

FILED AT REQUEST OF:

William R. Allen  
PO Box 437  
Sedro-Woolley, WA 98284



200403290216

Skagit County Auditor

3/29/2004 Page

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9 2:27PM

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Grantor.	Matterand, John C. , Matterand, John C. Jr. and Sylvia L.
Grantee.	Matterand, John C. , Matterand, John C. Jr. and Sylvia L.
Abbrev. Leg.	Ptn of the SW ¼ of the NW ¼ of Sec. 12, T34N, R4E, WM
Tax Parcel #:	4027-000-018-0001/P69919; 4027-000-017-0002/P69918; 4027-000-015-0004/P69916; 30412-2-007-0001/P24609

## DECLARATION OF EASEMENTS WITH MAINTENANCE PROVISIONS

This declaration of easements for well, water line and electrical power is made this 1<sup>st</sup> day of March, by JOHN C. MATTERAND, as his separate estate, and JOHN C. MATTERAND, JR., and SYLVIA L. MATTERAND, husband and wife, hereafter referred to as "Declarants" or "Grantors."

### RECITALS

JOHN C. MATTERAND, as his separate estate, is the owner of the real property described on EXHIBIT I, attached hereto and incorporated herein by this reference.

JOHN C. MATTERAND, JR., and SYLVIA L. MATTERAND, husband and wife, are owners of the real property described on EXHIBIT II, attached hereto, and incorporated herein by this reference.

There are two existing wells on a portion of the John C. Matterand property (Tax Parcel 24609), together with a pump house, which provide domestic water supply to residences located on both the John C. Matterand property (EXHIBIT I) and the John C. Matterand, Jr., and Sylvia Matterand property (EXHIBIT II). The approximate location of the wells and pump house are shown on the sketch attached hereto as EXHIBIT III. Water lines run from the wells to the pump house and from there, together with electrical power, to the residence on the John C. Matterand property (Parcel 24614 on the sketch) and the John C. Matterand, Jr., and Sylvia Matterand property (Parcel 24586 on the sketch). Lines also connect wells and residences to a tank located on a portion of the John C. Matterand property (Parcel 24613 on the sketch).

The parties to this instrument intend to create an easement for the existing well sites, pump house, water lines and power lines, in their present locations, which are approximately as shown on the sketch attached as EXHIBIT III.

#### GRANT OF EASEMENTS

THEREFORE, THE GRANTORS, JOHN C. MATTERAND, as his separate estate, and JOHN C. MATTERAND, JR., and SYLVIA L. MATTERAND, husband and wife, for the purpose of creating an easement for well site, water lines and associated electrical power line, and for no monetary consideration, hereby declare, grant and convey to themselves and the present and future owners of real property described on EXHIBITS I and II, attached hereto, an easement for well and water line for the benefit of the real property described on EXHIBITS I and II. The present and future owners of said parcels shall have the right, within the described easement area, to install, maintain, repair and replace a well, pump, water lines and any other equipment and facilities reasonably necessary to convey water from the wells to the tank and residences depicted on the attached sketch. The easement area shall be a circle 10 feet in circumference, the center of which is the center of each existing well, together with the area occupied by the existing tank and pump house surrounded by a strip of land 5 feet in width, and together with a strip of land 10 feet in width, being 5 feet each side of the existing pipelines, together with rights of access across the property on which the lines are located, for the purpose of access to the easement area when reasonably necessary for inspection, maintenance, repair or replacement of the water line, pump or other associated equipment and facilities.

The water line and utility easements shall be 5 feet each side of the center line of the existing lines which locations are approximately as follows:

John C. Matterand, Jr. and Sylvia Matterand residence.

Beginning at the pump house,  
thence generally northerly to a point on State Route 9 where utility cables pass under the highway in a 4" PVC conduit,  
thence westerly under the highway in a straight line to a point 3 feet east of the east edge of an existing access road,  
thence along the southerly line of said access road and approximately 3 feet from the edge of said road approximately 1,200 feet to the existing PSE transformer vault,  
thence northerly under the access road and to the existing John C. Matterand, Jr., residence on tax parcel P24586.



John C. Matterand residence.

Beginning at the pump house,  
thence generally northerly to a point on State Route 9 where utility cables pass under the highway in a 4" PVC conduit,  
thence westerly under the highway in a straight line to a point 3 feet east of the east edge of an existing access road,  
thence along the southerly line of said access road and approximately 3 feet from the edge of said road approximately 1,200 feet to the existing PSE transformer vault,  
thence continue along the southerly and westerly edge of the access road approximately 4 feet,  
thence westerly and southwesterly to the Southeast corner of tax parcel P69916, as shown on the sketch,  
thence continue southwesterly to a reservoir on tax parcel P24613, as shown on the sketch, which lies west of the unopened road right of way and skidder road shown on the sketch,  
thence, easterly to the skidder road,  
thence southerly along said road to the John C. Matterand residence on tax parcel P24614, as shown on the sketch.

Second John C. Matterand line

Beginning at the pump house, thence southerly along the east line of State Route 9 to a point where the east line of tax parcel P24611 intersects the State Highway right of way, Thence northerly across the highway right of way and continue north to the John C. Matterand residence on tax parcel P24614, as shown on the sketch.

**MAINTENANCE AGREEMENT**

Repair and maintenance of the well site and any pipelines, including pumps and other facilities and equipment necessary for providing water, shall be the responsibility of the owners of the property served by the well(s), water line(s), power line(s), pump(s) and related equipment. In the event of repair or replacement of any water line, following such repair or replacement, the surface of the land shall be repaired and returned to the condition it was in prior to the water line repair or replacement.

**COVENANTS TO RUN WITH THE LAND**

The easements and covenants contained herein shall run with lands described herein and shall extend to and be binding on the heirs, successors, and assigns of the owners of said lands.



IN WITNESS WHEREOF, the undersigned owners have executed this document  
the day and date first above written.

*John C. Matterand*

JOHN C. MATTERAND

*John C. Matterand, Jr.*

JOHN C. MATTERAND, Jr.

*Sylvia L. Matterand*

SYLVIA L. MATTERAND

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

MAR 29 2004

Amount Paid \$  
Skagit Co. Treasurer  
By *MR* Deputy

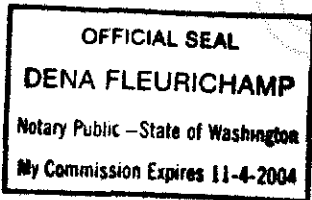


200403290216  
Skagit County Auditor

STATE OF WASHINGTON )  
: SS  
COUNTY OF SKAGIT )

I certify that I know or have satisfactory evidence that JOHN C. MATTERAND 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 this instrument.

Dated: March 1, 2004



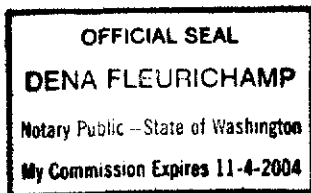
Dena Fleurichamp  
NOTARY PUBLIC

Print name: Dena Fleurichamp  
Residing at: Sedro Woolley  
My appointment expires: " 14/2004

STATE OF WASHINGTON )  
: SS  
COUNTY OF SKAGIT )

I certify that I know or have satisfactory evidence that JOHN C. MATTERAND, 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 this instrument.

Dated: March 19, 2004



Dena Fleurichamp  
NOTARY PUBLIC

Print name: Dena Fleurichamp  
Residing at: Sedro Woolley  
My appointment expires: " 14/2004



UNOFFICIAL DOCUMENT

DATE: 11/11/2011  
TIME: 10:10:10  
PAGE: 11  
FILE: 11/11/2011 10:10:10

DATE: 11/11/2011  
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**EXHIBIT I**

That portion of the Southeast Quarter of the Northwest Quarter of Section 12, Township 34 North, Range 4 East, W.M., lying between the County Road and the Northern Pacific Railway.

Situate in Skagit County, Washington.

Lot 17, PLAT OF SUNSET ADDITION TO CLEAR LAKE, according to the plat thereof recorded in Volume 4 of Plats, page 38, records of Skagit County, Washington.

Situate in Skagit County, Washington.

Lot 18, PLAT OF SUNSET ADDITION TO CLEAR LAKE, according to the plat thereof recorded in Volume 4 of Plats, page 38, records of Skagit County, Washington.

Situate in Skagit County, Washington.

That portion of Lots 14 and 15, PLAT OF SUNSET ADDITION TO CLEAR LAKE, according to the plat thereof recorded in Volume 4 of Plats, page 38, records of Skagit County, Washington, lying West of the following described line;

Beginning at a point on the South line of said Lot 15 a distance of 484.60 feet East of the Southwest corner of said Lot 15; thence Northerly to a point on the North line of said Lot 14 a distance of 457.88 feet East of the Northwest corner of said Lot 14, and the termination of this line.

That portion of Lots 14 and 15, PLAT OF SUNSET ADDITION TO CLEAR LAKE, according to the plat thereof recorded in Volume 4 of Plats, page 38, records of Skagit County, Washington, lying East of the following described line;

Beginning at a point on the South line of said Lot 15 a distance of 484.60 feet East of the Southwest corner of said Lot 15; thence Northerly to a point on the North line of said Lot 14 a distance of 457.88 feet East of the Northwest corner of said Lot 14, and the termination of this line.

ALL situated in Skagit County, Washington.





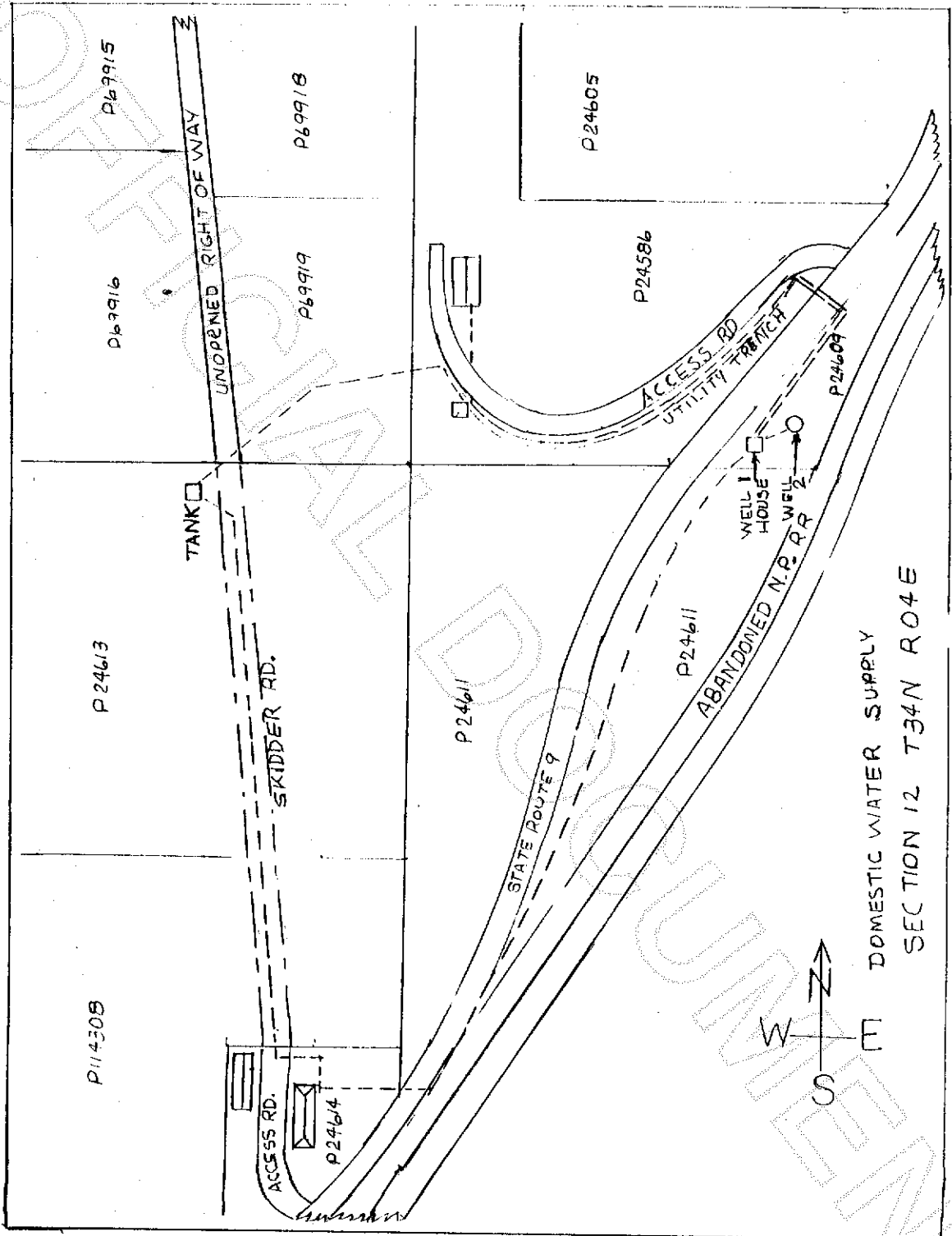
**EXHIBIT II**

That portion of the Southeast Quarter of the Northwest Quarter of Section 12, Township 34 North, Range 4 East of the Willamette Meridian, described as follows:

Beginning at a point on the West line of said subdivision which is 526.4 feet South of the Northwest corner thereof;  
thence East 190 feet;  
thence South 355 feet;  
thence East 627 feet, more or less, to the paved highway as conveyed by deed recorded June 9, 1913, under Auditor's File No. 96998, records of Skagit County, Washington;  
thence Southwesterly along the paved highway to the South line of said subdivision;  
thence West to the Southwest corner of said subdivision;  
thence North along the West line of said subdivision 802 feet, more or less, to the point of beginning.



EXHIBIT III



DOMESTIC WATER SUPPLY  
SECTION 12 T34N R04E

