



200509210092
Skagit County Auditor

9/21/2005 Page 1 of 6 3:38PM

Upon recording, please return to:

Kathleen Brown
5314 Quiet Cove Road
Anacortes, Washington 98221

DOCUMENT TITLE:	SECOND AMENDMENT TO EASEMENT
GRANTOR/GRANTEE:	MATTHEW E. BROWN and KATHLEEN A. BROWN, husband and wife; REBECCA ANNE HALL, individually; and JEFFREY P. HEILMAN, individually
ABBREVIATED LEGAL DESCRIPTION:	LOT 11 AND LOT 12, DECEPTION SHORES PLANNED UNIT DEVELOPMENT, AS RECORDED UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 200109100117, IN A PORTION OF GOVT LOT 4, SEC. 24, TWP. 34 N, R 1 E, W.M., SKAGIT COUNTY, WASHINGTON (ADDITIONAL LEGAL DESCRIPTION ON PAGE 1 AND EXHIBIT "A" OF DOCUMENT)
ASSESSOR'S TAX PARCEL NUMBER:	LOT 11 - P118304 / 4780-000-011-0000 LOT 12 - P118305 / 4780-000-012-0000

Reference No: 200402240093
200509030025

SECOND AMENDMENT TO ACCESS AND UTILITY EASEMENT

THIS AMENDMENT TO ACCESS AND UTILITY EASEMENT is made and entered into this 7th day of September, 2005, by **KATHLEEN BROWN and MATTHEW E. BROWN**, wife and husband; **REBECCA ANNE HALL**, a married person as to her separate estate; and **JEFFREY P. HEILMAN**, a married person as to his separate estate (hereinafter collectively referred to as the "Developer").

Whereas, the Developer is the owner of the real property described as follows:

Lots 11 and 12, Deception Shores Planned Unit Development, as recorded under Skagit County Auditor's File No. 200109100117, in a portion of Government Lot 4, Section 24, Township 34 North, Range 1 East of Willamette Meridian. Situate in Skagit County, Washington;

Whereas, the Developer granted, reserved and created a perpetual easement for driveway access, ingress, egress and utilities over, across and under Lot 11 for the benefit of Lot 12, under that certain Access and Utility Easement filed August 30, 2004 under Skagit County Auditor's File Number 200408300334; and,

Whereas, the Developer filed an Amendment to Access and Utility Easement on August 3, 2005 under Skagit County Auditor's File Number 200508030025 expanding the perpetual easement to improve driveway access, ingress, egress and utilities over, across and under Lot 11 for the benefit of Lot 12; and,

Whereas, the Developer has determined that less area is required for the easement than was established by the Easement and the Amendment thereto and the Developer has established the exact location of the easement for driveway access, ingress, egress and utilities over, across and under Lot 11 for the benefit of Lot 12;

NOW, THEREFORE, the Developer amends the original Access and Utility Easement filed August 30, 2004 under Skagit County Auditor's File Number 200408300334 and amends the amendment thereto, entitled Amendment to Access and Utility Easement filed August 3, 2005 under Skagit County Auditor's File Number 200508030025, by amending the legal description of said Access and Utility Easement and the amendment thereto, as described in Exhibit A-1 and as depicted in Exhibit A-2 both of which are attached hereto and incorporated by reference as if fully set forth herein.



All other easements set forth in Skagit County Auditor's File Number 20040830034 recorded August 30, 2004 are unchanged by this amendment.

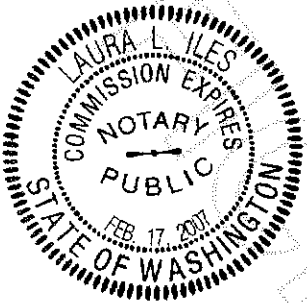
DATED this 9th day of September, 2005.

Kathleen A. Brown
Kathleen A. Brown

Matthew E. Brown
Matthew E. Brown

Rebecca Anne Hall
Rebecca Anne Hall

Jeffrey P. Heilman
Jeffrey P. Heilman



STATE OF WASHINGTON)
County of SKAGIT) ss.

This is to certify that on the 9th day of September, 2005, before me, the undersigned Notary Public in and for the State of Washington, personally appeared **KATHLEEN A. BROWN and MATTHEW E. BROWN**, to me known to be the individuals described in and who executed the foregoing Amendment to Access and Utility Easement and acknowledged to me that they signed and sealed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Laura L. Iles
NOTARY PUBLIC in and for the State of
Washington, residing at Anacortes
My commission expires 2-17-07

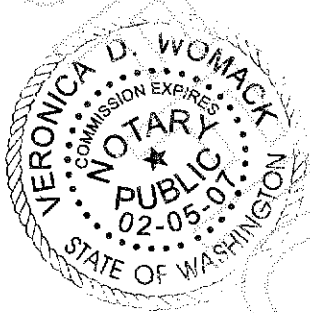
STATE OF WASHINGTON)
County of Kitsap) ss.

This is to certify that on the 14th day of September, 2005, before me, the undersigned Notary Public in and for the State of Washington, personally appeared **REBECCA**



ANNE HALL, to me known to be the individual described in and who executed the foregoing Amendment to Access and Utility Easement and acknowledged to me that she signed and sealed the same as her free and voluntary act and deed for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Veronica D. Womack
NOTARY PUBLIC in and for the State of
Washington, residing at Poulsbo
My commission expires 2-5-07

~~WASHINGTON~~
OREGON
STATE OF WASHINGTON)
County of Multnomah) ss

This is to certify that on the 20th day of September, 2005, before me, the undersigned Notary Public in and for the State of ~~Washington~~ Oregon, personally appeared **JEFFREY P. HEILMAN**, to me known to be the individual described in and who executed the foregoing Amendment to Access and Utility Easement and acknowledged to me that he signed and sealed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

OREGON

Gail A. Barker
NOTARY PUBLIC in and for the State of
Washington, residing at Milwaukie
My commission expires 2-18-2006



SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

SEP 21 2005

Amount Paid \$ 0
Skagit Co. Treasurer
By [Signature] Deputy



200509210092
Skagit County Auditor

EXHIBIT A-1



Bellingham • Bellingham

1812 Cornwall Avenue • Bellingham, WA 98225
Phone 360.671.7387 • fax 360.671.4685
E-mail pse@psurvey.com

Pacific Surveying & Engineering

www.psesurvey.com

LEGAL DESCRIPTION
FOR
INGRESS, EGRESS AND UTILITIES

AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES SITUATED IN THAT PORTION OF GOVERNMENT LOT 4, SECTION 24, TOWNSHIP 34 NORTH, RANGE 1 EAST, W.M., SKAGIT COUNTY, WASHINGTON DESCRIBED AS FOLLOWS:

AREA 'A'

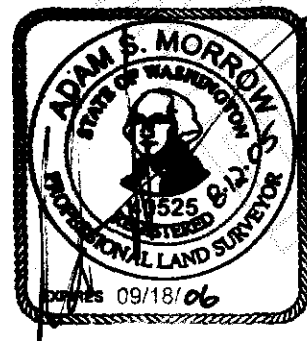
BEGINNING AT THE NORTHWEST CORNER OF LOT 11, DECEPTION SHORES P.U.D., AS RECORDED UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 200109100117; THENCE ALONG THE SOUTHERLY MARGIN OF SOUTH DECEPTION SHORES DRIVE, FROM WHICH THE CENTERLINE MEASURES 20.00 FEET, NORTH 68°07'53" EAST 16.87 FEET TO A POINT OF CURVATURE CONCAVE TO THE NORTHWEST FROM WHICH THE RADIUS POINT BEARS NORTH 21°52'07" WEST 220.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE 51.64 FEET THROUGH A CENTRAL ANGLE OF 13°26'59" TO A POINT OF DEPARTURE FROM SAID SOUTHERLY MARGIN; THENCE SOUTH 30°10'05" WEST 87.67 FEET TO THE SOUTHWESTERLY LINE OF SAID LOT 11; THENCE ALONG SAID SOUTHWESTERLY LINE NORTH 49°14'35" WEST 16.83 FEET; THENCE NORTH 06°53'19" WEST 34.11 FEET TO THE POINT OF BEGINNING.

AREA 'B'

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 11, DECEPTION SHORES P.U.D.; THENCE ALONG THE SOUTHERLY MARGIN OF SOUTH DECEPTION SHORES DRIVE, FROM WHICH THE CENTERLINE MEASURES 20.00 FEET, SOUTH 42°47'49" WEST 38.73 FEET TO A POINT OF CURVATURE CONCAVE TO THE NORTHWEST FROM WHICH THE RADIUS POINT BEARS NORTH 47°12'11" WEST 220.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE 30.17 FEET THROUGH A CENTRAL ANGLE OF 7°51'26" TO A POINT OF DEPARTURE FROM SAID SOUTHERLY MARGIN; THENCE NORTH 80°36'37" EAST 22.19 FEET; THENCE NORTH 47°32'42" EAST 20.76 FEET; THENCE NORTH 27°46'12" EAST 31.85 FEET TO THE NORTHEASTERLY LINE OF SAID LOT 11; THENCE ALONG SAID NORTHEASTERLY LINE NORTH 49°14'35" WEST 5.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,358 SQUARE FEET COMBINED, MORE OR LESS.

SITUATE IN SKAGIT COUNTY, WASHINGTON.

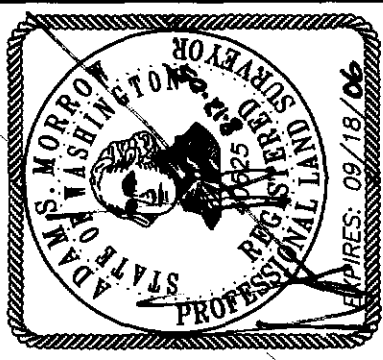
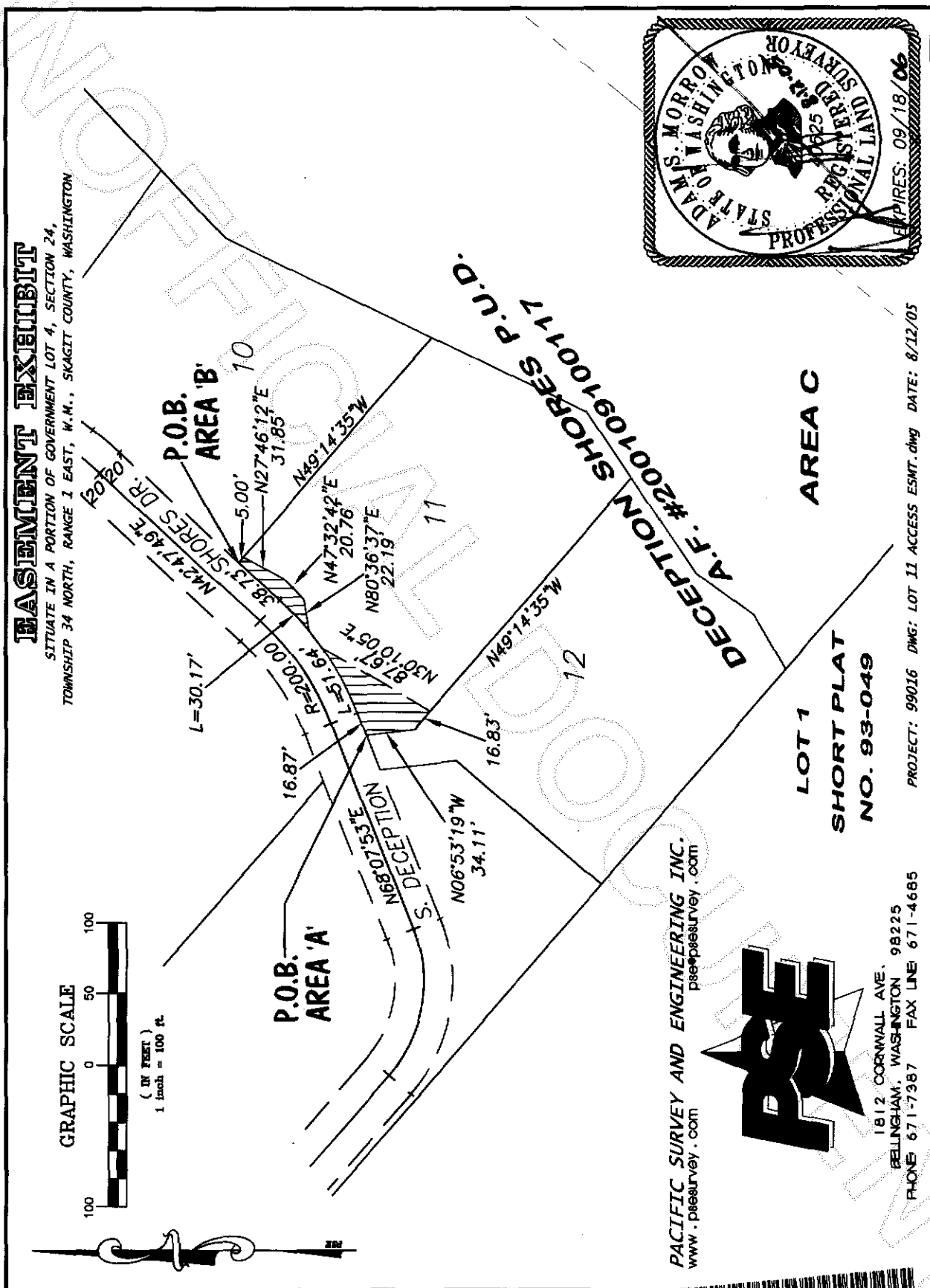
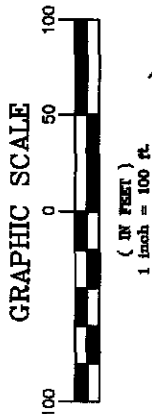


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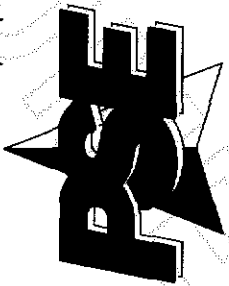
Skagit County Auditor

BASEMENT EXHIBIT

SITUATE IN A PORTION OF GOVERNMENT LOT 4, SECTION 24,
TOWNSHIP 34 NORTH, RANGE 1 EAST, W.M., SKAGIT COUNTY, WASHINGTON



PACIFIC SURVEY AND ENGINEERING INC.
www.psesurvey.com psesurvey.com



1812 CORNWALL AVE.
BELLINGHAM, WASHINGTON 98225
PHONE 671-7387 FAX LINE 671-4685

LOT 1
SHORT PLAT
NO. 93-049

PROJECT: 99016 DWG: LOT 11 ACCESS ESMT.dwg DATE: 8/12/05



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Skagit County Auditor