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Kathy Hill, Skagit County Auditor
12/10/1999 Page 1 of 2 2:06:21PM

Return to: Skagit Surveyors & Engineers
806 Metcalf Street
Sedro-Woolley, WA 98284
Phone: (360) 855-2121

COVER SHEET

OPEN SPACE AGREEMENT

GRANTOR: David Burton & Kathy Burton

GRANTEE: Public

LEGAL DESCRIPTION

Portion of the Southeast ¼ of the Northeast ¼ of Section 28, Township 33 N, Range 4 E, W.M. Skagit County, Washington.

ASSESSOR'S PROPERTY TAX PARCEL NUMBER: P17394
ASSESSOR'S PROPERTY TAX ACCOUNT NUMBER: 330428-1-005-0008

OPEN SPACE EASEMENT/AGREEMENT

In consideration of Skagit County Code (SCC) 14.08.118 (6) (d) and 14.08.118(9), requirements for designating areas of open space on all subdivisions using the CaRD process, the owner(s) in fee of that certain real property described on the face of this Short CaRD Short Plat #99-0004 does hereby designate Lot 1 as Open Space Recreational/Amenities (OS-RA) and Lot 3 as Open Space Future Development (OS-FD).

These designations are subject to the following terms:

1. Lot 1 is designated as open space recreational/amenities (OS-RA) per SCC 14.06.118(9)(a)(iv). It currently contains a public riding arena. The applicants applied for and received a special use permit to operate the riding arena from Skagit County in August 1994. The applicants intend to continue to operate the facility as a public riding arena. The arena is subject to the conditions of approval for SPU 94 010. The remainder of Lot 1 will continue to be used for agriculture which may include but is not limited to pasture for horses and cattle. The designation shall continue until the lot is needed for future urban growth as determined through the Comprehensive Plan amendment process. Maintenance of Lot 1 shall be the sole responsibility of the owner of Lot 1 No additional covenants, conditions or restrictions shall be associated with this lot.

2. Lot 3 is designated as open space future development (OS-FD) per SCC 14.06.118(9)(a)(iii). It will continue to be used for on-going agricultural purposes at the discretion of the owner. Those uses may include but are not limited to pasture for horses and cattle. The designation shall continue until the lot is needed for future urban growth as determined through the Comprehensive Plan amendment process. Maintenance of Lot 3 shall be the sole responsibility of the owner of Lot 3.

3. The right to use and possession of those lots designated for Open Space shall reside in the owner of said lot and his heirs, successors, assigns and invitees.

4. With the exception of the public riding arena on Lot 1, the Open Space designation shall not be construed to provide open or common space for owners within the project or members of the public.

5. The Open Space designation shall run with the land and be binding on current and future owners, their respective heirs, successors and assigns.

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12/10/1999 Page 2 of 2 2:06:21PM

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