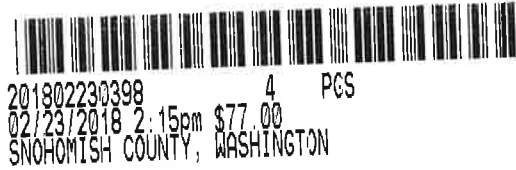


AFTER RECORDING RETURN TO:

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

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

TAX PARCEL NO.: 31051400303200

Ref NO.: 20071010454

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");

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- (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 remove the restrictions contained in the Conservation CCR&Es on a portion of Lot 11 which the City is transferring to 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 remove that portion of Lot 11 described on Exhibit "A" hereto from 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. Moses



EXHIBIT A

ACQUISITION PARCEL

City of Arlington to Vern Rengen

Tax Parcel # 31051400303200

Portion of Lot 11 AFN 9802065001

LEGAL DESCRIPTION FOR THE PORTION WEST OF THE "ARLINGTON VALLEY ROAD" RIGHT OF WAY

THAT PORTION OF LOT 11 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 9, 10 AND 11 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, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 11 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 OF SAID LOT 11, A DISTANCE OF 0.04 FEET; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT, WHICH CENTER OF CURVE BEARS SOUTH 78°26'22" EAST, HAVING A RADIUS OF 1041.00 FEET, THROUGH A CENTRAL ANGLE OF 17°21'10", AN ARC DISTANCE OF 315.28 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 11; THENCE NORTH 79°00'17" WEST, ALONG SAID NORTH LINE, A DISTANCE OF 50.49 FEET TO THE NORTHWEST CORNER OF SAID LOT 11; THENCE SOUTH 10°59'36" WEST, ALONG THE WEST LINE OF SAID LOT 11, A DISTANCE OF 310.00 FEET TO THE **POINT OF BEGINNING.**

City of Arlington to Vern Rengen 4-19-17

