



WHEN RECORDED RETURN TO:

SCOT S. SWANSON
BELCHER SWANSON LAW FIRM, PLLC
900 DUPONT STREET
BELLINGHAM, WA 98225

Document Title:	First Amendment to Condominium Declaration Containing Covenants, Conditions, Restrictions and Reservations for Pioneer Flexspace Condominium
Grantor/Grantee/Declarant:	Flexspace, LLC, a Washington limited liability company
Legal Description:	Reserve Trace, General and Specific Binding Site Plan No. 1 for Alpine Investments, LLC, AF No. 2016-0600926
Tax Parcel ID#:	390217 230414 0000, 390217 230414 0001, 390217 230414 0002, 390217 230414 0003, 390217 230414 0004, 390217 230414 0005, 390217 230414 0006, 390217 230414 0007, 390217 230414 0008, 390217 230414 0009, 390217 230414 0010, 390217 230414 0011, 390217 230414 0012, 390217 230414 0013, 390217 230414 0014, 390217 230414 0015, 390217 230414 0016, 390217 230414 0017, and 390217 230414 0018

**FIRST AMENDMENT TO CONDOMINIUM DECLARATION CONTAINING
COVENANTS, CONDITIONS, RESTRICTIONS AND RESERVATIONS
FOR PIONEER FLEXSPACE CONDOMINIUM**

**PURPOSE: TO EXERCISE DEVELOPMENT RIGHT TO
ADD ADDITIONAL PHASE**

THIS AMENDMENT is made and entered into this 19th day of June, 2020, by and between Flexspace, LLC, a Washington limited liability company (“Declarant”).

WITNESSETH THAT:

WHEREAS, the Declarant executed certain condominium instruments establishing the Pioneer Flexspace Condominium in Ferndale, Washington and caused the Declaration to be recorded in the land records of Whatcom County, Washington, at Auditor’s File No. 2019-1001099, along with a Survey Map and Plans, which were contemporaneously recorded at Auditor's File No. 2019-1001098; and

WHEREAS, pursuant to RCW 64.90.250 and Sections 3.3.2 and 17.6 of the Declaration, the Declarant may unilaterally amend the Governing Documents from time to time to exercise Development Rights; and

WHEREAS, in Section 3.3.1 of the Declaration, the Declarant reserved Development Rights to develop the Condominium several "Phases" by adding improvements to the Condominium, and creating additional Units, Common Elements, or Limited Common Elements within the real property (Subsequent Phase Property) included in the Condominium; and

WHEREAS, the Declarant now wishes to exercise Development Rights and has created additional improvements, Units, Common Elements, and Limited Common Elements as more particularly described below, all for the purpose of creating a Subsequent Phase, known as "Phase 2", consisting of one (1) new Building containing eighteen (18) additional Units and additional Common Elements that have been created by developing a portion of the Subsequent Phase Property as described in Article 3 of the Declaration.

NOW, THEREFORE, pursuant to and in compliance with Section 3.3.2 of the Declaration and RCW 64.90.250, the Declarant hereby amends the following Sections of the Declaration, as follows:

1.2.1 Reference to First Amendment to Survey Map.

Contemporaneously with the recordation of this Amendment, the Declarant has recorded with the Auditor of Whatcom County, Washington a First Amendment to the Survey Map, showing the location and dimensions of the new Units and other improvements constructed or contemplated to be constructed for Phase 2 of this Condominium, together with other information required by the Governing Law; this First Amendment to the Survey Map and Plans is recorded at Auditor's File No. 2020-0603523 among the land records of Whatcom County, Washington.

* * * * *

3.1 Land and Street Address.

The Buildings and other improvements of this Condominium are constructed on the Property located at 6407 Portal Way, 1929 Baltic Way and 1948 Baltic Way, Ferndale, Whatcom County, Washington.

* * * * *

3.2.2. Buildings. The Condominium currently contains two (2) Buildings known as Buildings C and D with associated driveways and landscaping as shown on the Survey Map. Buildings C and D each contain eighteen (18) Units and are steel/wood framed construction with concrete floors and no basement. All Units in Buildings C and D include a loft.

* * * * *

3.3 Development Rights.

3.3.1 Description.

(No change.)

4.1.1 Number of Units Following First Amendment. The Condominium contains eighteen (18) Units in Phase 1 and eighteen (18) Units in Phase 2 for a total of thirty six (36) Units; the locations and dimensions of which are shown on the Survey Map, as amended. The First Amendment to Exhibit B to the Declaration attached hereto contains a list of all Units in Phase 2, their Identifying Numbers, size, Allocated Interests appurtenant to each Unit, and other information required by the Governing Law. The Allocated Interests have been reallocated among all Units in accordance with Section 3.3.2 of the Declaration and with RCW 64.90.250(1).

6.1 Limited Common Elements.

(No Change.)

___ Exhibits.

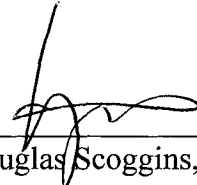
Attached hereto is the First Amendment to Exhibit A to the Declaration and First Amendment to Exhibit B to the Declaration.

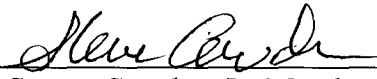
EXCEPT as modified by this First Amendment, all of the terms and provisions of the Condominium Declaration are hereby expressly ratified and confirmed and shall remain in full force and effect.

IN WITNESS WHEREOF, the Declarant has caused this First Amendment to be executed as of the date first set forth above.

DECLARANT:

FLEXSPACE, LLC

By:  _____
Douglas Scoggins, Its Member


By:  _____
Steven Cowden, Its Member

STATE OF WASHINGTON)
) ss.
COUNTY OF WHATCOM)

On this 19th day of June, 2020, before me personally appeared Douglas Scoggins, to me known to be a member of FLEXSPACE, LLC, the limited liability company that executed the within and foregoing instrument to be the free and voluntary act and deed of said company for the uses and purposes therein mentioned, and on oath stated that he/she was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.

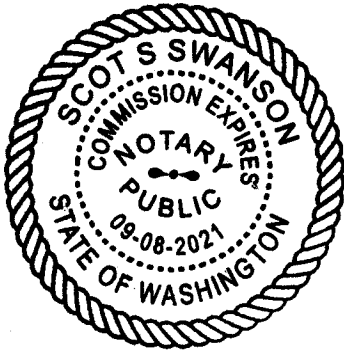




PRINTED NAME: Scot Swanson
Notary Public in and for the State of Washington,
residing at 09/08/2021 Bellingham
My commission expires: 09/08/2021

STATE OF WASHINGTON)
) ss.
COUNTY OF WHATCOM)

On this 19th day of June, 2020, before me personally appeared Steven Cowden, to me known to be a member of FLEXSPACE, LLC, the limited liability company that executed the within and foregoing instrument to be the free and voluntary act and deed of said company for the uses and purposes therein mentioned, and on oath stated that he/she was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.




PRINTED NAME: Scot Swanson
Notary Public in and for the State of Washington,
residing at Bellingham
My commission expires: 09/08/2021

**First Amendment to Exhibit "A" to Declaration for
Pioneer Flexspace Condominium**

SECTION 1 - LEGAL DESCRIPTION OF ENTIRE CONDOMINIUM:

RESERVE TRACT, GENERAL SPECIFIC BINDING SITE PLAN NO. 1 FOR ALPINE INVESTMENTS, L.L.C. AS PER THE MAP THEREOF RECORDED ON JUNE 8, 2016, UNDER AUDITOR'S FILE No. 2016-0600926, RECORDS OF WHATCOM COUNTY, WASHINGTON.

SECTION 2

LEGAL DESCRIPTION - PHASE 1:

BEGINNING AT THE SOUTHEAST CORNER OF THE RESERVE TRACT, GENERAL SPECIFIC BINDING SITE PLAN NO. 1 FOR ALPINE INVESTMENTS, L.L.C. AS PER THE MAP THEREOF RECORDED ON JUNE 8, 2016, UNDER AUDITOR'S FILE No. 2016-0600926, THENCE NORTH 87° 41' 44" WEST ALONG THE SOUTH LINE OF SAID RESERVE TRACT A DISTANCE OF 404.76 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 87° 41' 44" WEST A DISTANCE OF 156.00 FEET; THENCE NORTH 02° 18' 16" EAST A DISTANCE OF 329.23 FEET TO THE NORTH LINE OF SAID LOT 1; THENCE SOUTH 87° 39' 52" EAST ALONG SAID NORTH LINE A DISTANCE OF 156.00 FEET; THENCE SOUTH 02° 18' 16" WEST A DISTANCE OF 329.14 FEET TO THE TRUE POINT OF BEGINNING.

LEGAL DESCRIPTION - PHASE 2:

BEGINNING AT THE SOUTHEAST CORNER OF THE RESERVE TRACT, GENERAL SPECIFIC BINDING SITE PLAN No.1 FOR ALPINE INVESTMENTS, L.L.C. AS PER THE MAP THEREOF RECORDED ON JUNE 8, 2016, UNDER AUDITOR'S FILE No. 2016-0600926, THENCE NORTH 87° 41' 44" WEST ALONG THE SOUTH LINE OF SAID RESERVE TRACT A DISTANCE OF 248.76 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 87° 41' 44" WEST A DISTANCE OF 156.00 FEET; THENCE NORTH 02° 18' 16" EAST A DISTANCE OF 329.14 FEET TO THE NORTH LINE OF SAID RESERVE TRACT; THENCE SOUTH 87° 39' 52" EAST ALONG SAID NORTH LINE A DISTANCE OF 156.00 FEET; THENCE SOUTH 02° 18' 16" WEST A DISTANCE OF 329.06 FEET TO THE TRUE POINT OF BEGINNING.

SECTION 3 - LEGAL DESCRIPTION - SUBSEQUENT PHASE PROPERTY (MAY BE WITHDRAWN FROM THE CONDOMINIUM):

RESERVE TRACT, GENERAL SPECIFIC BINDING SITE PLAN No.1 FOR ALPINE INVESTMENTS, L.L.C. AS PER THE MAP THEREOF RECORDED ON JUNE B, 2016, UNDER AUDITOR'S FILE No. 2016-0600926, RECORDS OF WHATCOM COUNTY, WASHINGTON.

EXCEPT THE FOLLOWING DESCRIBED TRACT:

BEGINNING AT THE SOUTHEAST CORNER OF SAID RESERVE TRACT; THENCE NORTH 87° 41' 44" WEST ALONG THE SOUTH LINE OF SAID RESERVE TRACT A DISTANCE OF 248.76 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 87° 41' 44" WEST A DISTANCE OF 312.00 FEET; THENCE NORTH 02° 18' 16" EAST A DISTANCE OF 329.23 FEET TO THE NORTH LINE OF SAID RESERVE TRACT; THENCE SOUTH 87° 39' 52" EAST ALONG SAID NORTH LINE A DISTANCE OF 312.00 FEET; THENCE SOUTH 02° 18' 16" WEST A DISTANCE OF 329.06 FEET TO THE TRUE POINT OF BEGINNING.

SECTION 4 - LEGAL DESCRIPTION - ADDITIONAL REAL PROPERTY (MAY BE ADDED TO THE CONDOMINIUM):

LOT 1, GENERAL SPECIFIC BINDING SITE PLAN No.1 FOR ALPINE INVESTMENTS, L.L.C. AS PER THE MAP THEREOF RECORDED ON JUNE 8, 2016, UNDER AUDITOR'S FILE No. 2016-0600926, RECORDS OF WHATCOM COUNTY, WASHINGTON.

SITUATE AT WHATCOM COUNTY, WASHINGTON.

**First Amendment to Exhibit "B" to Declaration for
Pioneer Flexspace Condominium**

Unit No.	Building Address	Square Footage†	Level(s) in Building	Allocated Interests*
C-101	1929 Baltic Way	1526	1 + Loft	2.80%
C-102	1929 Baltic Way	1513	1 + Loft	2.77%
C-103	1929 Baltic Way	1513	1 + Loft	2.77%
C-104	1929 Baltic Way	1513	1 + Loft	2.77%
C-105	1929 Baltic Way	1506	1 + Loft	2.76%
C-106	1929 Baltic Way	1513	1 + Loft	2.77%
C-107	1929 Baltic Way	1508	1 + Loft	2.76%
C-108	1929 Baltic Way	1508	1 + Loft	2.76%
C-109	1929 Baltic Way	1526	1 + Loft	2.80%
C-110	1929 Baltic Way	1526	1 + Loft	2.80%
C-111	1929 Baltic Way	1508	1 + Loft	2.76%
C-112	1929 Baltic Way	1508	1 + Loft	2.76%
C-013	1929 Baltic Way	1513	1 + Loft	2.77%
C-114	1929 Baltic Way	1506	1 + Loft	2.76%
C-115	1929 Baltic Way	1513	1 + Loft	2.77%
C-116	1929 Baltic Way	1513	1 + Loft	2.77%
C-117	1929 Baltic Way	1513	1 + Loft	2.77%
C-118	1929 Baltic Way	1526	1 + Loft	2.80%
D-1	1943 Baltic Way	1533	1 + Loft	2.81%
D-2	1943 Baltic Way	1513	1 + Loft	2.77%
D-3	1943 Baltic Way	1513	1 + Loft	2.77%
D-4	1943 Baltic Way	1513	1 + Loft	2.77%
D-5	1943 Baltic Way	1513	1 + Loft	2.77%
D-6	1943 Baltic Way	1513	1 + Loft	2.77%
D-7	1943 Baltic Way	1513	1 + Loft	2.77%
D-8	1943 Baltic Way	1513	1 + Loft	2.77%
D-9	1943 Baltic Way	1522	1 + Loft	2.79%
D-10	1943 Baltic Way	1522	1 + Loft	2.79%
D-11	1943 Baltic Way	1513	1 + Loft	2.77%
D-12	1943 Baltic Way	1513	1 + Loft	2.77%
D-13	1943 Baltic Way	1513	1 + Loft	2.77%
D-14	1943 Baltic Way	1513	1 + Loft	2.77%
D-15	1943 Baltic Way	1513	1 + Loft	2.77%
D-16	1943 Baltic Way	1513	1 + Loft	2.77%

Unit No.	Building Address	Square Footage†	Level(s) in Building	Allocated Interests*
D-17	1943 Baltic Way	1513	1 + Loft	2.77%
D-18	1943 Baltic Way	1533	1 + Loft	2.81%
TOTALS:		54,544		100.00%

* Allocated Interests are the percentages of undivided interests in the Common Elements, fractional liability for the Common Expenses of the Association, and portions of the votes in the Association, allocated by the Declarant to each Unit, described in Sections 5.3, 7.4.2 and 10.5 of this Declaration. ALL ALLOCATED INTERESTS ARE SUBJECT TO CHANGE UPON AN EXERCISE OF DEVELOPMENT RIGHTS. SEE SECTION 3.3.2 HEREOF.

† Square footages are derived from surveyor's measurements of the Units, with reference to the statutory boundaries of such Units described in Section 4.2 of this Declaration and will be different from and generally smaller than measurements made according to BOMA standards or architects' conventions.