

AFTER RECORDING, MAIL TO:
WILLIAM H. TURNER
13725 GOODMAN LANE
ANACORTES, WA 98221



200401230038

Skagit County Auditor

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EASEMENT

FIRST AMERICAN TITLE CO.

A80056E1

For and in consideration of the creation of an easement, the benefits derived and to be derived by Grantors herein, and other good and valuable consideration, receipt whereof is hereby acknowledged, GRANTORS, William H. and Sally C. Turner, husband and wife, and Robert W. and Suzanne C. Townes, husband and wife, the owners of properties described in Exhibit A, attached hereto and by this reference incorporated herein, convey and warrant to GRANTEE, Brian and Dianna Stuart, the owners of the property described in Exhibit B, attached hereto and by this reference incorporated herein, their successors and assigns a perpetual, nonexclusive easement over, through and across the properties described in Exhibit A, to preserve and protect the view from the property described in Exhibit B. P119482

THIS EASEMENT IS SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

1. No construction, neither new, nor remodel, nor replacement, shall be permitted on the property described in Exhibit A which shall result in any portion of the new, remodel, or replacement structure exceeding 14 feet above the natural grade at the northwest corner survey rebar of the property described in Exhibit A. Lts 6-8 BL15 1st ship Harbor
2. No tree or vegetation existing or planted on the property described in Exhibit A, shall have a height that exceeds 10 feet from its base.
3. This easement is granted by the owners of property described in Exhibit A, for the benefit of the property described in Exhibit B in order to protect and preserve the views from the property described in Exhibit B, over and across the properties described in Exhibit A. In the event that any of the terms or conditions of this easement are violated, the owner of the property described in Exhibit B shall have the right to enforce the terms and conditions of this easement by prosecuting any proceeding at law or in equity in the courts of the State of Washington against the owner of the property described in Exhibit A, either seeking to restrain such violation or to recover damages for such violation, or both. In addition to any award of damages for such violation, the owner of the property described in Exhibit A who violates any of the terms or conditions of this easement shall be required to pay to the owner of the property described in Exhibit B, if he

prevails, all costs, expenses, and attorney's fees required to enforce the terms and conditions of this easement.

IN WITNESS WHEREOF this easement is executed as of this 17 day of January, 2004.

William H. Turner 1/17/04 Sally C. Turner 1/17/04
William H. Turner Date Sally C. Turner Date

Robert W. Townes 1-17-04 Suzanne C. Townes 1-17-04
Robert W. Townes Date Suzanne C. Townes Date

SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax
PAID

JAN 23 2004

Amount Paid \$
Skagit County Treasurer
By: Deputy



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Exhibit A

Property Address: 5608 Sunset Ave., Anacortes, WA 98221

Skagit County Assessors Parcel Number: P58996

Legal Description

FIRST PLAT OF SHIP HARBOR, LOTS 6, 7, AND 8, BLOCK 15

Exhibit B

Property Address: 2812 Morrison Ct., Anacortes, WA 98221

Skagit County Assessors Parcel Number: P119482

Legal Description

FIRST PLAT SHIP HARBOR TO ANACORTES, ACRES 0.2, PARCEL C OF SURVEY RECORDED UNDER AF#200210280077 AND AF#200208050162 BEING A PORTION OF BLOCK 15 AKA ALL OF LOTS 4 & 5 AND THOSE PORTIONS OF LOT 3 AND THE WEST EIGHT FEET OF THE VACATED 2ND STREET (MORRISON COURT) MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 5, POINT OF BEGINNING; THENCE NORTH 02 DEGREES 08' 53" EAST ALONG THE WEST LINE OF SAID LOTS 3, 4 & 5, 70 FEET; THENCE SOUTH 88 DEGREES 38' 23" EAST 128.33 FEET; THENCE SOUTH 02 DEGREES 08' 12" WEST 39.07 FEET; THENCE NORTH 88 DEGREES 38' 54" WEST 8 FEET TO THE NORTHEAST CORNER OF SAID LOT 5; THENCE SOUTH 02 DEGREES 08' 12" WEST ALONG THE EAST LINE OF SAID LOT 5 30.93 FEET TO ITS SOUTHEAST CORNER; THENCE NORTH 88 DEGREES 38' 23" WEST ALONG THE SOUTH LINE OF SAID LOT 5 120.35 FEET TO THE POINT OF BEGINNING.



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STATE OF WASHINGTON

COUNTY OF Skagit

I know or have satisfactory evidence that WILLIAN TURNER and
acknowledged that they signed this instrument and acknowledged it to be their free
and voluntary act for the uses and purposes therein in the instrument.

Dated: January 17, 2004



Notary Public and for the State of Washington

Residing at: Anacortes, WA

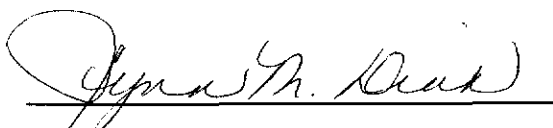
My appointment expires: 9-9-05

STATE OF WASHINGTON

COUNTY OF Skagit

I know or have satisfactory evidence that ROBERT W. TOWNES and
SUZANNE G. TOWNES the person(s) who appeared before me, and said person(s)
acknowledged that they signed this instrument and acknowledged it to be their free
and voluntary act for the uses and purposes therein in the instrument.

Dated: January 17, 2004



Notary Public and for the State of Washington

Residing at: Anacortes, WA

My appointment expires: 9-9-05



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