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Skagit County Auditor

5/7/2004 Page 1 of 10 9:54AM

DOCUMENT TITLE: **RECIPROCAL GRANT OF EASEMENTS**

REFERENCE NUMBER OF RELATED DOCUMENT: N/A

GRANTOR(S): VICTORIA S. DOBBINS, C. LOUISE FISHER, RICHARD N. GOODMAN, ROLLIN D. GOODMAN, RONALD JOHNSON, KATHRYN A. RICHTER, IN HER CAPACITY AS PERSONAL REPRESENTATIVE OF THE ESTATE OF JUNE KENWORTHY, and ROBERT E. AND ELIZABETH A. MACK

GRANTEE(S): VICTORIA S. DOBBINS, C. LOUISE FISHER, RICHARD N. GOODMAN, ROLLIN D. GOODMAN, RONALD JOHNSON, KATHRYN A. RICHTER, IN HER CAPACITY AS PERSONAL REPRESENTATIVE OF THE ESTATE OF JUNE KENWORTHY, and ROBERT E. AND ELIZABETH A. MACK

ABBREVIATED LEGAL DESCRIPTION: **PTN OF GOVERNMENT LOT 1, SECTION 11, TOWNSHIP 34 NORTH, RANGE 2 EAST**

ADDITIONAL LEGAL DESCRIPTIONS ON PAGE(S) 2 - 6 OF DOCUMENT.

ASSESSOR'S TAX PARCEL NUMBER(S): P95972, P95970, P6263, P95964, P95975, P95971, P6209, P95973

RECIPROCAL GRANT OF EASEMENTS

This Grant of Easements is made this 28th day of April, 2004, by and among Victoria S. Dobbins, C. Louise Fisher, Richard N. Goodman, Rollin D. Goodman, Ronald Johnson, Kathryn A. Richter, in her capacity as Personal Representative of the Estate of June Kenworthy, and Robert E. and Elizabeth A. Mack, (hereinafter "Grantors") who are each owners of contiguous tracts of land located along the shore of the Swinomish Slough in portion of Government Lot 1, Section 11 in the Northwest 1/4 of the Northwest 1/4, Section 12, Township 34 North, Range 3 East of W. M., lying between the line of mean high tide as established in a survey recorded under Skagit County Auditor's File No. 1705140093, Skagit County Washington.

Grantors were granted title to their respective tracts by Decree Quieting Title in Skagit County Superior Court Cause No. 97-2-00692-1. The tracts have sometimes collectively been referred to by the Grantors as the Swinomish community, and have been used and occupied by Grantors and their predecessors for many years. The Grantors seek to provide easement rights in favor of each other to acknowledge and continue historical use of the properties by each other as to

utilities, ingress and egress, parking, and beach access.

1. Properties and Owners. The tract of land owned by each Grantor is shown on the map attached hereto as Exhibit "1," and is described as follows:

PARCEL 2 (Victoria S. Dobbins)

All that part of Government Lot 1 in Section 11, Township 34 North, Range 2 East, Willamette Meridian, being described as follows:

Commencing at the Northeast corner of said Section 11;
Thence S 89°32'24" W, along the North line of said Section 11, a distance of 1061.85 feet to a Meander corner as shown on the Record of Survey prepared by John Vadai and recorded in Book 1 of Surveys, Page 87, records of Skagit County, Washington;
Thence S 20°35'51" E, along the meander line, a distance of 105.79 feet;
Thence N 72°08'16" E, a distance of 13.08 feet;
Thence S 15°16'59" E, a distance of 22.55 feet;
Thence S 25°15'52" E, a distance of 157.93 feet to the Point of Beginning;
Thence S 22°33'13" E, a distance of 131.44 feet;
Thence N 89°03'39" W, a distance of 52.72 feet;
Thence N 04°07'25" W, a distance of 50.20 feet;
Thence N 46°27'45" W, to the line of mean high tide;
Thence N 89°14'31" E, to the Point of Beginning.

PARCEL 3 (Robert E. and Elizabeth A. Mack)

All that part of Government Lot 1 in Section 11, Township 34 North, Range 2 East, Willamette Meridian, being described as follows:

Commencing at the Northeast corner of said Section 11;
Thence S 89°32'24" W, along the North line of said Section 11, a distance of 1061.85 feet to a Meander corner as shown on the Record of Survey prepared by John Vadai and recorded in Book 1 of Surveys, Page 87, records of Skagit County, Washington;
Thence S 20°35'51" E, along the meander line, a distance of 105.79 feet;
Thence N 72°08'16" E, a distance of 13.08 feet;
Thence S 15°16'59" E, a distance of 22.55 feet;
Thence S 25°15'52" E, a distance of 157.93 feet;
Thence S 22°33'13" E, a distance of 131.44 feet;
Thence N 89°03'39" W, a distance of 52.72 feet;
Thence N 04°07'25" W, a distance of 50.20 feet to the Point of Beginning;
Thence S 04°07'25" E, a distance of 50.20 feet;
Thence N 89°03'39" W, a distance of 22.99 feet;
Thence N 04°04'20" W, a distance of 48.09 feet;
Thence S 62°40'26" E, to the line of mean high tide;
Thence Northeasterly, along said mean high tide line, to a point that is N 46°27'45" W of the



Point of Beginning;
Thence S 46°27'45" E, to the Point of Beginning.

PARCEL 4 (Kathryn A. Richter, in her capacity as Personal Representative of the Estate of June Kenworthy)

All that part of Government Lot 1 in Section 11, Township 34 North, Range 2 East, Willamette Meridian, being described as follows:

Commencing at the Northeast corner of said Section 11;
Thence S 89°32'24" W, along the North line of said Section 11, a distance of 1061.85 feet to a Meander corner as shown on the Record of Survey prepared by John Vadai and recorded in Book 1 of Surveys, Page 87, records of Skagit County, Washington;
Thence S 20°35'51" E, along the meander line, a distance of 105.79 feet;
Thence N 72°08'16" E, a distance of 13.08 feet;
Thence S 15°16'59" E, a distance of 22.55 feet;
Thence S 25°15'52" E, a distance of 157.93 feet;
Thence S 22°33'13" E, a distance of 131.44 feet;
Thence N 89°03'39" W, a distance of 75.71 feet to the Point of Beginning;
Thence N 04°04'20" W, a distance of 48.09 feet;
Thence N 62°40'26" W, to the line of mean high tide;
Thence Southwesterly, along said mean high tide line, to a point that is N 89°03'39" W of the Point of Beginning;
Thence S 89°03'39" E, to the Point of Beginning.

PARCEL 5 (Richard N. Goodman and Rollin D. Goodman)

All that part of Government Lot 1 in Section 11, Township 34 North, Range 2 East, Willamette Meridian, being described as follows:

Commencing at the Northeast corner of said Section 11;
Thence S 89°32'24" W, along the North line of said Section 11, a distance of 1061.85 feet to a Meander corner as shown on the Record of Survey prepared by John Vadai and recorded in Book 1 of Surveys, Page 87, records of Skagit County, Washington;
Thence S 20°35'51" E, along the meander line, a distance of 105.79 feet;
Thence N 72°08'16" E, a distance of 13.08 feet;
Thence S 15°16'59" E, a distance of 22.55 feet;
Thence S 25°15'52" E, a distance of 157.93 feet;
Thence S 22°33'13" E, a distance of 131.44 feet;
Thence N 89°03'39" W, a distance of 75.71 feet to the Point of Beginning;
Thence S 20°36'10" E, a distance of 67.97 feet;
Thence N 79°11'32" W, to the line of mean high tide;
Thence Northeasterly, along said mean high tide line, to a point that is N 89°03'39" W of the Point of Beginning;
Thence S 89°03'39" E, to the Point of Beginning.



PARCEL 6 (Robert E. and Elizabeth A. Mack)

All that part of Government Lot 1 in Section 11, Township 34 North, Range 2 East, Willamette Meridian, being described as follows:

Commencing at the Northeast corner of said Section 11;
Thence S 89°32'24" W, along the North line of said Section 11, a distance of 1061.85 feet to a Meander corner as shown on the Record of Survey prepared by John Vadai and recorded in Book 1 of Surveys, Page 87, records of Skagit County, Washington;
Thence S 20°35'51" E, along the meander line, a distance of 105.79 feet;
Thence N 72°08'16" E, a distance of 13.08 feet;
Thence S 15°16'59" E, a distance of 22.55 feet;
Thence S 25°15'52" E, a distance of 157.93 feet;
Thence S 22°33'13" E, a distance of 131.44 feet to the Point of Beginning;
Thence N 89°03'39" W, a distance of 75.71 feet;
Thence S 20°36'10" E, a distance of 40.63 feet;
Thence N 88°57'43" E, a distance of 67.75 feet;
Thence N 09°42'37" W, a distance of 36.08 feet to the Point of Beginning.

PARCEL 7 (C. Louise Fisher)

All that part of Government Lot 1 in Section 11, Township 34 North, Range 2 East, Willamette Meridian, being described as follows:

Commencing at the Northeast corner of said Section 11;
Thence S 89°32'24" W, along the North line of said Section 11, a distance of 1061.85 feet to a Meander corner as shown on the Record of Survey prepared by John Vadai and recorded in Book 1 of Surveys, Page 87, records of Skagit County, Washington;
Thence S 20°35'51" E, along the meander line, a distance of 105.79 feet;
Thence N 72°08'16" E, a distance of 13.08 feet;
Thence S 15°16'59" E, a distance of 22.55 feet;
Thence S 25°15'52" E, a distance of 157.93 feet;
Thence S 22°33'13" E, a distance of 131.44 feet;
Thence S 09°42'37" E, a distance of 36.08 feet to the Point of Beginning;
Thence S 88°57'43" W, a distance of 67.75 feet;
Thence S 20°36'10" E, a distance of 120.60 feet;
Thence S 81°33'09" E, a distance of 46.24 feet;
Thence N 09°42'37" W, a distance of 122.67 feet to the Point of Beginning.

PARCEL 8 (Ronald Johnson - acquired from Ernest M. Snyder by Quit Claim Deed dated February 5, 2004, and recorded under Skagit County Auditor's File No. 200402050083)

All that part of Government Lot 1 in Section 11, Township 34 North, Range 2 East, Willamette Meridian, being described as follows:



Commencing at the Northeast corner of said Section 11;
 Thence S 89°32'24" W, along the North line of said Section 11, a distance of 1061.85 feet to a Meander corner as shown on the Record of Survey prepared by John Vadai and recorded in Book 1 of Surveys, Page 87, records of Skagit County, Washington;
 Thence S 20°35'51" E, along the meander line, a distance of 105.79 feet;
 Thence N 72°08'16" E, a distance of 13.08 feet;
 Thence S 15°16'59" E, a distance of 22.55 feet;
 Thence S 25°15'52" E, a distance of 157.93 feet;
 Thence S 22°33'13" E, a distance of 131.44 feet;
 Thence N 89°03'39" W, a distance of 75.71 feet;
 Thence S 20°36' 10" E, a distance of 67.97 feet to the Point of Beginning;
 Thence S 20°36' 10" E, a distance of 43.03 feet;
 Thence N 81°04'06" W, to the line of mean high tide;
 Thence Northeasterly, along said mean high tide line, to a point that is N 79°11'32" W of the Point of Beginning;
 Thence S 79°11'32" E, to the Point of Beginning.

PARCEL 9 (Ronald Johnson)

All that part of Government Lot 1 in Section 11, Township 34 North, Range 2 East, Willamette Meridian, being described as follows:

Commencing at the Northeast corner of said Section 11;
 Thence S 89°32'24" W, along the North line of said Section 11, a distance of 1061.85 feet to a Meander corner as shown on the Record of Survey prepared by John Vadai and recorded in Book 1 of Surveys, Page 87, records of Skagit County, Washington;
 Thence S 20°35'51" E, along the meander line, a distance of 105.79 feet;
 Thence N 72°08'16" E, a distance of 13.08 feet;
 Thence S 15°16'59" E, a distance of 22.55 feet;
 Thence S 25°15'52" E, a distance of 157.93 feet;
 Thence S 22°33'13" E, a distance of 131.44 feet;
 Thence N 89°03'39" W, a distance of 75.71 feet;
 Thence S 20°36'10" E, a distance of 111.00 feet to the Point of Beginning;
 Thence S 20°36'10" E, a distance of 50.23 feet;
 Thence N 81°33'09" W, a distance of 129.20 feet;
 Thence N 66°02'01" W, to the line of mean high tide;
 Thence Northeasterly, along said mean high tide line, to a point that is N 81°04'06" W of the Point of Beginning;
 Thence S 81°04'06" E, to the Point of Beginning.

2. Reciprocal Grants of Easement. The undersigned owner of each tract of land hereby grants and conveys to and for the benefit of each other owner of each of said tracts, easements over and across his or her tract for the following purposes: 1) the right to maintain, repair, and replace as necessary any existing water lines, sewer lines, septic tanks, and aerial lines for power, telephone and cable; 2) for ingress and egress over and across the said tracts, and for parking upon the said



tracts as has been historically established; and 3) for beach access over and across the corridors designated for such purpose on the drawing which is attached hereto as Exhibit "1" for traditional recreational purposes.

It is further agreed by each party that the maintenance and repair of such utilities shall be carried out with a minimum of disruption, without significant expansion of any existing use, and in a manner which is calculated to preserve the character of the properties and the quality of enjoyment of the same by the other parties.

3. Binding Effect. The easements granted herein shall be perpetual, shall be deemed to touch and concern the subject land, and shall be binding upon and inure to the benefit of the heirs successors and assigns of the parties.

4. Dispute Resolution. If at any time a dispute, difference, or disagreement shall arise upon or in respect of this Easement, the meaning and construction hereof, or performance hereof by any party, every such dispute, difference, and disagreement shall be referred to a single arbiter agreed upon by the parties, or if no single arbiter can be agreed upon, an arbiter or arbiters shall be selected in accordance with the rules of the American Arbitration Association and such dispute, difference, or disagreement shall be settled by arbitration in accordance with the then prevailing commercial rules of the American Arbitration Association, and judgment upon the award rendered by the arbiter may be entered in any court having jurisdiction thereof. The arbitrator shall be vested with full legal and equitable powers to enter any rulings necessary to determine the dispute.

IN WITNESS WHEREOF the parties above named hereunto set their hands and seals on the day and year first above written.

Victoria S. Dobbins
Victoria S. Dobbins

Ronald B. Johnson
Ronald Johnson

C. Louise Fisher
C. Louise Fisher

Kathryn A. Richter
Kathryn A. Richter, as Personal Rep.
of the Estate of June Kenworthy

Richard N. Goodman
Richard N. Goodman

Rollin D. Goodman
Rollin D. Goodman

Easement
SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax

MAY 07 2004

Amount Paid \$
Skagit County Treasurer
By: mem Deputy



200405070037
Skagit County Auditor

Robert E. Mack

Robert E. Mack

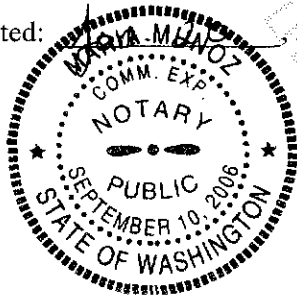
Elizabeth A. Mack

Elizabeth A. Mack

STATE OF WASHINGTON)
) ss.
COUNTY OF Isap)

I certify that I know or have satisfactory evidence that VICTORIA S. DOBBINS is the person who 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 the instrument.

Dated: March 10, 2003.



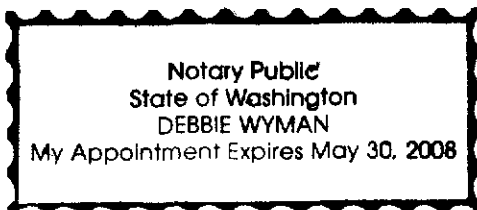
Maria M

NOTARY PUBLIC in and for the
State of Washington. My
Commission expires 09-10-06.
Residing at Beth A.

STATE OF WASHINGTON)
) ss.
COUNTY OF King)

I certify that I know or have satisfactory evidence that C. LOUISE FISHER is the person who 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 the instrument.

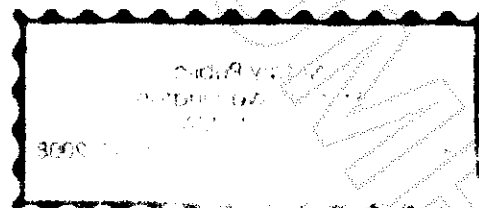
Dated: April 20, 200th9.



Debbie Wyman
NOTARY PUBLIC in and for the
State of Washington. My
Commission expires May 30, 2008.
Residing at Federal Way.



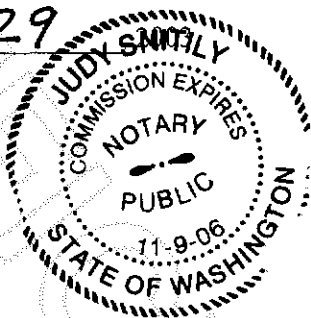
UNOFFICIAL DOCUMENT



STATE OF WASHINGTON)
COUNTY OF Chelan) ss.

I certify that I know or have satisfactory evidence that RICHARD N. GOODMAN 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: 4/29

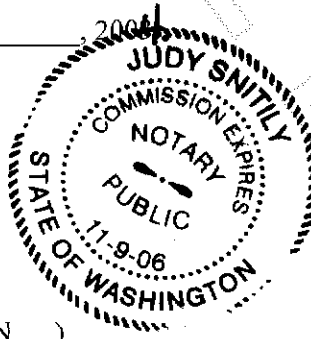


Judy Snitily
NOTARY PUBLIC in and for the
State of Washington. My
Commission expires 11-9-06
Residing at Wenatchee

STATE OF WASHINGTON)
COUNTY OF Chelan) ss.

I certify that I know or have satisfactory evidence that ROLLIN D. GOODMAN 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: 4/28

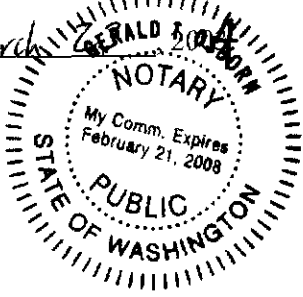


Judy Snitily
NOTARY PUBLIC in and for the
State of Washington. My
Commission expires 11-9-06
Residing at Wenatchee

STATE OF WASHINGTON)
COUNTY OF Skagit) ss.

I certify that I know or have satisfactory evidence that RONALD JOHNSON 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: March



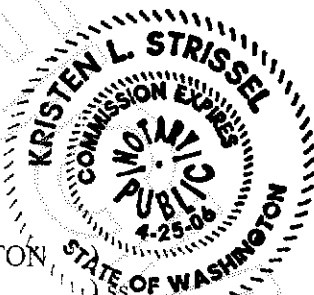
Gerald Johnson
NOTARY PUBLIC in and for the
State of Washington. My
Commission expires 2/21/08
Residing at Arden, WA



STATE OF WASHINGTON)
COUNTY OF KING) ss.

I certify that I know or have satisfactory evidence that KATHRYN A. RICHTER is the person who appeared before me and said person acknowledged that she signed this instrument in her capacity of Personal Representative of the Estate of June Kenworthy, and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 1/12, 2003.

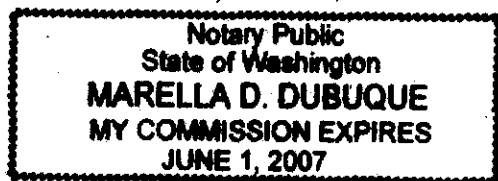


Kristen Strissel
NOTARY PUBLIC in and for the
State of Washington. My
Commission expires 4-25-06.
Residing at Sammanish.

STATE OF WASHINGTON)
COUNTY OF Skagit) ss.

I certify that I know or have satisfactory evidence that ROBERT E. MACK 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: Feb. 4, 2003.

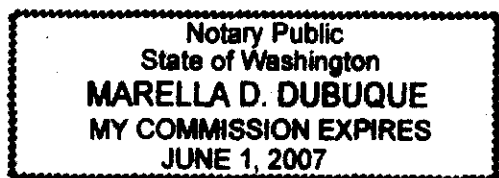


Marella D. Dubuque
NOTARY PUBLIC in and for the
State of Washington. My
Commission expires 6-1-07.
Residing at La Conner.

STATE OF WASHINGTON)
COUNTY OF Skagit) ss.

I certify that I know or have satisfactory evidence that ELIZABETH A. MACK is the person who 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 the instrument.

Dated: Feb. 4, 2003.



Marella D. Dubuque
NOTARY PUBLIC in and for the
State of Washington. My
Commission expires 6-1-07.
Residing at La Conner.



NOTARY PUBLIC
STATE OF WASHINGTON
MARELLA D. DUBOUE
MY COMMISSION EXPIRES
JUNE 1, 2007

NOTARY PUBLIC
STATE OF WASHINGTON
MARELLA D. DUBOUE
MY COMMISSION EXPIRES
JUNE 1, 2007

