

After Recording Return to:
Rock Ridge West, LLC
3307 "H" Avenue
Anacortes, WA 98221



200202280226
Skagit County Auditor

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ISLAND TITLE COMPANY
ACCOMMODATION ONLY
QA 3902 ✓

DECLARATION OF ACCESS EASEMENT

Grantors: 1. Buehl J. Berentson and Verna J. Berentson, as Trustees of the Berentson Family Trust, utd 2-18-92
2. Anthony L. Malo, Jr. and Christiane T. Malo
Grantees: 1. Eric L. Bowman
2. Dolcie Bowman
Abbreviated Legal Description: Ptn of Lots 11 through 15, Tuttle & Buckley's Plat of Anacortes
[Full legal descriptions on Page 1 and Exhibit A of Document]
Assessor's Tax I.D. Number: 3834-011-015-0006

The Grantors, Buehl J. Berentson and Verna J. Berentson, as Trustees of the Berentson Family Trust, u/t/d 2-18-92; and Anthony L. Malo, Jr. and Christiane T. Malo, husband and wife (hereinafter collectively "Grantors"), for good and valuable consideration the receipt of which is hereby acknowledged, but without monetary consideration, does hereby grant and convey to the Grantees, Eric L. Bowman and Dolcie Bowman, husband and wife, an easement for ingress and egress over and across the real property described on Exhibit "A" hereto and by this reference incorporated herein (hereinafter the "Easement"). A drawing of the Easement is attached hereto as Exhibit "B" and by this reference incorporated herein. The Easement is for the benefit of the Grantees' real property legally described as follows (hereinafter "Grantees' Property"):

Lots 13, 14 and 15, Block 11, Tuttle and Buckley's Plat of Anacortes, according to the plat thereof recorded in Volume 2 of Plats, Page 23, records of Skagit County, Washington.

This grant of the Easement is subject to the following terms and conditions:

1. In the event that Grantors develop the property upon which the Easement is located, construction of such development may temporarily impair access to, and use of,

the Easement in whole or in part. During such construction Grantors agree to provide a temporary access easement to Grantees' Property during the course of such construction which will provide adequate alternate access to Grantees' Property.

2. In the event that in the future access to Grantees' Property is provided by a dedicated public right-of-way or road, the Easement granted herein shall automatically terminate and be of no further force or effect.

3. In the event that some or all of the property upon which the Easement is located is dedicated as a public right-of-way or road, the rights of Grantees and all other owners of the property benefited by the Easement shall be subject to, and subordinated to, the rights of the public and its franchisees pursuant to such dedication.

4. Grantors shall have the right to use the property burdened by the Easement in such manner as does not unreasonably interfere with the Easement granted herein.

5. Subject to the terms and conditions set forth above, Grantees' shall have the right to use the Easement for ingress and egress to Grantees' Property and may improve the Easement in such manner as is consistent with the rights granted herein, including the cutting and removal of brush, trees and other obstructions as may interfere with the use of the Easement for ingress and egress.

6. The Easement granted herein and the terms and conditions of this document shall run with the land and shall be binding upon Grantors and Grantees, their heirs, successors and assigns, including all future owners of Grantees' Property and all future owners of the property burdened by the Easement.

GRANTORS:

Buehl J. Berentson and Verna J. Berentson,
as Trustees of the Berentson Family Trust, w/t/d 2-18-92

By: *Buehl J. Berentson*
Buehl J. Berentson, Trustee

By: *Verna J. Berentson*
Verna J. Berentson, Trustee

Anthony L. Malo, Jr. and Christiane T. Malo

By: *Anthony L. Malo, Jr.*
Anthony L. Malo, Jr.

By: *Christiane T. Malo*
Anthony L. Malo, Jr., her attorney-
in-fact

SKAGIT COUNTY WA, MALO
Real Estate Excise Tax
LMD

FEB 28 2002

Skagit County Auditor
By: *Sp*



200202280226
Skagit County Auditor

STATE OF WASHINGTON)
) ss:
COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that Buehl J. Berentson and Verna J. Berentson are the persons who appeared before me, and said persons on oath stated that they were authorized to execute the instrument and acknowledged it as the Trustees of The Berentson Family Trust, u/t/d 2-18-92, to be the free and voluntary act of said party for the uses and purposes mentioned in the instrument.



DATED: 2-27-02

NAME: Mary Mansfield
MARY MANSFIELD
(Print Name)

Notary Public in and for the State of Washington.

Commission Expires: 10-28-05

STATE OF WASHINGTON)
) ss:
COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that Anthony L. Malo, Jr. is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.



DATED: 2-27-02

NAME: Mary Mansfield
MARY MANSFIELD
(Print Name)

Notary Public in and for the State of Washington.

Commission Expires: 10-28-05

STATE OF WASHINGTON)
) ss:
COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that Anthony L. Malo, Jr. is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument as the Attorney-In-Fact for Christiane T. Malo, and acknowledged it to be his free and voluntary act on behalf of himself and also as Attorney-In-Fact for said principal, for the uses and purposes therein mentioned, and on oath stated that the Power of Attorney authorizing the execution of this instrument has not been revoked and that said principal is now living and is not insane.

GIVEN under my hand and official seal the day and year last above written.

DATED: 2-27-02

NAME: Mary Mansfield

Mary Mansfield
(Print Name)

Notary Public in and for the State of
Washington.

Commission Expires: 10-28-05



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EXHIBIT "A"
LEGAL DESCRIPTION OF ACCESS EASEMENT

AN EASEMENT FOR INGRESS AND EGRESS OVER AND ACROSS A PORTION OF VACATED MICHIGAN AVENUE (WEST K AVENUE) AND OVER AND ACROSS A PORTION OF LOTS 11 AND 12, BLOCK 11, AND THE ADJOINING VACATED ALLEY, ALL IN TUTTLE AND BUCKLEY'S PLAT OF ANACORTES, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 2 OF PLATS, PAGE 23, RECORDS OF SKAGIT COUNTY, WASHINGTON, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1, ROCK RIDGE PHASE II, A SHORT PLAT RECORDED UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 9905240012, THENCE SOUTH 88° 42' 48" EAST, ALONG THE SOUTH LINE OF SAID LOT, FOR 75.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1;
THENCE CONTINUING SOUTH 88° 42' 48" EAST 30 FEET TO THE CENTERLINE OF THE 60 FOOT RIGHT-OF-WAY DEDICATED BY SAID SHORT PLAT;
THENCE SOUTH 1° 17' 12" WEST, ALONG THE SOUTHERLY PROLONGATION OF SAID CENTERLINE FOR 30.00 FEET;
THENCE NORTH 88° 42' 48" WEST, 105.00 FEET TO THE EAST LINE OF LOT 13 OF SAID BLOCK 11;
THENCE NORTH 1° 17' 12" EAST, ALONG SAID EAST LINE AND THE NORTHERLY PROLONGATION THEREOF, 30.00 FEET TO THE POINT OF BEGINNING.

SITUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON.



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NE1/4 NW1/4 SEC.26
TWP. 35 N., RGE. 1 E., W.M.

ROCK RIDGE
V2 PP85-87
19

18

12TH STREET

NORTH LINE
SECTION 26

30'
N89°56'12"W
105.02'
183.28'

31.22'
N01°17'12"E
100.00'

S88°42'48"E

75.00'

10' UTILITIES
EASEMENT (TYP)

1

ROCKRIDGE
AP 99024087

30'
N01°17'12"E
100.00'

30'
N01°17'12"E
142.48'

S88°42'48"E

40.98'

2

PHASE II

N01°17'12"E
100.00'

6

7

8

9

10

1

2

BLOCK II

BLOCK 10

30.00'
N01°17'12"E

75.00'

30.00'
N01°17'12"E

15'

30.00'
N01°17'12"E

5'

N88°42'48"W

87.23'

TUTTLE & BUCKLEY'S
PLAT OF ANACORTES
V2, P23

MICHIGAN AVE

(W. E. AVE)

15

14

13

12

30'

11

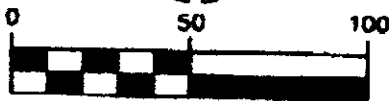
80'

30'

20

19

30TH



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