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Skagit County Auditor

Document Title: Amendments to the Covenants, Restrictions, and Agreements for Colony Mountain Community Club

Reference Numbers of Related Documents: 787652; 845592; 8005190033; 8505150010; 8707160044; 9405110055; 9610160031; 200104300175

Grantors: Colony Mountain Community Club, a Washington non-profit corporation

Grantees: Colony Mountain Community Club, a Washington non-profit corporation

Brief Legal Description: Portions of Sections 22, 23 and Section 26, Township 36 North, Range 3 East, W. M.
Full legal description attached as Exhibit A

Parcel Numbers: P47992, P47993, P47994, P47996, P47997, P47998, P48000, P48001, P48002, P48003, P48004, P48005, P48006, P48007, P48008, P48009, P48010, P48011, P48012, P48013, P48014, P48015, P48018, P48019, P48020, P48021, P48022, P48023, P48024, P48025, P48026, P48027, P48028, P48029, P48030, P48031, P48032, P48033, P48034, P48036, P48040, P48042, P48043, P48044, P48045, P48078, P48079, P48103, P48104, P48105, P48106, P48107, P48108, P48109, P48110, P48111, P48112, P48113, P48114, P48116, P48117, P48118, P48119, P48306, P48307, P48308, P48309, P48310, P48311, P48313, P48314, P48315, P48316, P48317, P48318, P48324, P48325, P48327, P48328, P48329, P48330, P48331, P48332, P48333, P48334, P48335, P48337, P48338, P48339, P48347, P48348, P48350, P48351, P48352, P100897, P120716, P130509, P48120, P48122

**AMENDMENT TO THE COVENANTS, RESTRICTIONS AND AGREEMENTS
COLONY MOUNTAIN COMMUNITY CLUB**

THIS AMENDMENT ("Amendment") to the Covenants, Restrictions and Agreements of Colony Mountain Community Club, recorded under Skagit County Auditor File No. 200104300175 ("CR&As") is made this 21 day of January, 2019.

1. **Amendments to CR&As:** This Amendment amends the CR&As as follows. Additions to the CR&As are shown by underlined text, and deletions are shown by struck through text, as set forth herein.

Colony Mountain Community Club is a non-profit corporation within Washington State. Each tract purchaser must become a shareholder in said corporation, with each tract owner or purchaser entitled to one share of class A stock and entitled to one vote in the corporation. As a one-time modification of this general rule, the 57-acre single legal lot of record ascribed tax parcel numbers P48120 and P14822 ("Development Tract") may be granted more than one share of stock; however, only one share, designated as an active share, shall afford its owner all the rights and obligations of membership including one vote in the corporation. At such time as the other inactive shares granted to the Development Tract are each assigned one share per new lot therein following subdivision pursuant to the Member Share Agreement, said inactive shares shall become active and the owners thereof afforded all the rights and obligations of membership including one vote in the corporation per share. The stockholders of said corporation will elect a Board of Directors who will govern the corporation and appoint the officers thereof. Said shares of stock shall be appurtenant to the title to the land and shall be transferable only as part of the transfer of title to the tracts...

RESTRICTIONS TO EACH TRACT

The use of each tract within the property described in Exhibit A hereto attached shall be subject to the following restrictions:

8. There shall be no subdivision of any property or portion of property within the boundaries of the Colony Mountain Development Community Club that results in a higher overall density than one single family residence per 5 acres in the subdivision.
9. No dwelling or other building shall be constructed closer than eighty (80) feet from the center of any road nor closer than fifty (50) feet from any interior boundary, except that in the case of single-family residential lots that are under two and one half (2.5) acres, setbacks shall be as stated in the Skagit County Code.
11. No trader or businesses or other commercial enterprises shall be operated on any lot, except home occupations with no more than two (2) employees, except that the commercial uses on tax parcel

number P48122 of the Development Tract (or an equivalent tract created through the subdivision of the Development Tract) may continue, provided that there is no material intensification of the use.

- 2. Additional Property Added to CR&As:** The Development Tract is hereby incorporated into the legal description of the entire property governed by the CR&As, as contained in the attached Exhibit A.
- 3. Unamended Portions of CR&As:** All other terms and conditions in the CR&As not amended herein remain in full force and effect.

COLONY MOUNTAIN COMMUNITY CLUB INC.



By: Mark Jacobsen
Its: President

STATE OF WASHINGTON)
) ss.
County of Skagit)

On this 21st day of January, 2019, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared MARK JACOBSEN to me known to be the PRESIDENT of COLONY MOUNTAIN COMMUNITY CLUB, INC., the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument and that the seal affixed is the corporate seal of said corporation.

Witness my hand and official seal hereto affixed the day and year first above written.



Katie A. Clements
Printed Name: Katie A. Clements
Notary Public in and for the State of Washington
residing at Skagit County
My commission expires: 4/12/20

CMCC COVENANTS, RESTRICTIONS AND AGREEMENTS
EXHIBIT A

Legal Description

The Northeast $\frac{1}{4}$ and the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ and the East half of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, all in Section 22, Township 36 North, Range 3 East, W.M.; and the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and that portion of the West half of the East half of the Southwest $\frac{1}{4}$ lying Southerly of the County Road, all in Section 23, Township 36 North, Range 3 East, W.M.; and that portion of the Northwest $\frac{1}{4}$ lying Northerly of the Old School Trail Road and that portion of the West half of the Northwest $\frac{1}{4}$ LYING Southerly of the Old School Trail Road and the North half of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, ALL IN Section 26, Township 36 North, Range 3 East, W.M.

Situate in the County of Skagit, State of Washington.

TOGETHER WITH

Skagit County Assessor's Parcel #360323-3-005-1609; P48120 and #360323-3-005-1906; P48122

PARCEL "A":

That portion of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 23, Township 36 North, Range 3 East, W.M., lying Westerly of that certain road referred to in instruments recorded under Auditor's File Nos. 374043, 407100 and 456152.

Situated in the County of Skagit, State of Washington.

PARCEL "B":

That portion of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 23, Township 36 North, Range 3 East, W.M., lying Westerly of the certain road referred to in instruments recorded under Auditor's File Nos. 407101 and 456152, records of Skagit County, Washington;

EXCEPT that portion conveyed to Skagit County for road purposes by Deed dated April 4, 1949, and recorded November 14, 1956, under Auditor's File No. 544073;

AND EXCEPT that portion thereof lying within the following described tract:

Beginning at the Southeast corner of said Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 23; thence North along the East line of said subdivision to its intersection with the Northerly line of that certain right of way conveyed to Skagit County by Deed dated April 4, 1949 and recorded November 14, 1956, under Auditor's File No. 544073; thence Northerly and Southerly along the Northerly and Westerly line of said right of way to its intersection with the South line of said subdivision; thence Easterly along said South line to the point of beginning.

Situated in the County of Skagit, State of Washington.

PARCEL "C":

That portion of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 23, Township 36 North, Range 3 East, W.M., lying Westerly of a line drawn parallel and five (5) feet Westerly of the centerline of Wood Lane, described as follows:

Beginning at the West $\frac{1}{4}$ corner of said Section 23; thence North $0^{\circ}55'15''$ West along the West line of said Section 23, a distance of 1,316.52 feet to the Northwest corner of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 23; thence East a distance of 807.21 feet to the true point of beginning of said line; thence South $6^{\circ}10'28''$ East a distance of 910.37 feet to the beginning of a curve to the left having a radius of 1,432.40 feet; thence along the arc of said curve through a central angle of $3^{\circ}54'05''$ an arc distance of 97.54 feet; thence South $10^{\circ}04'33''$ East a distance of 500.11 feet to the beginning of a curve to the right having a radius of 421.72 feet; thence along the arc of said curve through a central angle of $21^{\circ}56'21''$ an arc distance of 161.48 feet to the terminal point of this description.

Situated in the County of Skagit, State of Washington.