

UNRECORDED



200105220103
Skagit County Auditor

5/22/2001 Page 1 of 3 2:34:19PM

Return Name and Address
Leonard, Boudinot & Skodje, Inc.
603 South First St./PO Box 1228
Mount Vernon, WA 98273

Please print or type information

Document Title(s) 1. Protected Critical Area Easement 2. 3. 4.	
Grantor(s) 1. Tellberg, Jacob S. 2. Tellberg, Wendy B. 3. 4. ___ Additional names on page ___ of document.	SKAGIT COUNTY WASHINGTON Real Estate Excise Tax PAID MAY 18 2001 Amount Paid \$ 0 Skagit County Treasurer By: <i>[Signature]</i> Deputy
Grantee(s) 1. Skagit County 2. 3. 4. ___ Additional names on page ___ of document.	
Legal description (abbreviated: i.e.lot,block,plat OR section,township,range,qtr./qtr. NW¼, SW¼, Section 27, T.33N., R.4E., W.M. ___ Additional legal is on page ___ of document.	
Reference Number(s) (Auditor File Numbers) of Documents assigned or released: ___ Additional numbers on page ___ of document.	
Assessor's Property Tax Parcel/Account Number 330427-3-006-0004 ___ Additional parcel numbers on page ___ of document.	
The Auditor/Recorder will rely on the information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information.	

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PROTECTED CRITICAL AREA EASEMENT (PCA)

In consideration of Skagit County Code (SCC) 14.24.170, requirements for recording of protected critical area easements (PCA), for areas included under PL00-00545, and mutual benefits herein, Grantor(s), project, does hereby grant, convey and warrant to Skagit County, a political subdivision of the State of Washington, a non-exclusive perpetual easement establishing a PCA over, along and across those portions of the project, denoted as Protected Critical Area Easement (PCAE) Tracts A, B, C, D, E, F, G, H, I, J and K, and described on the attached legal description, together with the right of ingress and egress to and from these easements for the purpose of monitoring and enforcing proper operation and maintenance of the PCA described herein.

The easement is granted to and conditioned upon the following terms, conditions and covenants:

1. The PCA legal description is as follows:

Protected Critical Areas Tracts A, B, C, D, E, F, G, H, I, J and K, as shown on Skagit County Short Plat No. PL00-00545, approved 5-22-01, and recorded 5-22-01 under Skagit County Auditor's File No. 200105220102, records of Skagit County, Washington, being in a portion of the Northwest quarter of the Southwest quarter of Section 27, Township 33 N., Range 4 E., W.M.

2. Grantor(s) shall hereafter be responsible for maintaining and repairing PCA areas as described herein and is hereby required to leave PCA areas undisturbed in a natural state. No clearing, grading, filling, logging or removal of woody material, building, construction or road construction of any kind or planting of non-native vegetation within the PCA areas except as specially permitted by Skagit County on a case-by-case basis consistent with SCC 14.24.
3. Grantor(s) and Skagit County agree to the following special conditions requested by the Grantor(s) or required as part of mitigation pursuant to SCC 14.24.
 - a. Skagit County officials will notify the legal owner, in writing, prior to inspection of PCA areas. (Except in the case of an emergency)
4. Grantor(s) retains the right to use and possession of the real property over which the easement is granted to the extent permitted by Skagit County as low impact uses and activities which are consistent with the purpose and function of the PCA and do not detract from its integrity may be permitted with the PCA depending on the sensitivity of the habitat involved. Examples of uses and activities which may be permitted in appropriate cases, with prior County written approval separate from this agreement, include pedestrian trails, viewing platforms, stormwater management facilities and utility easements. Provided further that the Grantor agrees not to interfere with, obstruct or endanger Skagit County's use of the easement.
5. Should any human disturbance of the PCA occur, the fee owners shall have the obligation to restore and return the affected area to its natural state immediately, under the provisions of a County approved mitigation plan.
6. The parties recognize that this easement is created, granted and accepted for the benefit of the inherent natural functions provided by the PCA, but shall not be construed to provide open or common space for owners within the project or members of the public. By acceptance of the easement for the purposes described, Skagit County does not accept or assume any liability of acts or omissions of the fee owners, his or her invitees, licensees or other third parties within the

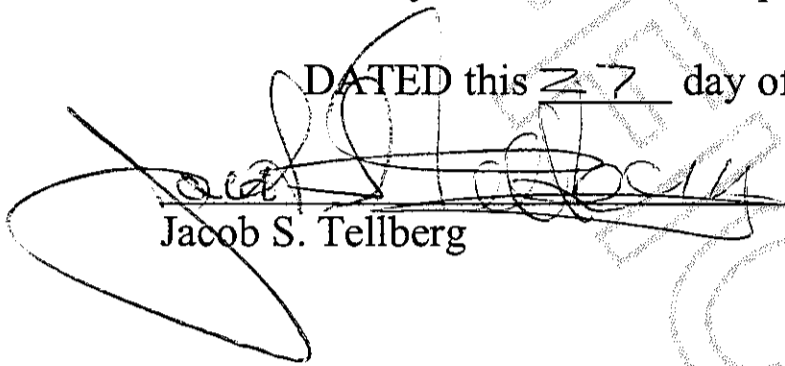


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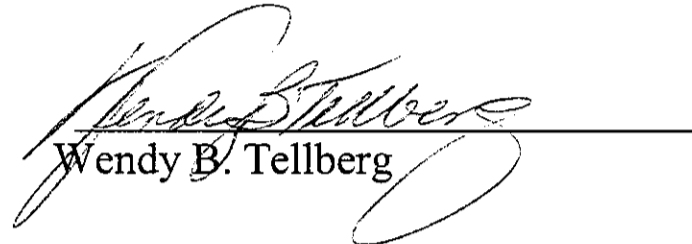
easement area. Grantor(s) hold Skagit County harmless from any damage or injury to any property or person by any person entering the easement area not expressly authorized to do so by Skagit County.

- 7. Grantor(s) agrees that this easement shall run with the land and that the rights and obligations of Grantor(s) and Skagit County shall insure to the benefit of each and shall be binding upon their respective heirs, successors and assigns.
- 8. Grantor(s) covenants that they own the property legally described herein, and has lawful right to convey the interest in the property to Skagit County for the benefit of the public forever.

DATED this 27 day of April, 2001.



 Jacob S. Tellberg

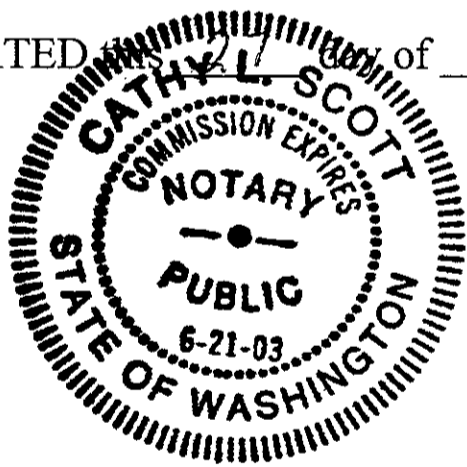


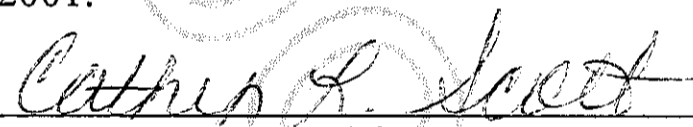
 Wendy B. Tellberg

STATE OF WASHINGTON)
)
 COUNTY OF SKAGIT)

On this day personally appeared before me Jacob S. Tellberg and Wendy B. Tellberg to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

DATED _____ of April, 2001.





NOTARY PUBLIC in and for the State of Washington
 Residing at: Bow
 Print Name: Cathy L. Scott
 My Commission Expires: 6-21-03



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 , Skagit County Auditor