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200911180004
Skagit County Auditor
11/18/2009 Page 1 of 3 9:31AM

Recorded at the Request of:
David L. Anderson
1322 Alger Cain Lake Road
Sedro-Woolley, WA 98284
LAND TITLE OF SKAGIT COUNTY 134866-PE
Grantors/Grantees: Anderson, David L.
Elde, Rebecca D.
Abbreviated Legal: Lots 1-4, Tract A, S/P PL04-0131
Ptn N1/2 and NE1/4 SW1/4 of 8-36-4 EWM
Tax Parcel No.s: P125041, P125209, P125210, P49173, P119750, P125211, P49093

AMENDMENT TO PRIVATE ROADWAY MAINTENANCE DECLARATION

THIS DECLARATION OF AMENDMENT is made and entered into this 17 day of November, 2009 by David L. Anderson and Rebecca D. Elde, who acquired title as Rebecca D. Anderson, each as their separate property, herein referred to as the "Declarants" and lot owners within the following described property:

> Lots 1 through 4 and Tract A, Short Plat No. PL04-0131 approved July 19, 2006, recorded July 20, 2006 under Auditor's File No. 200607200045, records of Skagit County, Washington; being a portion of the North ½ and the Northeast ¼ of the Southwest ¼ of Section 8, Township 36 North, Range 4 East, W.M., records of Skagit County, Washington.

WHEREAS, it is the intent and desire of the undersigned Declarants of said Lots 1 through 4 and Tract A, that all present and future landowners along the private driveway known as Oakleaf Lane, as well as tax parcel P49093 that borders to the South and also owned by David L. Anderson, be subject to the agreement of Private Road Maintenance Declaration recorded July 20, 2006 under Skagit County Auditor's File No. 200607200046 and AMENDED to include the following restrictions:

1. Yard rakings, such as rocks, lawn and shrub clippings, and dirt and other material resulting from landscaping work shall not be dumped into or upon the roads, ditches or adjacent property.

2. Any roads within the Short Plat, or any portion thereof, shall not be used for storage of automobiles, boats, trucks, trailers, or recreational vehicles. Owners of any lot shall not permit any automobile, boat, truck, trailer or recreational vehicle owned by such lot owner, any member of the lot owner's family or any guest, acquaintance, or invitee to be parked upon any road for a period in excess of forty eight (48) hours in any consecutive thirty (30) day period. Recreational vehicles and boats must be stored in a garage, carport, or screened/fenced parking area.

Declarants herein agree that the roadway provisions contained herein are intended to supplement that certain Private Roadway Maintenance Declaration dated July 20, 2006 and recorded under Auditor's File No. 200607200046, records of Skagit County, Washington.

FURTHERMORE, it is agreed that invalidation of any one of these restrictions by judgment or court order shall in no way effect any other provision, which shall remain in full force and effect.

The restrictions of this Declaration shall run with and bind the land, and shall insure to the benefit of and be enforceable by the owner of any lot subject to this Declaration including the Declarants, their respective legal representatives, heirs, successors and assigns, for a term of thirty (30) years from the date this Declaration is recorded, after which time said restrictions shall be automatically extended for successive period of ten (10) years.

Nothing herein contained shall impair or defeat the lien or any mortgage or deed of trust now or hereafter recorded. Title to any property obtained as a result of any foreclosure proceeding shall specifically be held subject to all the provisions herein.

Each lot owner, including the Declarants if the Declarants are lots owners, shall have the right to enforce, by any proceeding in law or equity, all restrictions imposed by this Declaration or any Amendment thereof. Failure to insist upon strict performance of or strict adherence to any restriction shall not be deemed a waiver of the right to insist upon enforcement thereafter.

In any litigation or proceeding to enforce any of the restrictions contained in this Declaration, the substantially prevailing party shall be entitled to recover from the non-prevailing party its costs, including a reasonable attorney's fee.

Said Declaration may be amended, or new restrictions added, if approved by the owners of Three-Fourths of the lots. Any such amendment or addition must be executed and acknowledged by the owners of Three-Fourths of the lots and recorded with the Skagit County Auditor. The Amendment shall be effective upon recordation.

DECLARANTS:

David L. Anderson

Rebecca D. Elde

Rebecca D. Elde

200911180004
Skagit County Auditor
11/18/2009 Page 2 of 3 9:31AM

UNOFFICIAL DOCUMENT

State of Washington }
County of Skagit } SS:

I certify that I know or have satisfactory evidence that David L. Anderson
the person(s) who appeared before me, and said person(s) acknowledged that he
signed this instrument and acknowledge it to be his free and voluntary act for the
uses and purposes mentioned in this instrument.

Dated: November 17, 2009

Karen Ashley

Karen Ashley
Notary Public in and for the State of Washington
Residing at: Sedro-Woolley
My appointment expires: 9/11/2010

KAREN ASHLEY NOTARY PUBLIC 9-11-2010 STATE OF WASHINGTON

STATE OF Washington }
COUNTY OF Skagit } SS:

I certify that I know or have satisfactory evidence that Rebecca D. Elde
the person(s) who appeared before me, and said person(s) acknowledged that she
signed this instrument and acknowledge it to be her free and voluntary act for the
uses and purposes mentioned in this instrument.

Dated: November 17, 2009

Karen Ashley

Karen Ashley
Notary Public in and for the State of Washington
Residing at Sedro-Woolley
My appointment expires: 9/11/2010

KAREN ASHLEY NOTARY PUBLIC 9-11-2010 STATE OF WASHINGTON

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11/18/2009 Page 3 of 3 9:31AM

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