

SCANNED 17

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COUNTY CLERK

2023 JUN 23 PM 2:33

WHATCOM COUNTY
WASHINGTON

23-2-00917-37
CMP 3
Complaint
14740058



IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF WHATCOM

23 2 00917 37

18 PARADISE, LLP, a Washington
limited liability partnership,

No.

Plaintiff,

COMPLAINT FOR UNLAWFUL DETAINER

vs.

MJ MANAGEMENT, LLC, a Washington
limited liability company,

Defendant.

JUDGE:

COMES NOW, Plaintiff, 18 Paradise, LLP, by and through its attorney of record,
Joshua W. Fox of Belcher Swanson Law Firm, PLLC, and for cause of action against
the Defendant, claim and allege as follows:

1. Plaintiff. 18 Paradise, LLP, hereinafter referred to as "Plaintiff", is the
owner of the Premises described herein and is entitled to possession of the Premises.
Plaintiff has paid all fees and taxes due to the State of Washington and has otherwise
fulfilled all conditions precedent to the maintenance of this action.

2. Defendant. MJ Management, LLC, hereinafter referred to as "Defendant",
are currently in possession of the Premises, as defined below.

3. Subject Property and Venue. This unlawful detainer action concerns
commercial property located in Whatcom County, commonly known as 115 E.

ORIGINAL

1 Homestead Ave., Suite C, Lynden, Washington 98264, and legally described as
2 identified on Exhibit "A".

3
4 4. Nonresidential Use of Leased Premises. The Premises were leased for
5 commercial use as a golf course.

6 5. The Lease Agreement. Defendant executed a written rental agreement in
7 November of 2017 for the property located at 115 E. Homestead Ave., Suite C, Lynden,
8 Washington 98264, which was comprised real property, personal property and
9 improvements. A true and correct copy of the Lease Agreement (hereinafter the
10 "Lease") is attached to the Declaration of Mao Hua Chen in Support of Order to Show
11 Cause as Exhibit "1". Pursuant to the terms of the Lease, Defendant agreed to pay
12 owner initially \$8,300.00 per month and currently, \$9,160.00 per month.
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14

15 6. Notice of Default. On May 1, 2023 and May 2, 2023, Defendant was
16 served with a Notice of Default. A true and correct copy of the Notice and Declaration of
17 Service is attached to the Declaration of Mao Hua Chen as Exhibit "2" and Exhibit "3".
18 The Notice informed Defendant that rent was due and payable in the amount of
19 \$265,640.00 at that time. Payment was required to Plaintiff within thirty (30) days of the
20 date of service of said Notice upon Defendant. More than thirty (30) days have elapsed
21 since service of said Notice and Defendant has not paid the account current.
22

23 7. Notice of Termination. On May 1, 2023 and May 2, 2023, Defendant was
24 also served with a Notice of Termination terminating its Lease with Plaintiff. A true and
25 correct copy of the Notice and Declaration of Service is attached to the Declaration of
26 Mao Hua Chen as Exhibit "4" and Exhibit "5". The Notice advised the Defendant that the
27 Lease was terminated within thirty (30) days of the date of service of said Notice upon
28

1 Defendant. More than thirty (30) days have elapsed since service of said Notice and
2 Defendant has not vacated the Premises.
3

4 8. Damages. To date, Defendant has failed to pay rent or vacate as required
5 by the Notices. Plaintiff is entitled to the rent due, plus damages in the amount of twice
6 the sum of unpaid rent due since Defendant began unlawfully detaining the Premises.
7 Plaintiff is also entitled to damages for other unpaid amounts which Defendant is
8 required to pay under the Lease, in an amount to be proven at trial.
9

10 9. Landlord Lien. By and through the filing of this complaint, the Plaintiff is
11 asserting a landlord lien on all of the personal property of the Defendant located within
12 the Premises pursuant to RCW 60.72.010.
13

14 10. Attorneys' Fees. Plaintiff is entitled to reasonable attorneys' fees, costs,
15 and expenses in connection with this action. Reasonable attorneys' fees in the event
16 this action is uncontested are \$1,250.00.
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18 WHEREFORE, Plaintiff prays for judgment against Defendant as follows:

19 (a) For judgment terminating Defendant's tenancy and for restitution of the
20 Premises to Plaintiff, including the issuance of a Writ of Restitution to the Whatcom
21 County Sheriff, directing them to deliver possession of the Premises to Plaintiff; and

22 (b) For judgment for unlawful detainer in the amount of past due rent,
23 late charges, double money damages for rent during unlawful detainer, and any
24 consequential damages owing at the time of judgment and reserving for later
25 adjudication any damages suffered by Plaintiff after Judgment is entered; and

26 (c) For an order foreclosing Plaintiff's landlord lien against all the
27 personal property within the Premises; and
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1 (d) For Plaintiff's reasonable attorneys' fees in the amount of \$1,250.00
2 if this action is uncontested, and in the event this action is contested, such amount as
3 the Court deems reasonable; and
4


5 (e) For Plaintiff's costs and disbursements incurred in this action; and

6 (f) For interest on said judgment at the maximum legal rate set forth in
7 RCW 4.56.110 from the date of its entry; and
8

9 (g) For such additional relief as this Court may deem just and proper.
10

11 DATED this 23 day of June 2023.
12

13 BELCHER SWANSON LAW FIRM, PLLC

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16 JOSHUA W. FOX, WSBA #44147
17 Attorney for Plaintiff
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3 VERIFICATION

4 I, Mao Hua Chen, as president of Mount Emei Investment, Inc, a Delaware
5 corporation, and Mount Tai Investments, Inc., a Delaware corporation, the partners of
6 18 Paradise, LLP which is the Owner of the property located 115 E. Homestead Ave.,
7 Suite C, Lynden, Washington 98264 certifies under the penalty of perjury under the laws
8 of the State of Washington that he is a representative of Plaintiffs above-named, that he
9 has read the foregoing Complaint, knows the contents thereof, and believes the same to
10 be true and correct.

11 DATED this 22 day of June 2023, at Richmond, British Columbia.

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14 MAO HUA CHEN
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EXHIBIT A

PARCEL A (400317 178332 0000 PID 130791):

A TRACT OF LAND IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 40 NORTH, RANGE 3 EAST OF W.M., WHATCOM COUNTY, WASHINGTON, LYING SOUTHERLY OF HOMESTEAD BLVD.; EXCEPT MABERRY PLAT, DIVISION NO. 9; EXCEPT SHAGREN SHORT PLAT, AS RECORDED IN VOLUME 26 OF SHORT PLATS, PAGE 32; EXCEPT ALSO THAT PORTION LYING WITH MABERRY PLAT, DIVISION NO. 12; EXCEPT THE RIGHT-OF-WAY FOR WEST HOMESTEAD BLVD. LYING ALONG THE NORTHERLY LINE THEREOF.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

PARCEL B (400317 247428 0000 PID 131029):

THAT PORTION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 40 NORTH, RANGE 3 EAST OF W.M., WHATCOM COUNTY, WASHINGTON, LYING NORTHEASTERLY OF MABERRY PLAT, DIVISION NO. 11, AND NORTHERLY OF ISLAND GREEN COMMONS CONDOMINIUM, AND WESTERLY OF DEPOT ROAD; EXCEPT THE RIGHT-OF-WAY FOR DEPOT ROAD LYING ALONG THE EASTERLY LINE THEREOF.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

PARCEL C (400317 250450 0000 PID 131072):

A TRACT OF LAND IN THE EAST 10 ACRES OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 40 NORTH, RANGE 3 EAST OF W.M., WHATCOM COUNTY, WASHINGTON, LYING SOUTHERLY OF MABERRY PLAT, DIVISION NO. 10; EXCEPT THE RIGHT-OF-WAY FOR DEPOT ROAD LYING ALONG THE EASTERLY LINE THEREOF.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

PARCEL D (400317 059442 0000 PID 130350):

THAT PORTION OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 40 NORTH, RANGE 3 EAST OF W.M., WHATCOM COUNTY, WASHINGTON, LYING SOUTHERLY OF HOMESTEAD BLVD., AND EASTERLY OF MABERRY PLAT, DIVISION NO. 13; EXCEPT ALSO THE RIGHT-OF-WAY FOR HOMESTEAD BLVD., LYING ALONG THE NORTHEASTERLY LINE THEREOF.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

Continued on next page

EXHIBIT "A", LEGAL DESCRIPTION

Order No.: W-116697

PARCEL E (400317 063260 0000 PID 130371):

GOLF COURSE TRACT AS SHOWN ON THE PLAT OF HOMESTEAD SOUTH, PHASE NO. 2, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 18 OF PLATS, PAGES 80 THROUGH 82, INCLUSIVE, RECORDS OF WHATCOM COUNTY, WASHINGTON.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

PARCEL E-1:

A PERPETUAL EASEMENT TO INSTALL AND MAINTAIN LANDSCAPE, SPLIT BAIL FENCE AND GOLF CART PATH AS CREATED BY INSTRUMENTS RECORDED UNDER WHATCOM COUNTY AUDITOR'S FILE NOS. 950526151 AND 950605147.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

PARCEL F (400317 075366 0000 PID 130421):

A TRACT OF LAND IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 40 NORTH, RANGE 3 EAST OF W.M., WHATCOM COUNTY, WASHINGTON, EXCEPT THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER; THENCE NORTH 01°40'35" WEST ALONG THE WEST LINE OF THE NORTHWEST QUARTER AND THE CENTERLINE OF BENSON ROAD (COUNTY ROAD NO. 120), A DISTANCE OF 612.77 FEET; THENCE NORTH 87°34'00" EAST, 437.34 FEET ALONG AN EXISTING FENCE; THENCE SOUTH 01°40'35" WEST, PARALLEL WITH THE WEST LINE OF THE NORTHWEST QUARTER, 628.17 FEET TO THE SOUTH LINE OF THE NORTHWEST QUARTER; THENCE SOUTH 89°35'03" WEST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER, 437.41 FEET TO THE POINT OF BEGINNING; EXCEPT THE RIGHT-OF-WAY FOR BENSON ROAD LYING ALONG THE WESTERLY LINE THEREOF; EXCEPT THE PLAT OF EMERALD GREEN; EXCEPT EMERALD GREEN LLA UNDER AUDITOR'S FILE NO. 2080200638; EXCEPT THAT PORTION LYING WITHIN MABERRY PLAT, DIVISION NO. 12; AND EXCEPT THAT PORTION LYING WITHIN MABERRY PLAT, DIVISION NO. 13.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

Continued on next page

EXHIBIT "A", LEGAL DESCRIPTION

Order No.: W-116697

PARCEL G (400317 120430 0000 PID 130607):

THAT PORTION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 17; TOWNSHIP 40 NORTH, RANGE 3 EAST OF W.M., WHATCOM COUNTY, WASHINGTON, LYING NORTHEASTERLY OF HOMESTEAD BLVD.; EXCEPT THAT PORTION LYING WITHIN MABERRY PLAT, DIVISION NO. 11; EXCEPT ALSO THAT PORTION LYING WITHIN FIELDSTONE PLACE LLA UNDER AUDITOR'S FILE NO. 1991000388; AND EXCEPT ALSO THE RIGHT-OF-WAY FOR HOMESTEAD BLVD., LYING ALONG THE SOUTHWESTERLY LINE THEREOF.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

PARCEL H (400317 121455 0000 PID 130612):

THAT PORTION OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 40 NORTH, RANGE 3 EAST OF W.M., WHATCOM COUNTY, WASHINGTON, LYING EASTERLY OF MABERRY PLAT, DIVISION NO. 13, AND LYING EASTERLY OF CATCHERS III LLA UNDER AUDITOR'S FILE NO. 2031204652; EXCEPT ALSO THE RIGHT-OF-WAY FOR HOMESTEAD BLVD., LYING ALONG THE SOUTHWESTERLY LINE THEREOF.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

PARCEL I (400317 151505 0000 PID 130724):

THAT PORTION OF THE WEST HALF OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 40 NORTH, RANGE 3 EAST OF W.M., WHATCOM COUNTY, WASHINGTON;

TOGETHER WITH BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER; THENCE SOUTH 200 FEET; THENCE WEST 10 FEET; THENCE NORTH 200 FEET; THENCE EAST 10 FEET TO THE POINT OF BEGINNING; EXCEPT THE RIGHT-OF-WAY FOR EAST BADGER ROAD LYING ALONG THE NORTHERLY LINE THEREOF; AND EXCEPT THAT PORTION LYING WITHIN MABERRY PLAT, DIVISION NO. 11; EXCEPT ALSO THAT PORTION LYING WITHIN FIELDSTONE PLACE LLA UNDER AUDITOR'S FILE NO. 1991000388.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

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EXHIBIT "A", LEGAL DESCRIPTION

Order No.: W-116697

PARCEL J (400317 201472 0000 PID 130874):

THE WEST 20 ACRES OF THE EAST 30 ACRES OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 40 NORTH, RANGE 3 EAST OF W.M.; EXCEPT THE EASTERLY 365 FEET OF THE NORTHERLY 270 FEET THEREOF LYING SOUTHERLY OF MABERRY PLAT, DIVISION NO. 10; AND EXCEPT THAT PORTION LYING WITHIN MABERRY PLAT, DIVISION NO. 11; AND EXCEPT THE RIGHT-OF-WAY FOR EAST BADGER ROAD LYING ALONG THE NORTH LINE THEREOF.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

PARCEL K (400317 350348 0000 PID 131306):

THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 40 NORTH, RANGE 3 EAST OF W.M.; EXCEPT COUNTY ROAD NO. 14, DEPOT ROAD, LYING ALONG THE WESTERLY LINE THEREOF;

EXCEPT BEGINNING AT THE SOUTHWEST CORNER OF THE ABOVE DESCRIBED TRACT; THENCE NORTHERLY ALONG THE WEST LINE OF SAID SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, 185.00 FEET; THENCE EASTERLY, PARALLEL WITH THE SOUTH LINE OF SAID TRACT, 470.00 FEET; THENCE SOUTHERLY, PARALLEL WITH THE WEST LINE OF SAID TRACT, 185.00 FEET; THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAID TRACT, 470.00 FEET TO THE POINT OF BEGINNING;

AND EXCEPT AMENDED MABERRY PLAT, DIVISION NOS. 5, 6 AND 8;

AND EXCEPT EAST HOMESTEAD BLVD. LLA UNDER AUDITOR'S FILE NO. 940802074;

AND EXCEPT ANY PORTION OF THE FOLLOWING DESCRIBED TRACT LYING WITHIN THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, DESCRIBED AS FOLLOWS:

Continued on next page

EXHIBIT "A", LEGAL DESCRIPTION

Order No.: W-116697

PARCEL K (400317 350348 0000 PID 131306), CONTINUED:

BEGINNING AT THE NORTHWEST CORNER OF LOT 13, AMENDED MABERRY PLAT, DIVISION NO. 5; THENCE NORTH 27°19'00" WEST ALONG THE WEST LINE OF LOT 13 EXTENDED, A DISTANCE OF 40.23 FEET; THENCE NORTH 68°46'00" EAST, PARALLEL TO AND 40.00 FEET NORTH OF THE NORTH LINE OF LOT 13, A DISTANCE OF 163.87 FEET; THENCE SOUTH 29°22'00" EAST ALONG THE EAST LINE OF LOT 13 EXTENDED, A DISTANCE OF 40.41 FEET TO THE NORTHEAST CORNER OF LOT 13; THENCE SOUTH 68°46'00" WEST ALONG THE NORTH LINE OF LOT 13, A DISTANCE OF 165.33 FEET TO THE POINT OF BEGINNING;

AND EXCEPT BEGINNING AT THE NORTHWEST CORNER OF LOT 14, AMENDED MABERRY PLAT, DIVISION NO. 5; THENCE NORTH 18°23'51" WEST, ALONG THE WEST LINE OF LOT 14 EXTENDED, A DISTANCE OF 40.05 FEET; THENCE NORTH 68°46'00" EAST, PARALLEL TO AND 40.00 FEET NORTH OF THE NORTH LINE OF LOT 14, A DISTANCE OF 184.87 FEET; THENCE SOUTH 27°19'00" EAST ALONG THE EAST LINE OF LOT 14 EXTENDED; A DISTANCE OF 40.23 FEET TO THE NORTHEAST CORNER OF LOT 14; THENCE SOUTH 68°46'00" WEST ALONG THE NORTH LINE OF LOT 14, A DISTANCE OF 191.11 FEET TO THE POINT OF BEGINNING;

AND EXCEPT BEGINNING AT THE NORTHWEST CORNER OF LOT 15, AMENDED MABERRY PLAT, DIVISION NO. 5; THENCE NORTH 00°24'57" WEST, ALONG THE WEST LINE OF LOT 15 EXTENDED, A DISTANCE OF 42.79 FEET; THENCE NORTH 68°46'00" EAST, PARALLEL TO AND 40.00 FEET NORTH OF THE NORTH LINE OF LOT 15, A DISTANCE OF 173.56 FEET; THENCE SOUTH 18°23'51" EAST ALONG THE EAST LINE OF LOT 15 EXTENDED, A DISTANCE OF 40.05 FEET TO THE NORTHEAST CORNER OF LOT 15; THENCE SOUTH 68°46'00" WEST ALONG THE NORTH LINE OF LOT 15, A DISTANCE OF 186.79 FEET TO THE POINT OF BEGINNING.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

PARCEL L (400317 355433 0000 PID 173232):

LOT 2, AS DELINEATED ON HOMESTEAD FARMS LOT LINE ADJUSTMENT, ACCORDING TO THE SHORT PLAT THEREOF, RECORDED OCTOBER 13, 2009, UNDER WHATCOM COUNTY AUDITOR'S FILE NO. 2091001243.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

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EXHIBIT "A", LEGAL DESCRIPTION
Order No.: W-116697

PARCEL L-1:

AN EASEMENT FOR EVENT LAWN AND HOTEL ACCESS AS GRANTED AND DESCRIBED IN THAT CERTAIN INSTRUMENT RECORDED MAY 7, 2010, UNDER WHATCOM COUNTY AUDITOR'S FILE NO. 2100500577.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

PARCEL M (400317 400486 0000 PID 131446):

A TRACT OF LAND IN THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 40 NORTH, RANGE 3 EAST OF W.M.; WHATCOM COUNTY, WASHINGTON; EXCEPT THE RIGHT-OF-WAY FOR EAST BADGER ROAD LYING ALONG THE NORTHERLY LINE THEREOF; EXCEPT ALSO THAT PORTION LYING WITHIN MABERRY PLAT, PLAT DIVISION NO. 7; AND EXCEPT THAT PORTION LYING WESTERLY OF A LINE DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER; THENCE SOUTH 89°00'00" EAST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER, 1113.60 FEET; THENCE SOUTH 01°00'00" EAST, 30 FEET TO A POINT ON THE SOUTH MARGIN OF EAST BADGER ROAD, TO THE POINT OF BEGINNING; THENCE SOUTH 35°09'02" WEST, 1452.60 FEET; THENCE SOUTH 55°02'21" EAST, 301.44 FEET; THENCE SOUTH 02°17'33" EAST, 422.36 FEET TO THE NORTH MARGIN OF EAST HOMESTEAD BLVD. AND THE TERMINUS OF SAID LINE.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

PARCEL N (400317 467463 0000 PID 131627):

TRACT C, AS DELINEATED ON THE FACE OF MIKE VAN DYK LLA SHORT PLAT, RECORDED IN VOLUME 31 OF SHORT PLATS, PAGE 47, UNDER WHATCOM COUNTY AUDITOR'S FILE NO. 941213139, RECORDS OF WHATCOM COUNTY, WASHINGTON, EXCEPT THAT PORTION DESCRIBED AS FOLLOWS:

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EXHIBIT "A", LEGAL DESCRIPTION
Order No.: W-116697

PARCEL N (400317 467463 0000 PID 131627), CONTINUED:

THAT PART OF THE WEST HALF OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 40 NORTH, RANGE 3 EAST OF W.M., WHATCOM COUNTY, WASHINGTON, LYING ADJACENT TO AND WESTERLY OF PARCEL B OF THE EAST BADGER ROAD LOT LINE ADJUSTMENT, AS RECORDED IN VOLUME 30 OF SHORT PLATS, PAGE 77, UNDER AUDITOR'S FILE NO. 940728052, FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID PARCEL B OF THE EAST BADGER ROAD LOT LINE ADJUSTMENT, A REBAR WITH A SURVEYOR'S IDENTIFICATION CAP, THE TRUE POINT OF BEGINNING; THENCE NORTH 89°00'00" WEST, ON A CONTINUATION OF THE SOUTHERLY BOUNDARY LINE OF SAID PARCEL B, 12.02 FEET; THENCE LEAVING SAID CONTINUATION NORTH 01°58'54" WEST, PARALLEL WITH THE WESTERLY BOUNDARY LINE OF SAID PARCEL B, 1061.35 FEET; THENCE LEAVING SAID PARALLEL LINE NORTH 88°07'25" EAST, ALONG A LINE THAT IS A CONTINUATION OF THE NORTHERLY LINE OF SAID PARCEL B PRODUCED WESTERLY, 12.00 FEET TO THE NORTHWEST CORNER OF SAID PARCEL B; THENCE ALONG THE WESTERLY BOUNDARY LINE OF SAID PARCEL B, SOUTH 01°58'54" EAST, 1061.95 FEET TO THE TRUE POINT OF BEGINNING.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

PARCEL O (400317 480351 0000 PID 131645):

TRACT B1 OF MABERRY DIVISION NO. 5 LOT LINE ADJUSTMENT NO. 2 SHORT PLAT, RECORDED OCTOBER 20, 1997, UNDER WHATCOM COUNTY AUDITOR'S FILE NO. 1971002344, RECORDS OF WHATCOM COUNTY, WASHINGTON.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

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EXHIBIT "A", LEGAL DESCRIPTION

Order No.: W-116697

PARCEL P (400317 495250 0000 PID 131661):

A TRACT OF LAND IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 40 NORTH, RANGE 3 EAST OF W.M., WHATCOM COUNTY, WASHINGTON, BOUNDED ON THE SOUTH BY THE NORTH LINE OF EAST MABERRY PLAT, DRIVE; THAT PORTION LYING WEST OF MABERRY PLAT, DIVISION NO. 2, AND MABERRY DRIVE LLA, UNDER AUDITOR'S FILE NO. 950523046; AND THAT PORTION LYING EAST OF KULSHAN GREEN "A" CONDOMINIUM AND MABERRY PLAT, DIVISION NO. 3; EXCEPT THE RIGHT-OF-WAY FOR EAST MABERRY DRIVE LYING ALONG THE SOUTHERLY LINE THEREOF.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

PARCEL Q (400317 380538 0000 PID 131386):

A TRACT OF LAND IN THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 40 NORTH, RANGE 3 EAST OF W.M., WHATCOM COUNTY, WASHINGTON, LYING WESTERLY OF A LINE DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER; THENCE SOUTH 89°00'00" EAST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER, 1113.60 FEET; THENCE SOUTH 01°00'00" EAST 30 FEET, TO A POINT ON THE SOUTH MARGIN OF EAST BADGER ROAD, TO THE POINT OF BEGINNING; THENCE SOUTH 35°09'02" WEST, 1452.60 FEET; THENCE SOUTH 55°02'21" EAST, 301.44 FEET; THENCE SOUTH 02°17'33" EAST 422.36 FEET TO THE NORTH MARGIN OF EAST HOMESTEAD BLVD. AND THE TERMINUS OF SAID LINE; EXCEPT THE RIGHT-OF-WAY FOR EAST BADGER ROAD LYING ALONG THE NORTHERLY LINE THEREOF.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

PARCEL R (PTN OF 400317 322410 0000 PID 131214):

UNIT C OF H.G.C.C. CONDOMINIUM, ACCORDING TO THE DECLARATION THEREOF, RECORDED UNDER AUDITOR'S FILE NO. 2120500605, AND ANY AMENDMENTS THERETO, RECORDS OF WHATCOM COUNTY, WASHINGTON.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

Continued on next page

EXHIBIT "A", LEGAL DESCRIPTION

Order No.: W-116697

PARCEL R-1:

AN EASEMENT FOR PARKING, INGRESS AND EGRESS, ACCESS AND UTILITIES AS GRANTED AND DESCRIBED IN THAT CERTAIN INSTRUMENT RECORDED MAY 7, 2010, UNDER WHATCOM COUNTY AUDITOR'S FILE NO. 2100500576.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

PARCEL R-2:

AN EASEMENT FOR EVENT LAWN AND HOTEL ACCESS AS GRANTED AND DESCRIBED IN THAT CERTAIN INSTRUMENT RECORDED MAY 7, 2010, UNDER WHATCOM COUNTY AUDITOR'S FILE NO. 2100500577.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

PARCEL R-3:

A 30-FOOT ACCESS AND UTILITY EASEMENT AS CREATED BY INSTRUMENT RECORDED DECEMBER 30, 2003, UNDER WHATCOM COUNTY AUDITOR'S FILE NO. 2031205226, AND AS SHOWN UPON THE SURVEY PLANS FOR H.G.C.C. CONDOMINIUM, RECORDED MAY 7, 2012, UNDER WHATCOM COUNTY AUDITOR'S FILE NO. 2120500604.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

PARCEL S (400317 368378 0000 PID 131359):

THAT PORTION OF THE EAST HOMESTEAD BOULEVARD LYING WITHIN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 40 NORTH, RANGE 3 EAST OF W.M., WHATCOM COUNTY, WASHINGTON, SAID EAST HOMESTEAD BOULEVARD IS DESCRIBED AS BEING A STRIP 60 FEET IN WIDTH WHOSE CENTERLINE IS DESCRIBED AS FOLLOWS:

Continued on next page

EXHIBIT "A", LEGAL DESCRIPTION
Order No.: W-116697

PARCEL S (400317 368378 0000 PID 131359), CONTINUED:

BEGINNING AT THE NORTH QUARTER SECTION CORNER; THENCE SOUTH 02°17'33" EAST ALONG THE WEST LINE OF THE NORTHEAST QUARTER, 1882.04 FEET TO THE POINT OF BEGINNING OF HEREIN DESCRIBED CENTERLINE; THENCE NORTH 87°42'27" EAST, 615.26 FEET TO A POINT ON A TANGENTIAL CURVE TO THE LEFT HAVING A RADIUS OF 1100 FEET TO A CENTRAL ANGLE OF 23°16'30"; THENCE EASTERLY ALONG AN ARC OF SAID CURVE, 446.85 FEET; THENCE NORTH 64°25'57" EAST, 127.53 FEET TO A POINT OF TANGENTIAL CURVE TO THE RIGHT HAVING A RADIUS OF 437.50 FEET TO A CENTRAL ANGLE OF 92°37'25"; THENCE EASTERLY ALONG AN ARC OF SAID CURVE, 707.01 FEET; THENCE SOUTH 22°56'38" EAST, 217.97 FEET TO A POINT ON AN ARC OF A TANGENTIAL CURVE TO THE LEFT HAVING A RADIUS OF 500 FEET TO A CENTRAL ANGLE OF 69°08'44"; THENCE EASTERLY ALONG AN ARC OF SAID CURVE, 603.41 FEET; THENCE NORTH 87°54'38" EAST, 347.35 FEET TO THE EAST SECTION LINE, AND THE TERMINUS OF THE HEREIN DESCRIBED CENTERLINE.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

PARCEL T (400317 439433 0000 PID 131553):

COMMON AREA, PLAT OF MABERRY, DIVISION NO. 7, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 18 OF PLATS, PAGES 21 AND 22, RECORDS OF WHATCOM COUNTY, WASHINGTON.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

PARCEL T-1:

A 50-FOOT EASEMENT FOR ACCESS AND UTILITIES OVER AND ACROSS A PORTION AS DELINEATED ON PLAT OF MABERRY, DIVISION NO. 7, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 18 OF PLATS, PAGES 21 AND 22, AND AMENDED UNDER AUDITOR'S FILE NO. 1980404819, RECORDS OF WHATCOM COUNTY, WASHINGTON.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

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EXHIBIT "A", LEGAL DESCRIPTION

Order No.: W-116697

PARCEL U (400317 536383 0000 PID 131788):

COMMON AREA B, AND COMMON AREA 2, PLAT OF MABERRY, DIVISION NO. 4, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 17 OF PLATS, PAGES 86 AND 87, RECORDS OF WHATCOM COUNTY, WASHINGTON.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

PARCEL U-1:

A 30-FOOT ACCESS EASEMENT AS DISCLOSED ON THE FACE OF THE PLAT OF MABERRY, DIVISION NO. 4, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 17 OF PLATS, PAGES 86 AND 87, RECORDS OF WHATCOM COUNTY, WASHINGTON.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

PARCEL V (400317 253261 0000 PID 131080):

PARK, PLAT OF HOMESTEAD SOUTH, PHASE 1, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 18 OF PLATS, PAGES 75 THROUGH 77, INCLUSIVE, RECORDS OF WHATCOM COUNTY, WASHINGTON.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

PARCEL W (400317 500178 0000 PID 131668):

PARCEL B, OF MABERRY LOT LINE ADJUSTMENT, RECORDED UNDER AUDITOR'S FILE NO. 960531019, IN VOLUME 34 OF SHORT PLATS, PAGES 49 AND 50, RECORDS OF WHATCOM COUNTY, WASHINGTON.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

PARCEL X (400317 458227 0000 PID 131604):

COMMON AREA A, PLAT OF MABERRY, DIVISION NO. 3, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 17 OF PLATS, PAGES 64 AND 65, RECORDS OF WHATCOM COUNTY, WASHINGTON.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

Continued on next page

EXHIBIT "A", LEGAL DESCRIPTION
Order No.: W-116697

PARCEL Y (400317 130231 0000 PID 130659, 400317 132259 0000 PID 130667 & 400317 064231 0000 PID 130373):

TRACTS A, B AND C, PLAT OF HOMESTEAD SOUTH, PHASE NO. 2, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 18 OF PLATS, PAGES 80 THROUGH 82, INCLUSIVE, RECORDS OF WHATCOM COUNTY, WASHINGTON.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

PARCEL Z (400317 220258 0000 PID 130938, 400317 240261 0000 PID 131006, 400317 135258 0000 PID 130679 & 400317 135230 0000 PID 130678):

TRACTS A, B, C AND D, PLAT OF HOMESTEAD SOUTH, PHASE 1, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 18 OF PLATS, PAGES 75 THROUGH 77, INCLUSIVE, RECORDS OF WHATCOM COUNTY, WASHINGTON.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

PARCEL AA (400317 345370 0000 PID 173231):

THAT PORTION OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 40 NORTH, RANGE 3 EAST OF W.M., WHATCOM COUNTY, WASHINGTON, LYING SOUTHERLY OF EAST HOMESTEAD BOULEVARD; EXCEPT MABERRY PLAT DIVISION NO. 6, RECORDED UNDER WHATCOM COUNTY AUDITOR'S FILE NO. 930914047; EXCEPT MABERRY PLAT DIVISION NO. 8, RECORDED UNDER WHATCOM COUNTY AUDITOR'S FILE NO. 940104197; EXCEPT ANY PORTION LYING WITHIN EAST HOMESTEAD BOULEVARD LOT LINE ADJUSTMENT, RECORDED IN VOLUME 30 OF SHORT PLATS, PAGES 83 AND 84, UNDER WHATCOM COUNTY AUDITOR'S FILE NO. 940802074, RECORDED UNDER WHATCOM COUNTY AUDITOR'S FILE NO. 2080600559; EXCEPT ALSO ANY PORTION OF EAST HOMESTEAD BOULEVARD.

SITUATE IN WHATCOM COUNTY, WASHINGTON.