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Skagit County Auditor

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Hansell / Mitzel, LLC
Upon Recording Return to:
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1111 Cleveland Ave. Suite 203
Mount Vernon WA. 98273

Document Title	First Amendment to Declaration to the Amended and Restated North Hill Townhomes, A Condominium
Reference No. of	202109160046
Grantor:	Hansell/Mitzel, LLC
Grantee:	General Public

**FIRST AMENDMENT TO THE DECLARATION
FOR NORTH HILL TOWNHOMES, A CONDOMINIUM**

PURPOSE: TO EXERCISE DEVELOPMENT RIGHT TO CONVERT DEVELOPMENT UNITS INTO RESIDENTIAL UNITS (PHASE 3A)

THIS AMENDMENT is made this 9th day of September, 2022 by HANSELL / MITZEL, LLC, a Washington Limited Liability Company (Declarant)

WITNESSETH THAT:

WHEREAS the Declarant executed certain Condominium Instruments establishing NORTH HILL TOWNHOMES, A CONDOMINIUM in Mount Vernon, Washington and caused the Declaration to be recorded in the land records of Skagit County, Washington, at Auditor's File No. 200706260089, along with a Survey Map and Plans, which were contemporaneously recorded at Auditor's File No. 200706260088; the Declaration has been previously amended by instruments recorded at Skagit County Auditor's File No's. 200812220036, 200901050117, 201312300088, 201507280086, 201803020016, 20190828031 and 202109160046. the Survey Map has been previously amended by instruments recorded at Skagit County Auditor's File No. 200812220037, 200812310105, 201507280085, 201701050050 and 201908080030. P122828

WHEREAS, pursuant to RCW 64.34.236 and Sections 22.1(c), 24.8.2 and 24.8.4 of the Amended and Restated Declaration as recorded at Skagit County Auditor's File number 202109160046, the

Declarant may unilaterally amend the Condominium Declaration and Survey Map and Plans from time to time to exercise Development Rights; and

WHEREAS, in Sections 22.1(c), 24.8.2 and 24.8.4 of the Amended and Restated Declaration as recorded at Skagit County Auditor's File number 202109160046 of the Declaration, the Declarant reserved Development Rights to convert Development Units into Residential Units in the Condominium; and

WHEREAS the Declarant now wishes to exercise one or more Development Rights in order to convert three (3) Development Units into three (3) Residential Units, with additional supporting Common Elements and Limited Common Elements, using the process described in Section 22.1(c) of the Declaration; and

NOW, THEREFORE, pursuant to and in compliance with Sections 22.1(c), 24.8.2 and 24.8.4 of the Amended and Restated Declaration as recorded at Skagit County Auditor's File number 202109160046 and RCW 64.34.236, the Declarant hereby amends the following Sections of the Declaration, as follows:

1.1 Land and Street Addresses.

The land on which the buildings and improvements of this Condominium are located is situated on River Vista Lane, River Vista Place and River Vista Court, Mount Vernon, Skagit County, Washington, as described with more particularity in the Amended and Restated Declaration as recorded at Skagit County Auditor's File number 202109160046 Exhibit "A" to the Declaration, attached hereto.

1.2 Number of Units Following Amendment.

The Condominium contains Twenty-Six (26) Units, Twenty-Two (22) of which contain dwelling space which is substantially completed, and four (4) of which are Development Units which have boundaries described in Declaration Section 4.1, and which contain substantially-completed foundations. The locations and dimensions of existing Units are shown on the Condominium Survey Map and Plans, as amended. The Amended and Restated Amendment to Exhibit "B" to the Declaration attached hereto contains a list of all Units, their identifying numbers, location, style, the Allocated Interests appurtenant to each Unit, and other useful information. The Allocated Interests have been reallocated among all Units in accordance with Section 22.1(c) of the Amended Declaration as recorded at Skagit County Auditor's File number 202109160046.

2.0 Reference to Sixth Amendment to Survey Map.

Contemporaneously with the recordation of this Amendment, the Declarant has recorded with the Auditor of Skagit County, Washington a Sixth Amendment to the Survey Map and Condominium plans, showing the location and dimensions of the new Units and other improvements constructed or contemplated to be constructed for Phase 3A of this Condominium, together with

other information required by the Condominium Act; this Sixth Amendment to the Survey Map and Plans is recorded at Auditor's File # 202209090092 the land records of Skagit County, Washington.

3.0 Allocated Interests - Differential Assessment of Development Units.

The Allocated Interests in the Common Elements allocated to the Units in all the Units have been reallocated among the Units in the manner described in Exhibit B to this Amendment. The Allocated Interests for Common Expense Liability and Voting have been reallocated as reflected in the Amendment to Exhibit B attached hereto. The differential assessment liability of Development Units reflected in said Amendment to Exhibit B is designed to reflect the actual costs to the Association of having undeveloped Units in the Condominium during the time that such Units are under construction. Votes in the Association allocated to Development Units are correspondingly lower as well. Development Units shall be assessed at the same rate as Residential Units and shall have the same voting interest as Residential Units following completion of dwelling improvements within the Development Units, and upon the recordation of a further Amendment to Declaration to confirm the conversion a Development Unit into a Residential Unit.

Exhibits.

Attached hereto are the Amendment to Exhibit "A" to the Declaration, along with the Amendment to Exhibit "B" to the Declaration.

EXCEPT as modified by this Amendment, all the terms and provisions of the Condominium Instruments are hereby expressly ratified and confirmed and shall remain in full force and effect.

IN WITNESS WHEREOF, the Declarant has caused this Amendment to be executed as of the date first written above.

DECLARANT
HANSELL / MITZEL, LLC

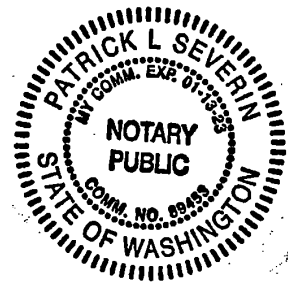


Dan Mitzel Managing Member

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that Dan Mitzel is the person appeared before me and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and that he acknowledged it as the Managing Member of Hansell / Mitzel, LLC to be the free and voluntary of such party for the uses and purposes mentioned in this instrument.

Dated: September 9th, 2022



Notary
Pat Severin

**AMENDMENT TO EXHIBIT "A"
TO DECLARATION FOR NORTH HILL TOWNHOMES, A CONDOMINIUM**

1. Legal Description of Land Within the Condominium

No change.

2. Description of any Real Property which may be allocated subsequently by the Declarant as Limited Common Elements

None.

3. Description of the Real Property to which any Development Right or Special Declarant Right applies:

No change.

EXHIBIT B – UNIT DESCRIPTION AND ALLOCATED INTEREST

Unit #	Unit Type	Address	Sq. Ft.	# Of Bedrooms	# Of Bathrooms	# Of Fireplaces	Limited Common Elements	Allocated % Interest, Votes & Assessment	Allocated % Interest, Common Elements
31A	Residential	2610 River Vista Lane	1731	2	3	1	1 deck, railing, & stairs, patio, walkway and driveway	4.16667	3.84615
32A	Residential	2612 River Vista Lane	1731	2	3	1	1 deck, railing, & stairs, patio, walkway and driveway	4.16667	3.84615
33A	Residential	2616 River Vista Lane	2437	3	3.5	2	1 deck, patio, porch, railings, walkway and driveway	4.16667	3.84615
33B	Residential	2616 River Vista Lane	2437	3	3.5	2	1 deck, patio, porch, railings, walkway and driveway	4.16667	3.84615
34A	Residential	2614 River Vista Lane	2343	3	2.5	1	2 decks, stairs, porch, railings, walkway and driveway	4.16667	3.84615
34B	Residential	2614 River Vista Lane	2343	3	2.5	2	2 decks, stairs, porch, railings, walkway and driveway	4.16667	3.84615
35A	Residential	2511 River Vista Place	2343	3	2.5	2	2 decks, stairs, porch, railings, walkway and driveway	4.16667	3.84615
35B	Residential	2511 River Vista Place	2343	3	2.5	1	2 decks, stairs, porch, railings, walkway and driveway	4.16667	3.84615
36A	Residential	2507 River Vista Place	2437	3	3.5	2	2 decks, stairs, porch, railings, walkway and driveway	4.16667	3.84615
36B	Residential	2507 River Vista Place	2437	3	3.5	2	2 decks, stairs, porch, railings, walkway and driveway	4.16667	3.84615
37A	Residential	2503 River Vista Place	2437	3	3.5	2	2 decks, stairs, porch, railings, walkway and driveway	4.16667	3.84615
37B	Residential	2503 River Vista Place	2437	3	3.5	2	2 decks, stairs, porch, railings, walkway and driveway	4.16667	3.84615
38A	Residential	2521 River Vista Court	2437	3	3.5	1	1 deck, stairs, porches, railings, walkway and driveway	4.16667	3.84615
38B	Residential	2521 River Vista Court	2437	3	3.5	1	1 deck, stairs, porches, railings, walkway and driveway	4.16667	3.84615

EXHIBIT B UNIT DESCRIPTION AND ALLOCATED INTEREST (continued)

Unit #	Unit Type	Address	Sq. Ft.	# of Bedrooms	# of Bathrooms	# Of Fireplaces	Limited Common Elements	Allocated % Interest, Votes & Assessment	Allocated % Interest, Common Elements
39A	Residential	2519 River Vista Court	2437	3	3.5	2	2 decks, stairs, porch, railings, walkway and driveway	4.16667	3.84615
39B	Residential	2519 River Vista Court	2437	3	3.5	2	2 decks, stairs, porch, railings, walkway and driveway	4.16667	3.84615
40A	Residential	2515 River Vista Court	1980	3	2.5	1	2 decks, stairs, porch, railings, walkway and driveway	4.16667	3.84615
40B	Residential	2515 River Vista Court	1466	2	2.5	1	2 decks, stairs, porch, railings, walkway and driveway	4.16667	3.84615
40C	Residential	2515 River Vista Court	1980	3	2.5	1	2 decks, stairs, porch, railings, walkway and driveway	4.16667	3.84615
41A	Residential	2509 River Vista Court	2031	3	3	1	2 decks, stairs, porch, railings, walkway and driveway	4.16667	3.84615
41B	Residential	2509 River Vista Court	1509	2	2.5	1	2 decks, stairs, porch, railings, walkway and driveway	4.16667	3.84615
41C	Residential	2509 River Vista Court	2031	3	2.5	1	2 decks, stairs, porch, railings, walkway and driveway	4.16667	3.84615
42A	Development	2505 River Vista Court	2443	3	3.5	1	2 decks, stairs, porch, railings, walkway and driveway	2.08334	3.84615
42B	Development	2505 River Vista Court	2443	3	3.5	1	2 decks, stairs, porch, railings, walkway and driveway	2.08334	3.84615
43A	Development	2501 River Vista Court	2443	3	3.5	1	2 decks, stairs, porch, railings, walkway and driveway	2.08334	3.84615
43B	Development	2501 River Vista Court	2443	3	3.5	1	2 decks, stairs, porch, railings, walkway and driveway	2.08334	3.84615

EXHIBIT B UNIT DESCRIPTION AND ALLOCATED INTEREST (continued)

Square Footage (Sq. Ft.) is the measurement of the footprint of the dwelling structure located within the Unit as measured at the exterior walls.

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 pursuant to RCW 64.34.224(1)

Pursuant to Article 23 of the Declaration, the Development Units are assessed at lower rates than Residential Units, and have correspondingly lower Votes in the Association as a result. Their Common Expense and Voting power are 1/2 of that for completed Residential Units. Development units shall be converted to Residential Units as described in Article 23.

Items listed are Limited Common Elements permanently assigned to their respective Units as identified above, pursuant to Article 6.

Units with substantially completed dwelling improvements are "Residential" units which are suitable for sale to residential purchasers. Units lacking substantially completed dwelling structures are "Development" Units which are subject to Development Rights as provided for in Article 23.

The foundations for the Development Units are in place and describe the Unit boundaries as shown on the Survey Maps and Plans.