



200203220067

Skagit County Auditor

3/22/2002 Page 1 of 2 11:31AM

Filed for record at the request of:

*ELK PROPERTIES INC  
36135 MINKLER RD  
SEORO WOODNEY WA 98284*

**DOCUMENT TITLE:** DECLARATION OF EASEMENT AND MAINTENANCE AGREEMENT  
**GRANTOR:** ELK PROPERTIES, L.L.C.  
**GRANTEE:** ELK PROPERTIES, L.L.C.  
**LEGAL DESC.:** Lots 8, 9 and 10 Plat of Westpark  
**TAX PARCEL NO.:** 4778-000-008-0000  
4778-000-009-0000  
4778-000-010-0000

FIRST AMERICAN TITLE CO.  
B66705

**NON-EXCLUSIVE EASEMENT AND MAINTENANCE DECLARATION**

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

Lots 8, 9 and 10 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 the following described real property:

1. The Easterly 25 feet of Lot 10 of said Plat;
2. The Easterly 25 feet and Northerly 374.02 feet of Lot 9 together with that portion of Lot 9 described as follows:

Beginning at the Southeast corner of Lot 10 of said Plat, thence Westerly a distance of 5 feet along the South boundary of Lot 10, thence Southerly a distance of 90 feet on a line parallel with the Westerly boundaries of Lots 7 and 8, thence Easterly a distance of 30 feet, more or less, to the West line of Lot 8, thence Northerly along the Westerly boundary of Lots 7 and 8 a distance of 90 feet, more or less, to a point on the West line of Lot 7 which is 374.02 feet South of the Northeast corner of Lot 8, thence Westerly a distance of 25 feet, more or less, to the point of beginning.

for the mutual benefit of the owners of Lots 8, 9 and 10 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 8, 9 and 10.

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 8, 9 and 10, 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: 03-18-2002

ELK PROPERTIES, L.L.C.

By: James A Cook  
JAMES A. COOK, Jr., Manager

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

MAR 22 2002

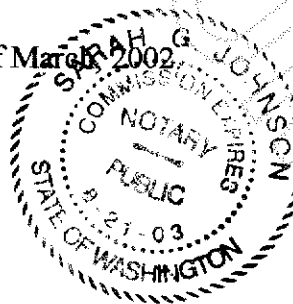
Amount Paid \$   
Skagit Co. Treasurer  
By [Signature] Deputy

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 16<sup>th</sup> day of March 2002

[Signature]  
NOTARY PUBLIC in and for the State of Washington, residing at C.N.  
My appointment expires 9/1/03



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Skagit County Auditor