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09/24/2024 10:27 AM Pages: 1 of 10 Fees: \$312.50  
Skagit County Auditor

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LAWRENCE A. PIRKLE  
P.O. Box 1788  
Mount Vernon, WA 98273

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

20242263

SEP 24 2024

Amount Paid \$0  
By Skagit Co. Treasurer Deputy  
KQ

DOCUMENT TITLE(S):

ASSIGNMENT OF SUBLEASE AND  
CONVEYANCE OF CONDOMINIUM UNIT

REFERENCE NUMBER(S):

GRANTOR:

BETTY A. MOONEY ESTATE and  
PAT D. MOONEY ESTATE

GRANTEE:

PATRICK D. MOONEY and  
DIANE A. MOONEY, Husband and Wife

ASSESSOR'S PARCEL NUMBER:

P129801 (4907-009-019-1000)

LEGAL DESCRIPTION:

Building only, Plat of 48 degrees North  
Hangar, a leasehold condominium, recorded  
under AF#200610060088, Hangar Pad No. 9,  
unit 9-19. Located in the NE 1/4 of the NE 1/4  
Section 27, Township 35 North, Range 1 East.

Situate in the County of Skagit, State of  
Washington.

**ASSIGNMENT OF SUBLEASE  
AND CONVEYANCE OF CONDOMINIUM UNIT**

This Assignment of Sublease and Conveyance of Condominium Unit is entered into by and between PATRICK D. MOONEY and CHARLEEN M. FORSMAN, as Co-Personal Representatives for both the Estate of BETTY A. MOONEY under Skagit County Probate No. 21-4-00177-29 and the Estate of PAT D. MOONEY under Skagit County Probate No. 22-4-00616-29 (hereinafter, collectively, the "Grantor"), and PATRICK D. MOONEY and DIANE A. MOONEY, husband and wife (hereinafter, collectively, the "Grantee").

WHEREAS, 48° NORTH AVIATION, a WA Limited Liability Company, is the original lessee (the "Ground Lessee") of land under that certain Lease Agreement between Ground Lessee and the Port of Anacortes (the "Ground Lessor"), a Washington Municipal Corporation, dated December 4, 2003 and recorded under Skagit County Auditor's Recording Number 200509290125, as amended in accordance with that certain First Amendment of Lease dated March 30, 2006 and recorded under Skagit County Auditor's Recording Number 200606280155 (the lease, as amended, the "Ground Lease"); and

WHEREAS, Ground Lessee constructed improvements on the land and created a leasehold condominium called 48° North Hangar Condominium; and

WHEREAS, on November 20, 2006 and recorded under Skagit County Auditor's Recording Number 200701180064, Ground Lessee assigned its interest in the Ground Lease to the 48° North Hangar Owners Association (the "Association"); and

WHEREAS, on November 20, 2006, the Association subleased that portion of the Ground Lease allocated to the Unit (identified and described in section 1 below) to Ground Lessee (the "Sublease"); and

WHEREAS, the Sublease was subsequently assigned by Ground Lessee; and

WHEREAS, BETTY A. MOONEY died on November 18, 2020 and her Certificate of Death was recorded on October 6, 2023 under Skagit County Recording No. 202310060078.

WHEREAS, PAT D. MOONEY died on November 22, 2022 and his Certificate of Death was recorded on November 3, 2023 under Skagit County Recording No. 202311030056.

WHEREAS, on January 31, 2007, and recorded under Skagit County Auditor's Recording Number 200701310085, the Association subleased that portion of the Ground Lease allocated to the Unit (identified and described in section 1 below) to V. EUGENE ROSS and JO ANN ROSS, husband and wife.

WHEREAS, on May 28, 2013 and recorded under Skagit County Auditor's Recording Number 201306070020, V. EUGENE ROSS and JO ANN ROSS, husband and wife, assigned all their interest in the Ground Lease allocated to the Unit (identified and described in section 1 below) to PAT DOUGLAS MOONEY and BETTY ALICE MOONEY, husband and wife.

NOW, THEREFORE, in consideration of the mutual promises, covenants and contingencies, the parties agree as follows:

1. **Sublease.** In consideration of inheritance (WAC 458-61A-202) and other good and sufficient consideration in hand paid, Grantor assigns its interest in the Sublease to the Grantee PATRICK D. MOONEY and DIANE A. MOONEY, husband and wife, for the following-described condominium unit, for a term commencing upon consent by the Port of Anacortes as contained herein, and ending upon the expiration date of the Ground Lease or its sooner termination according to its terms, including all of Grantor's interest in that portion of the improvements that are allocated to the Unit under the terms of the Declaration, which Unit is described as follows:

Unit 9-19 of 48° North Hangar Condominium, according to the Declaration of Condominium recorded in Skagit County, Washington on November 6, 2006 under Auditor's Number 200610060089 (the "Declaration").


2. **Ground Lease.** All terms of the Ground Lease are incorporated within this document by this reference. Grantee is charged with a responsibility to be knowledgeable with all terms and conditions of the Ground Lease.
3. **Condominium Association.** Grantee is not a party or third-party beneficiary under the Ground Lease. The Association will be responsible for paying rent and all other sums due under the Ground Lease to the Ground Lessor. Grantee and other Unit Owners are each responsible for paying to the Association a share (computed according to the "Allocated Interest" for their respective Unit as defined in the Declaration) of the rent and other sums due under the Ground Lease. The Association will collect the proportionate rents paid on the Ground Lease by the Unit Owners in the form of Assessments. For purposes of sections 64.34.220(2) and (3) of the Revised Code of Washington, the Association is designated as the representative of the Unit

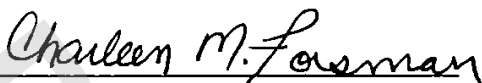
Owners on all matters relating to the Ground Lease including the collection of proportionate rents paid on the Ground Lease by the Unit Owners.


- 4. **Termination of Ground Lease.** In the event that the Association fails to pay in full the rent due under the Ground Lease to the Ground Lessor, or otherwise fails to cure a default under the Ground Lease which would entitle the Ground Lessor to terminate the Ground lease (whether such default is due to the action of the Association, Grantee, other unit owner(s), or others), the Ground Lessor may terminate the entire Ground Lease and the entire interest of the Grantee and/or all the other Unit Owners in their respective Units, including where Grantee or other Unit Owners make timely payment of their proportionate share of the rent for the Ground Lease and/or otherwise comply with all covenants other than the payment of rent which if violated would entitle the Ground Lessor to terminate the Ground lease.
- 5. **Ground Lessee's Liability.** Notwithstanding anything contained herein, Ground Lessee shall at all times remain liable to the Ground Lessor for any and all obligations of the lessee contained in the Ground Lease.

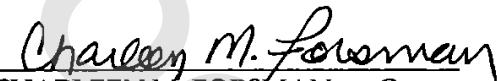
Dated this 9<sup>th</sup> day of September, 2024.

**Grantor(s)**

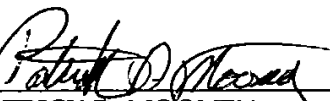
By:   
PATRICK D. MOONEY, as Co-Personal Representative of the Estate of BETTY A. MOONEY

By:   
CHARLEEN M. FORSMAN, as Co-Personal Representative of the Estate of BETTY A. MOONEY

By:   
PATRICK D. MOONEY, as Co-Personal Representative of the Estate of PAT D. MOONEY

By:   
CHARLEEN M. FORSMAN, as Co-Personal Representative of the Estate of PAT D. MOONEY

**Grantee(s)**

By:   
PATRICK D. MOONEY

By:   
DIANE A. MOONEY



STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF SKAGIT )

I certify that I know or have satisfactory evidence that PATRICK D. MOONEY and CHARLEEN M. FORSMAN are the persons who appeared before me and said persons acknowledged that they signed this instrument, on oath stated that they are authorized to execute the instrument and acknowledged it as Co-Personal Representatives of the Estate of PAT D. MOONEY to be the free and voluntary act of such parties for the uses and purposes mentioned in the instrument.

GIVEN under my hand and official seal this 9<sup>th</sup> day of September, 2024.

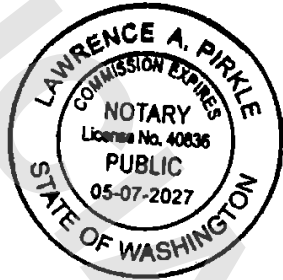


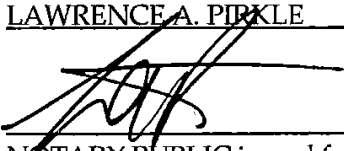
LAWRENCE A. PIRKLE  
\_\_\_\_\_  
*[Signature]*  
\_\_\_\_\_  
NOTARY PUBLIC in and for the  
State of Washington  
Residing at: Mount Vernon  
My Commission Expires: 5/7/27

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF SKAGIT )

I certify that I know or have satisfactory evidence that PATRICK D. MOONEY and DIANE A. MOONEY are the persons who appeared before me and said persons acknowledged that they signed this instrument and acknowledged to be their free and voluntary act of such parties for the uses and purposes mentioned in the instrument.

GIVEN under my hand and official seal this 9<sup>th</sup> day of September, 2024.



LAWRENCE A. PIRKLE  
  
NOTARY PUBLIC in and for the  
State of Washington  
Residing at: Mount Vernon  
My Commission Expires: 5/7/27

**CONSENT OF PORT OF ANACORTES**

Port of Anacortes, a Washington Municipal Corporation, hereby consents to foregoing Assignment of Sublease and conveyance of Condominium Unit.

Dated this 11<sup>th</sup> day of September, 2024.

**Port of Anacortes**

By:   
Michael Brett Greenwood, Executive Director



SUPERIOR COURT OF THE STATE OF  
WASHINGTON FOR SKAGIT COUNTY

**FILED**  
Skagit County Clerk  
Skagit County, WA  
12/16/2022

Estate of PAT D MOONEY:	No. 22-4-00616-29  LETTERS TESTAMENTARY
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**I. BASIS**

- 1.1 The last will of PAT D MOONEY late of SKAGIT County, State of WASHINGTON was duly exhibited proven and recorded in this court on December 13, 2022.
- 1.2 In that will PATRICK DAVID MOONEY & CHARLEEN M FORSMAN are named co-personal representative(s).
- 1.3 The co-personal representatives have qualified.

**II. CERTIFICATION**

THIS IS TO CERTIFY THAT PATRICK DAVID MOONEY & CHARLEEN M FORSMAN are authorized by this court to execute the will of the above decedent according to law and each of the Co-Personal Representatives have authority to act alone and individually with respect to any matter, including but not limited to any and all banking and investment matters.

DATED 12/13/2022.

MELISSA BEATON, COUNTY CLERK  
CLERK OF THE SUPERIOR COURT  
Kristen Denton, Deputy Clerk

**III. CERTIFICATE OF COPY**

STATE OF WASHINGTON |  
  | ss  
COUNTY OF SKAGIT

I, MELISSA BEATON, COUNTY CLERK of the Superior Court of Skagit County, certify that the above is a true and correct copy of the Letters Testamentary in the above-named case, which was entered of record on December 13, 2022.

I further certify that these letters are now in full force and effect.

DATED: 12/16/2022

MELISSA BEATON, COUNTY CLERK  
CLERK OF THE SUPERIOR COURT

BY   
Deputy Clerk

