

9/12/2001 Page 1 of 2

Filed for record at the request of:

DOCUMENT TITLE: DECLARATION OF EASEMENT AND MAINTENANCE AGREEMENT

GRANTOR: GRANTEE:

**ELK PROPERTIES, L.L.C. ELK PROPERTIES, L.L.C.** 

LEGAL DESC.:

TAX PARCEL NO.:

Lots 11and 12, Plat of Westpark

4778-000-011-0000 4778-000-012-0000

FIRST AMERICAN TITLE CO.

65762E-1

## NON-EXCLUSIVE EASEMENT AND MAINTENANCE DECLARATION

ELK PROPERTIES, a Washington Limited Liability Company, the owner of the following described real property:

Lots 11 and 12 of "PLAT OF WESTPARK", as per plat recorded under Skagit County Auditor's File No. 200105310140, records of Skagit County, Washington.

does create by this instrument a non-exclusive easement for ingress, egress and utilities over, under and through a Fifty (50) foot wide (east-west) and Three Hundred Seventy Four and Two-Hundredths (374.02) foot long (north-south) strip of land located on the westerly and northerly 25 feet of Lot 12 and the easterly and northerly 25 feet of Lot 11 of said "PLAT OF WESTPARK", for the mutual benefit of the owners of Lots 11 and 12 of said Plat, and their heirs, successors and assigns.

The owners of each such parcel shall bear the mutual responsibility of maintenance and repair of said easement road. "Maintenance" as used herein shall mean the equal requirement of said lot owners and their successors in interest to share labor and cost to maintain the roadway easement in a good and workmanlike manner.

Further, declarant, under this declaration acknowledges and grants a perpetual easement for installation of utilities and for all reasonable utility maintenance and servicing requirements. including the right to enter in, cross under, through and over the described easement to provide utility services to each owner of the said lots 11 and 12.

This declaration of easement is intended to be a covenant running with the land and binding upon the present and future owners of said Lots 11 and 12, their heirs, successors and assigns and shall be considered perpetual in nature.

The declarant herein reserves the right for it's authorized representatives to cross over the described easement so long as the declarant retains an ownership interest in any lot within the Plat of Westpark.

Dated SEPT. 10, 2001.

ELK PROPERTIES, L.L.C.

By: JAMES A. COOK, Jr., Manager

STATE OF WASHINGTON

) ss.

County of SKAGIT

On this day personally appeared before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, James A. Cook, Jr., to me known to be the Manager of the limited liability company that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said limited liability company, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument

Witness my hand and official seal this

day of September, 2001.

NOTARY PUBLIC in and for the State of Washington, residing at My Verence

My appointment expires 1-7

OF WACHING

p. 2 of 2 - Declaration of Easement and Maintenance Agreeme



, Skagit County 7.653 9/12/2001 Page 2 of 2 3:44:12PM