



200602100040

Skagit County Auditor

2/10/2006 Page

1 of

4 11:19AM

DECLARATION OF ROAD MAINTENANCE AGREEMENT

This Declaration of Road Maintenance Agreement is made and executed this ^{10th} day of February, 2006, by and between EINAR HEYNTSEN and DORIS HEYNTSEN husband and wife; ERIC VANPELT and ANDREA VANPELT, husband and wife

WHEREAS:

EINAR HEYNTSEN and DORIS HEYNTSEN husband and wife is/are the owner(s) of the real property legally described on Exhibit "A" attached hereto which is under Parcel No. P120127, P120126 and P37982 and

ERIC VANPELT and ANDREA VANPELT, husband and wife is/are the owner(s) of the real property legally described on Exhibit "B" attached hereto which is under Parcel No. P37986, P37948 and P100650.

WHEREAS:

ERIC VANPELT and ANDREA VANPELT, husband and wife is/are also the owner(s) of the following described property, for which ERIC VANPELT and ANDREA VANPELT, husband and wife as the legal owners of the property legally described on Exhibits "B" attached hereto, each have rights of ingress, egress and utilities as created by various instruments and confirmed herein:

Legal description of Easement

The East 20 feet of Lot 2 of Short Plat No. 96-0026, approved January 9, 2003, under Auditor's File No. 200301090144, records of Skagit County, Washington, and being a portion of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 28, Township 35 North, Range 4 East, W.M.,

EXCEPT the North 60 feet thereof.

WHEREAS:

The parties hereto wish to establish responsibility for the maintenance and repair of said easement.

NOW THEREFORE:

This declaration hereby establishes and provides that the real properties legally described on Exhibits "A", and "B" benefit from the use of said property and all subsequent owners, successors, heirs, administrators and assigns, shall take said property or portion thereof, subject to the Road Maintenance Agreement. All maintenance obligations for said access road shall be the sole responsibility of Eric Van Pelt and Andrea Van Pelt or their heirs, administrators, successors and assigns. Said road shall be maintained and repaired to keep the roadway in good condition on said easement.

The decision as to the necessity of maintenance and/or repair shall be by simple majority of the parties hereto, their heirs, administrators, successors and assigns.

This Declaration of Road Maintenance Agreement shall be a covenant running with each of the lands described in Exhibits "A" and "B", and is made and executed the day, date and year first above written.

Einar Heyntsen
EINAR HEYNTSEN

Doris Heyntsen
DORIS HEYNTSEN

Eric Van Pelt
ERIC VANPELT

Andrea Van Pelt
ANDREA VANPELT

State of Washington }
County of Skagit } SS.

SHARON R. ANTHONY
STATE OF WASHINGTON
NOTARY --- PUBLIC
My Commission Expires 9-6-2009

On this day personally appeared before me EINAR HEYNTSEN and DORIS HEYNTSEN, ERIC VANPELT and ANDREA VANPELT to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that he/she/they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 10th day of February, 2006.

Sharon R. Anthony
Notary Public in and for the State of Washington, residing at: Mount Vernon
My appointment expires: 9-6-2009



200602100040
Skagit County Auditor

Exhibit A

Lots 1 and 2 of Short Plat No. 96-0026, approved January 9, 2003, under Auditor's File No. 200301090144, records of Skagit County, Washington, and being a portion of the Southeast ¼ of the Northwest ¼ of Section 28, Township 35 North, Range 4 East, W.M.

Except the North 60 feet thereof



200602100040
Skagit County Auditor

2/10/2006 Page

3 of

4 11:19AM

Exhibit B

The North 60 feet of Lots 1 and 2, and all of Lot 3 of Short Plat No. 96-0026, approved January 9, 2003, under Auditor's File No. 200301090144, records of Skagit County, Washington, and being a portion of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 28, Township 35 North, Range 4 East, W.M.

TOGETHER WITH a perpetual easement for ingress, egress and utilities purposes over, under and across the following described parcel:

The East 20 feet of Lot 2 of Short Plat No. 96-0026, approved January 9, 2003, under Auditor's File No. 200301090144, records of Skagit County, Washington, and being a portion of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 28, Township 35 North, Range 4 East, W.M.,

EXCEPT the North 60 feet thereof.



200602100040

Skagit County Auditor

2/10/2006 Page

4 of

4 11:19AM