



200210030139
Skagit County Auditor

10/3/2002 Page 1 of 5 1:49PM

Parcel No.: 340436-0-013-0009/P29876
Legal Desc.: Ptn Gov. Lot 7, 36-34-4

EASEMENT

THE GRANTOR, NRJR 2000 Limited Partnership I, a Washington limited partnership, for and in consideration of Granting of Easement rights and no other consideration, conveys to Vicki J. Wesen and Betty J. Smaby, each as her separate property, **THE GRANTEES**, and to their heirs, successors and assigns in ownership of the property described on Exhibit "B" attached hereto, a non-exclusive easement for ingress, egress and utilities over, under and across the following described tract:

The South 30 feet of the East 125 feet of the property described on Exhibit "A" attached hereto.

Grantor and Grantees hereby enter in to the following agreements for the purpose of mutually maintaining said easement which services the properties described on Exhibits "A" and "B" attached hereto, as follows:

1. The owners of each property, and their heirs, successors and assigns, shall jointly and mutually maintain the easement described above so that it may continue to be used for joint ingress, egress and utilities.
2. The parties agree that each parcel owner shall be responsible for and shall pay on a 50/50 basis the cost for maintenance of the blacktop driveway located within the easement area.
3. The cost to repair any damage done to the blacktop driveway or right-of-way during construction shall be the sole responsibility of the parties causing such damage.
4. This easement and maintenance agreement shall remain a permanent burden upon the respective parcels.

This Easement Agreement is executed the 2 day of ^{October} ~~September~~, 2002.

James E. Ross
 NRJR 2000 Limited Partnership I
 By: Ross Management Corporation
 Its: General Partner
 By: James E. Ross, President

Vicki J. Wesen
 Vicki J. Wesen

Betty J. Smaby
 Betty J. Smaby

Easement
 SKAGIT COUNTY WASHINGTON
 Real Estate Excise Tax
 PAID

OCT 03 2002

Amount Paid \$ 0
 Skagit County Treasurer
 By: *nlm* Deputy

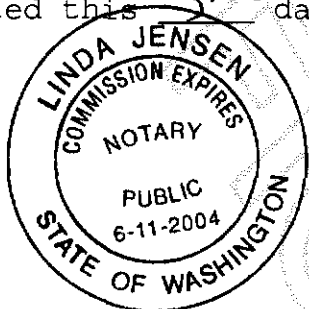
STATE OF WASHINGTON

County of Skagit

SS

I hereby certify that I know or have satisfactory evidence that James E. Ross is the person who personally appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the President of Ross Management Corporation, General Partner of NRJR 2000 Limited Partnership I, to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Dated this 3rd day of October, 2002.



Linda Jensen

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

My appointment expires 6-11-04.

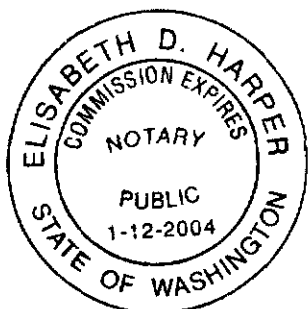
STATE OF WASHINGTON

County of Skagit

SS

I hereby certify that I know or have satisfactory evidence that Vicki J. Wesen is the person who personally appeared before me, and said person acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in this instrument.

Dated this 2nd day of October, 2002.



Elisabeth D. Harper

Notary Public in and for the State of Washington, residing at Mt. Vernon.

My appointment expires 1/12/04.

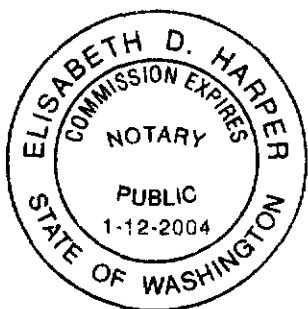
STATE OF WASHINGTON

County of Skagit

SS

I hereby certify that I know or have satisfactory evidence that Betty J. Smaby is the person who personally appeared before me, and said person acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in this instrument.

Dated this 2nd day of October, 2002.



Elisabeth D. Harper

Notary Public in and for the State of Washington, residing at Mt. Vernon.

My appointment expires 1/12/04.



200210030139
Skagit County Auditor

Exhibit "A"

PARCEL "A":

That portion of Government Lot 7 in Section 36, Township 34 North, Range 4 East, W.M., described as follows:

Beginning at a point on the Westerly boundary line of the right of way of the Northern Pacific Railway Co., a distance of 150 feet South of the North line of said Lot 7;
thence West parallel with the North line of said Lot 7 to Big Lake;
thence Southerly following the shore of Big Lake to a point 250 feet South of the North line of said Lot 7;
thence East parallel with said lot line to the said railway right of way;
thence Northerly, following said right of way line to the point of beginning.

TOGETHER WITH a right of way or easement upon, over and across 30 feet of land adjacent to the Westerly right of way line of said railway from the North line of said Tract to the North line of said Lot 7, as a means of ingress and egress to said main tract.

Situate in the County of Skagit, State of Washington.

PARCEL "B":

That portion of the 100 foot wide railroad right-of-way known as the Northern Pacific Railroad, in the Southeast $\frac{1}{4}$ of Section 36, Township 34 North, Range 4 East, W.M., lying between the Easterly extensions of both the North and South lines of that certain tract conveyed to Lloyd G. Smaby, et ux, by deed recorded January 1, 1966, under Auditor's File No. 678025;

EXCEPT that portion thereof, if any, lying within the existing, as-built right-of-way of State Highway 9.

Situate in the County of Skagit, State of Washington.



200210030139
Skagit County Auditor

Exhibit "B"

PARCEL "A":

That portion of Government Lot 7 in Section 36, Township 34 North, Range 4 East, W.M., described as follows:

Beginning at a point on the Westerly boundary line of the Northern Pacific Railway Company right of way, a distance of 250.00 feet South of the North line of the before said Lot 7;
thence West parallel with the North line of said Lot 7 to Big Lake;
thence Southerly along the shore of Big Lake to a point 300.00 feet South of the North line of said Lot 7;
thence East parallel with said lot line to the right of way of said railway;
thence Northerly along said railway right of way line to the point of beginning.

TOGETHER WITH a right of way or easement upon, over and across 30 feet of land adjacent to the Westerly right of way line of said railway from the North line of said tract to the North line of said Lot 7.

Situate in the County of Skagit, State of Washington.

PARCEL "B":

That portion of the 100.00 foot wide railroad right of way known as the Northern Pacific Railroad, in the Southeast $\frac{1}{4}$ of Section 36, Township 34 North, Range 4 East, W.M., lying between the Easterly extensions of both the North and South lines of that certain tract conveyed to Lloyd G. Smaby, et ux, by deed recorded May 5, 1964, under Auditor's File No. 650126,

EXCEPT that portion thereof, if any, lying within the existing as-built right of way of State Highway 9.

Situate in the County of Skagit, State of Washington.

PARCEL "C":

The North 60.00 feet of that certain tract of land in Government Lot 7, Section 36, Township 34 North, Range 4 East, W.M., described as follows:

Beginning at a point on the Westerly boundary line of the Northern Pacific Railway Company right of way, a distance of 300.00 feet South of the North line of said Lot 7;
thence West parallel with the North line of said Lot 7 to the shore line of Big Lake;



200210030139

Skagit County Auditor

Exhibit "B" continued
Parcel "C" continued

thence Southerly along said shore line of Big Lake to a point 450.00 feet South of the North line of said Lot 7;
thence East to the right of way line of said railway company;
thence Northerly following said right of way to the point of beginning.

TOGETHER WITH a right of way or easement upon, over and across 30.00 feet of land lying South of and adjacent to said Northern Pacific Railway right of way and extending to the North line of said Lot 7.


Situate in the County of Skagit, State of Washington.

PARCEL "D":

That portion of the 100 foot wide railroad right of way, commonly known as the Northern Pacific Railroad, in the Southeast $\frac{1}{4}$ of Section 36, Township 34 North, Range 4 East, W.M., lying between the Easterly extensions of both the North and South lines of that certain tract conveyed to Donald P. Wesen, et ux, by Deed recorded December 15, 1976, under Auditor's File No. 847546,

EXCEPT that portion thereof, if any, lying within the existing as-built right of way of State Highway 9.

Situate in the County of Skagit, State of Washington.


200210030139
Skagit County Auditor
10/3/2002 Page 5 of 5 1:49PM