

S-93744-E

LAND TITLE COMPANY OF SKAGIT COUNTY

A recording to
Correct legal.

DECLARATION OF EASEMENT
FOR
INGRESS, EGRESS, UTILITIES AND DRAINAGE

This Declaration is made this 14 day of June, 2000 by Clear Lake, LLC and Buchanan Avenue, LLC, both limited liability companies in the State of Washington, hereinafter called "Declarants".

W I T N E S S E T H

WHEREAS; Declarants are the owners of the property described on Exhibit "A" attached hereto, and

WHEREAS; Declarants desire to establish three (3) non-exclusive easements for ingress, egress, utilities and drainage and to establish provisions for the joint use and maintenance of the same;

NOW, THEREFORE: Declarants hereby conveys and quit claims easements for ingress, egress, utilities and drainage over the properties identified on Exhibits "B", "C" and "D" attached hereto, in favor of the parties therein named.

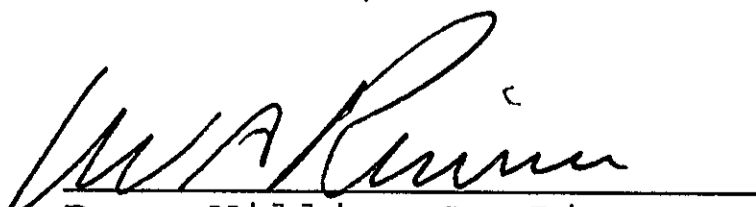
Declarants, and any future owner of the properties encumbered, herein hereby covenant and agree, one with the other, that all maintenance and repair of the roadways created herein shall be shared between the present and future owners thereof, their heirs, successors, administrators and assigns.

Declarants further covenant and agree that the decision for maintenance shall be by a majority vote of the owners of the lots encumbered herein, each Lot so encumbered being given one (1) vote. Should there be a disagreement as to the necessity of any maintenance or repair, each side shall select a licensed engineer, who together will select a third licensed engineer, and they shall determine whether the disputed maintenance or repair is required to maintain the roadway in a safe and passable manner. The costs of said engineers shall be born exclusively by the non-prevailing party.

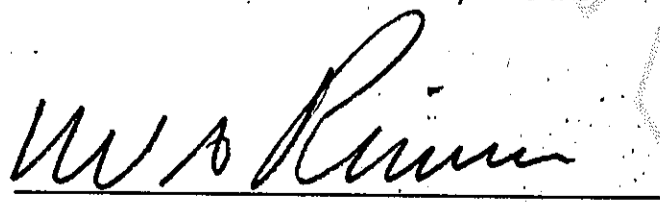
Declarants further covenant and agree that this agreement shall be binding upon themselves, their heirs, successors, administrators and assigns, and shall be a covenant running with the lands said easements benefit.

This Declaration of Easement is made and executed the day and year first above written.

Clear Lake, LLC


By: William A. Rimmer
Its: Managing Member

Buchanan Avenue, LLC

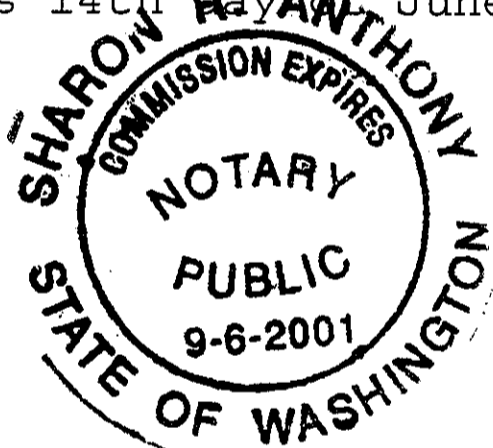

By: William A. Rimmer
Its: Managing Member

UNOFFICIAL

STATE OF WASHINGTON }
County of Skagit } SS

I hereby certify that I know or have satisfactory evidence that William A. Rimmer is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he is authorized to execute the instrument and acknowledged it as the Managing Member of Clear Lake, LLC, to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Dated this 14th day of June, 2000.



Sharon R. Anthony
Notary Public in and for the
State of Washington, residing at
Mount Vernon.

My appointment expires 9-6-2001.

SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax
PAID

SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax
PAID

STATE OF WASHINGTON }
County of Skagit } SS

JUN 14 2000

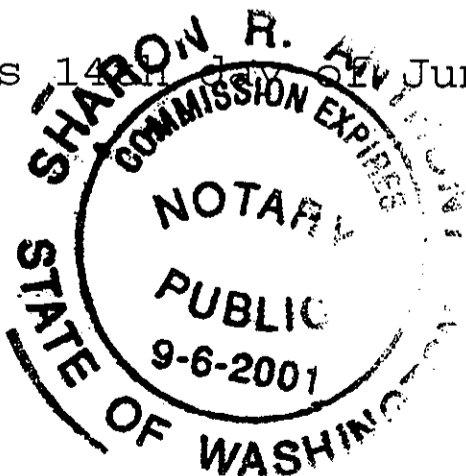
JUN 15 2000

Amount Paid \$ 0
Skagit County Treasurer
Deputy

Amount Paid \$ 0
Skagit County Treasurer
Deputy

I hereby certify that I know or have satisfactory evidence that William A. Rimmer is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he is authorized to execute the instrument and acknowledged it as the Managing Member of Buchanan Avenue, LLC, to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Dated this 14th day of June, 2000.



Sharon R. Anthony
Notary Public in and for the
State of Washington, residing at
Mount Vernon.

My appointment expires 9-6-2001.



200006150112

Kathy Hill, Skagit County Auditor

6/15/2000 Page 2 of 6 4:01:38PM



200006140193

Kathy Hill, Skagit County Auditor

6/14/2000 Page 2 of 6 4:05:43PM

Exhibit "A"

Lots 3 - 6, inclusive, and Lots 11 - 14, inclusive, Block 4, and
Lots 3 - 5, inclusive, Block 5, "BINGHAM ACREAGE, SKAGIT COUNTY,
WASHINGTON", as per plat recorded in Volume 4 of Plats, page 24,
records of Skagit County, Washington.

Situate in the County of Skagit, State of Washington.



200006150112

Kathy Hill, Skagit County Auditor
6/15/2000 Page 3 of 6 4:01:38PM



200006140193

Kathy Hill, Skagit County Auditor
6/14/2000 Page 3 of 6 4:05:43PM

Exhibit "B"

A non-exclusive easement for ingress, egress, utilities and drainage over, under and across the following described property:


The East 15 feet of Lot 3 and the West 15 feet of Lot 4; The North 20 feet of the West 15 feet of Lot 13 and the North 20 feet of the East 15 feet of Lot 14; all in Block 4, "BINGHAM ACREAGE, SKAGIT COUNTY, WASHINGTON", as per plat recorded in Volume 4 of Plats, page 24, records of Skagit County, Washington.

Situate in the County of Skagit, State of Washington.

Said easement shall be for the benefit of the present and future owners of the following described Lots:

Lots 3, 4, 13, and 14, Block 4, "BINGHAM ACREAGE, SKAGIT COUNTY, WASHINGTON", as per plat recorded in Volume 4 of Plats, page 24, records of Skagit County, Washington.

Situate in the County of Skagit, State of Washington.


200006150112
Kathy Hill, Skagit County Auditor
6/15/2000 Page 4 of 6 4:01:38PM



200006140193
Kathy Hill, Skagit County Auditor
6/14/2000 Page 4 of 6 4:05:43PM

Exhibit "C"

A non-exclusive easement for ingress, egress, utilities and drainage over, under and across the following described property:

Easement No. 1

The East 20 feet of Lot 4 and the West 10 feet of Lot 5; the West 10 feet of Lot 12 and the East 20 feet of Lot 13; all in Block 4, "BINGHAM ACREAGE, SKAGIT COUNTY, WASHINGTON", as per plat recorded in Volume 4 of Plats, page 24, records of Skagit County, Washington.

Easement No. 2

A non-exclusive easement for ingress, egress, utilities and drainage over, under and across a cul-de-sac with a 50 foot radius, the radial point beginning at a point 50 feet radially from a point on the South line of Lot 12 which is 10 feet East of the Southwest corner thereof and terminating at a point on the South line of Lot 13 that is 20 feet West of the Southeast corner thereof.

Situate in the County of Skagit, State of Washington.

Easement No. 1 shall be for the benefit of the present and future owners of the following described Lots:

Lots 4, 5, 12 and 13, Block 4, and Lots 3, 4 and 5, Block 5, "BINGHAM ACREAGE, SKAGIT COUNTY, WASHINGTON", as per plat recorded in Volume 4 of Plats, page 24, records of Skagit County, Washington.

Situate in the County of Skagit, State of Washington.

Easement No. 2 shall be for the benefit of the present and future owners of the following described lots:

Lots 3, 4, and 5, Block 5, "BINGHAM ACREAGE, SKAGIT COUNTY, WASHINGTON", as per plat recorded in Volume 4 of Plats, page 24, records of Skagit County, Washington.

Situate in the County of Skagit, State of Washington.



200006150112

Kathy Hill, Skagit County Auditor

6/15/2000 Page 5 of 6 4:01:38PM



200006140193

Kathy Hill, Skagit County Auditor

6/14/2000 Page 5 of 6 4:05:43PM

Exhibit "D"

A non-exclusive easement for ingress, egress, utilities and drainage over, under and across the following described property:

The East 15 feet of Lot 5 and the West 15 feet of Lot 6; the North 20 feet of the West 15 feet of Lot 11 and the North 20 feet of the East 15 feet of Lot 12; all in Block 4, "BINGHAM ACREAGE, SKAGIT COUNTY, WASHINGTON", as per plat recorded in Volume 4 of Plats, page 24, records of Skagit County, Washington.

Situate in the County of Skagit, State of Washington.

Said easement shall be for the benefit of the present and future owners of the following described Lots:

Lots 5, 6, 11 and 12, Block 4, "BINGHAM ACREAGE, SKAGIT COUNTY, WASHINGTON", as per plat recorded in Volume 4 of Plats, page 24, records of Skagit County, Washington.

Situate in the County of Skagit, State of Washington.



200006150112
Kathy Hill, Skagit County Auditor
6/15/2000 Page 6 of 6 4:01:38PM



200006140193
Kathy Hill, Skagit County Auditor
6/14/2000 Page 6 of 6 4:05:43PM