

AFTER RECORDING RETURN TO:

Bailey, Duskin & Peiffle, P.S.
Attorneys at Law
P.O. Box 188
Arlington, WA 98223



GRANTOR: CITY OF ARLINGTON, a municipal corporation of the state of Washington

GRANTEE: CITY OF ARLINGTON

FIRST AMERICAN 2993103

LEGAL (abbrev.): PORTION, SW 1/4, SECTION 14, T. 31 N., R. 5 E, W.M.,

Snohomish County

TAX PARCEL NO.: 31051400303200

Ref No.: 20071016454

AMENDMENT TO DECLARATION OF RESTRICTIVE COVENANTS

The City of Arlington, a municipal corporation of the state of Washington ("Declarant") does declare as follows:

Recitals

- (a) The City is the owner of certain real property commonly known as Snohomish County tax parcel no. 31051400303200, also known as a portion of Lot 11 of the City of Arlington Boundary Line Adjustment as recorded under Snohomish County auditor's File No. 9802065001;
- (b) Vern E. Rengen is the owner of certain real property commonly known as Snohomish County tax parcel no. 31051400303100, also known as a portion of Lot 12 of the City of Arlington Boundary Line Adjustment as recorded under Snohomish County auditor's File No. 9802065001;
- (c) The City is a party to that certain consent Decree entered by the United States District Court on or about February 3, 2000, in case # CV-99-1711 ("the Consent Decree");

- (d) The Consent Decree was implemented in part by the recording of that certain Declaration of Conservation Covenants, Conditions, Restrictions & Easements recorded under Snohomish County Auditor's File No. 20071016454 ("the Conservation CCR&Es");
- (e) The Consent Decree was recently amended by stipulation in the same date by order dated December 8, 2017 ("the Amended Decree") to authorize the revisions contemplated hereby; and
- (f) The City wishes to impose the restrictions contained in the Conservation CCR&Es on a portion of Lot 12, which it is acquiring from Vern Rengen, to protect the rights of the adjacent lot and for the betterment of both parcels.


NOW, THEREFORE, in consideration of the benefits to be derived, Declarants do declare as follows:

Restrictions

- (a) The Declaration of Conservation Covenants, Conditions, Restrictions & Easements recorded under Snohomish County Auditor's File No. 20071016454 ("the Conservation CCR&Es") shall be and hereby are amended to add that portion of Lot 12 described on Exhibit "A" hereto to the properties subject to the restrictive covenants contained therein.
- (b) In all other respects, except as amended by the Amended Decree, the provisions of the Conservation CCR&Es shall remain in effect.

DATED this 20th day of February, 2018.

CITY OF ARLINGTON, GRANTOR



Barbara Tolbert, Mayor

STATE OF WASHINGTON)

: ss

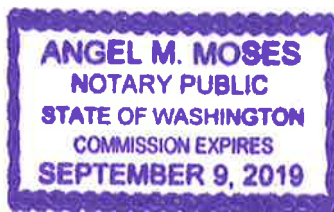
COUNTY OF SNOHOMISH)

On this 20th day of February, 2018, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Barbara Tolbert, to me known to be the Mayor of the City of Arlington, the municipal corporation that executed the foregoing instrument and acknowledged the said instrument to be the free and voluntary act and deed of said municipal corporation, for the uses and purposes herein mentioned, and on oath stated that she is authorized to execute the said instrument and that the seal affixed (if any) is the corporate seal of said municipal corporation.

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

Angel M. Moses

NOTARY PUBLIC in and for the State of _____
Washington, residing at Snohomish
My commission expires: 9.9.2019
Name: Angel m mooses



PORTION OF PARCEL NO. 2
CONVEYANCE RENGEN TO CITY OF ARLINGTON
Tax Parcel #31051400303100
Portion of Lot 12 AFN 9802065001

LEGAL DESCRIPTION FOR PORTION OF LOT 12 LYING EAST OF "ARLINGTON VALLEY ROAD" RIGHT OF WAY

THAT PORTION OF LOT 12 OF THE CITY OF ARLINGTON BOUNDARY LINE ADJUSTMENT, AS RECORDED UNDER AUDITOR FILE NUMBER 9802065001, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, BEING A PORTION OF LOTS 4, 11 AND 12 OF THE ARLINGTON INDUSTRIAL PARK, AS RECORDED UNDER AUDITOR FILE NUMBER 7803100289, LOCATED IN A PORTION OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 31 NORTH, RANGE 5 EAST, W.M. IN THE CITY OF ARLINGTON, COUNTY OF SNOHOMISH, STATE OF WASHINGTON, LYING EASTERLY OF A LINE 19.00 FEET EASTERLY OF THE FOLLOWING DESCRIBED ROAD CENTERLINE;

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 12 OF THE CITY OF ARLINGTON BOUNDARY LINE ADJUSTMENT, AS RECORDED UNDER AUDITOR FILE NUMBER 9802065001; THENCE SOUTH 79°00'17" EAST, ALONG THE SOUTH LINE THEREOF, A DISTANCE OF 93.67 FEET TO THE **TRUE POINT OF BEGINNING** OF THE HEREIN DESCRIBED CENTERLINE; THENCE ALONG A CURVE TO THE RIGHT, WHICH CENTER OF CURVE BEARS SOUTH 60°19'32" EAST, HAVING A RADIUS OF 1000.00 FEET, THROUGH A CENTRAL ANGLE OF 6°08'15", AN ARC DISTANCE OF 107.12 FEET; THENCE NORTH 35°48'43" EAST, A DISTANCE OF 552.85 FEET; THENCE ON A CURVE TO THE RIGHT, WHICH CENTER OF CURVE BEARS SOUTH 54°11'17" EAST, HAVING A RADIUS OF 1000.00 FEET, THROUGH A CENTRAL ANGLE OF 17°42'07", AN ARC DISTANCE OF 308.96 FEET; THENCE NORTH 53°30'50" EAST, A DISTANCE OF 232.49 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 12, WHICH POINT BEARS SOUTH 87°56'19" EAST, A DISTANCE OF 701.61 FEET FROM THE NORTHWEST CORNER OF SAID LOT 12, AND SAID POINT IS THE **TERMINUS** OF THE HEREIN DESCRIBED CENTERLINE.

