September 2021, by Skagit Sound Business Park Association (“Association”).

WITNESS THAT:

WHEREAS, the Declarant executed certain Condominium Instruments establishing Skagit Sound Business Park, a Condominium in Anacortes, Washington and caused the Declaration to be recorded at in the Land Records of Skagit County, Washington at Auditors File No. 200705030119, along with a Survey Map and Plans, which were contemporaneously recorded at Skagit County Auditors File No. 200705030118; the Declaration has been previously amended by a First Amendment to Declaration recorded at Auditor’s File No. 200806300186.

WHEREAS, pursuant to RCW 64.34.216(1)(i), Sections 3.3, 6.1.3, and 6.1.4 of the Declaration, reserved to the Declarant were the right to assign certain Common Elements as Limited Common Elements, including parking spaces in the Condominium.

WHEREAS, the original Declarant failed to exercise its Special Declarant Rights and Development Rights to allocate the parking spaces to be assigned to the exclusive use of individual unit owners pursuant to Section 6.1 of the Declaration. The Declaration provides that any unassigned parking spaces are considered Common Elements and to be visitor parking spaces or handicapped spaces, as the case may be.

WHEREAS, pursuant to RCW 64.34.228(3) and Section 6.3 of the Declaration, the owners of units to which at least sixty-seven percent (67%) of the votes are allocated, including the owner of the unit to which the Limited Common Element will be assigned or incorporated, must agree to reallocate a Common Element as a Limited Common Element and such reallocation shall be reflected in an amendment to the Declaration.

WHEREAS, the reallocation of Limited Common Elements has been approved by the requisite number of unit owners, and with the approval of the Board of Directors.

WHEREAS, the First Amendment to Declaration erroneously cited Section 5.6 as Parking Spaces when in fact that Section was actually 5.10. Section 5.10 is being amended again in this Second Amendment.

NOW, THEREFORE, pursuant to and in compliance with Sections 17.1 of the Declaration and RCW 64.34.228, the Association hereby amends the following Sections of the Declaration, as follows:

5.10 Parking Spaces.

The Condominium contains a total of one hundred twenty-six (126) parking spaces, which are described with particularity on the attached Second Amendment to Exhibit "C" to the Declaration. Parking spaces are assigned for the exclusive use of individual unit owners pursuant to Section 6.1 of this Declaration. Any unassigned parking spaces shall be considered to be visitor parking spaces or handicapped spaces, as the case may be. Use of all parking spaces shall be governed by the provisions of Section 9.1.3 hereof. The Association hereby allocates Limited Common Element parking spaces as follows:

<u>Unit</u>	<u>Assigned Parking Spaces</u>
A	1 – 17
B	44 – 49
C	72 – 89 and 99 – 117
D	90 – 98 and 118 – 126
E	18 – 43 and 50 – 71

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**SECOND AMENDMENT TO EXHIBIT "B"**

## TO DECLARATION FOR SKAGIT SOUND BUSINESS PARK, A CONDOMINIUM

Unit No.	Address	Square Footage †	Number of Bathrooms	Type of Heat	Limited Common Elements**	Allocated Interest*
A	9019 Molly Ln.	10,790	T.B.D.	T.B.D.	Loading Dock and Ramp;	16.95%
B	9019 Molly Ln.	4,453	T.B.D.	T.B.D.		7.00%
C	9029 Molly Ln.	10,458	T.B.D.	T.B.D.		16.43%
D	9025 Molly Ln.	5,796	T.B.D.	T.B.D.		9.11%
E	9027 Molly Ln.	32,151	T.B.D.	T.B.D.		50.51%
Totals		63,648				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 under Sections 5.3, 7.4.2, and 10.6 of the Declaration., pursuant to RCW 64.34.224(1). ALL ALLOCATED INTEREST ARE SUBJECT TO CHANGE UPON AN EXERCISE OF DEVELOPMENT RIGHTS, as described in Section 3.3.2(a) of the Declaration.

\*\* Items listed are Limited Common Elements permanently assigned to their respective Units as identified above, pursuant to Section 6.1 of the Declaration. Parking spaces, if any, assigned or assignable as Limited Common Elements, are described on Exhibit C to this Declaration.

† Square footages are calculated by measuring on the land within the Unit.

**SECOND AMENDMENT TO EXHIBIT "C"**

TO DECLARATION FOR SKAGIT SOUND BUSINESS PARK, A CONDOMINIUM

ASSIGNMENT, IDENTIFICATION AND DESCRIPTION OF PARKING SPACES

<u>Parking Space No.</u>	<u>Description*</u>	<u>Unit Assignment</u>
1	U	A
2	U	A
3	U	A
4	U	A
5	U	A
6	U	A
7	U	A
8	U	A
9	U-HC	A
10	U	A
11	U	A
12	U	A
13	U	A
14	U	A
15	U	A
16	U	A
17	U	A
18	U	E
19	U	E
20	U	E
21	U	E
22	U	E
23	U	E
24	U-HC	E
25	U	E
26	U	E
27	U	E
28	U	E
29	U	E
30	U	E
31	U	E
32	U	E
33	U	E
34	U	E
35	U	E
36	U	E

37	U	E
38	U	E
39	U	E
40	U	E
41	U	E
42	U	E
43	U	E
44	U-HC	B
45	U	B
46	U	B
47	U	B
48	U	B
49	U	B
50	U	E
51	U	E
52	U	E
53	U	E
54	U-HC	E
55	U	E
56	U	E
57	U	E
58	U	E
59	U	E
60	U	E
61	U	E
62	U	E
63	U	E
64	U	E
65	U-HC	E
66	U	E
67	U	E
68	U	E
69	U	E
70	U	E
71	U	E
72	U	C
73	U	C
74	U	C
75	U	C
76	U	C
77	U	C
78	U	C
79	U-HC	C
80	U	C

81	U	C
82	U	C
83	U	C
84	U	C
85	U	C
86	U	C
87	U	C
88	U	C
89	U-HC	C
90	U	D
91	U	D
92	U	D
93	U	D
94	U	D
95	U	D
96	U	D
97	U	D
98	U	D
99	U	C
100	U	C
101	U	C
102	U	C
103	U	C
104	U	C
105	U	C
106	U	C
107	U	C
108	U	C
109	U	C
110	U	C
111	U	C
112	U	C
113	U	C
114	U	C
115	U	C
116	U	C
117	U	C
118	U	D
119	U	D
120	U	D
121	U	D
122	U	D
123	U	D
124	U	D

125	U	D
126	U	D

\*U = unenclosed space; HC= handicapped spaces.