



200708160144

Skagit County Auditor

8/16/2007 Page 1 of 4 2:32PM

**PROTECTED CRITICAL AREA EASEMENT (PCA)**

In consideration of Skagit County Code (SCC) 14.24.170, requirements for recording of protected critical area easements (PCA), for areas included under PL 06-0089 and mutual benefits herein, Grantor(s), project, does hereby grant, convey and warrant to Skagit County, a political subdivision of the State of Washington, a non-exclusive perpetual easement establishing a PCA over, along and across those portions of the project, denoted as Protected Critical Area Easement and described on the attached legal description, together with the right of ingress and egress to and from this easement for the purpose of monitoring and enforcing proper operation and maintenance of the PCA described herein.

The easement is granted to and conditioned upon the following terms, conditions and covenants:

1. The PCA legal description is as follows (**please see attached Exhibit 'A'**):

Said PCA Easement is shown on Skagit County Plat No. PL-06-0089, approved August 14, 2007 and recorded August 16, 2007 under Skagit County Auditor's File No. 200708160144, records of Skagit County, Washington, being in a portion of SE 1/4 of Section 7, Township 36 N, Range 4 E, W.M. Parcel # P 49004; 360407.

2. Grantor(s) shall hereafter be responsible for maintaining and repairing PCA areas as described herein and is hereby required to leave PCA areas undisturbed in a natural state. With the exception of activities identified as Allowed without Standard review under SCC 14.24.100, any land-use activity that can impair the functions and values of critical areas or their buffers through a development activity or by disturbance of the soil or water, and/or by removal of, or damage to, existing vegetation shall require critical areas review and written authorization pursuant to SCC 14.24." (SCC 14.24.060) No clearing, grading, filling, logging or removal of woody material, building, construction or road construction of any kind, planting of non-native vegetation or grazing of livestock is allowed within the PCA areas except as specifically permitted by Skagit County on a case-by-case basis consistent with SCC 14.24.
3. Grantor(s) and Skagit County agree to the following special conditions requested by the Grantor(s) or required as part of mitigation pursuant to SCC 14.24.

- i. \_\_\_\_\_
- ii. \_\_\_\_\_

4. Grantor(s) retains the right to use and possession of the real property over which the easement is granted to the extent permitted by Skagit County as low impact uses and activities which are consistent with the purpose and function of the PCA and do not detract from its integrity may be permitted with the PCA depending on the sensitivity of the habitat involved. Examples of uses and activities which may be permitted in appropriate cases, with prior County written approval separate from this agreement, include pedestrian trails, viewing platforms, stormwater management facilities and utility easements. Provided further that the grantor agrees not to interfere with, obstruct or endanger Skagit County's use of the easement.
5. Should any human disturbance of the PCA occur, the fee owners shall have the obligation to restore and return the affected area to its natural state immediately, under the provisions of a County approved mitigation plan.
6. The parties recognize that this easement is created, granted and accepted for the benefit of the inherent natural functions provided by the PCA, but shall not be construed to provide open or common space for owners within the project or members of the public. By acceptance of the easement for the purposes described, Skagit County does not accept or assume any liability of acts or omissions of the fee owners, his or her invitees, licenses or other third parties within the easement area. Grantor(s) hold Skagit County harmless from any damage or injury to any property or person by any person entering the easement area not expressly authorized to do so by Skagit County.
7. Grantor(s) agrees that this easement shall run with the land and that the rights and obligations of Grantor(s) and Skagit County shall inure to the benefit of each and shall be binding upon their respective heirs, successors and assigns.
8. Grantor(s) covenants that they own the property legally described herein and has lawful right to convey the interest in the property to Skagit County for the benefit of the public forever.

DATED this 16 day of AUGUST, 2007.

By: Jack R. Corbett

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

AUG 16 2007

Amount Paid 3  
Skagit Co. Treasurer  
By Melvin Deputy



200708160144  
Skagit County Auditor

STATE OF WASHINGTON )  
 )  
COUNTY OF SKAGIT )

I certify that I know or have satisfactory evidence Joe R. Corbell signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledge it as the \_\_\_\_\_ to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED this 16 day of August, 2007.

Judy Zarada

NOTARY PUBLIC in and for the State of  
Washington residing at: Bluff  
Print Name: JUDY ZARADA  
My appointment expires: 10-1-09



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Bellingham • Bellingham

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Pacific Surveying & Engineering

www.psesurvey.com

EXHIBIT 'A'

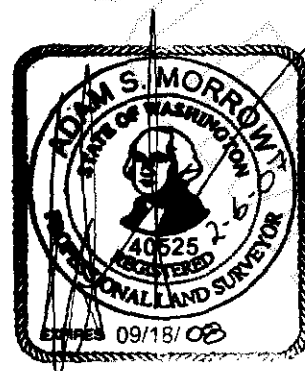
EASEMENT DESCRIPTION

A PROTECTED CRITICAL AREAS EASEMENT, LYING WITHIN A PORTION OF LOT D, SKAGIT COUNTY SHORT PLAT NO. 41-82, RECORDED UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 8806290016, ALSO LYING WITHIN A PORTION OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 36 NORTH, RANGE 4 EAST, W.M., SKAGIT COUNTY, WASHINGTON; DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST ONE-QUARTER CORNER OF SAID SECTION 7; THENCE ALONG THE EAST-WEST CENTER OF SECTION LINE NORTH 86°58'46" WEST 87.83 FEET TO THE NORTHWEST CORNER OF SAID LOT D; THENCE CONTINUING NORTH 86°58'46" WEST 101.17 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 86°58'46" WEST 213.74 FEET; THENCE DEPARTING FROM SAID EAST-WEST CENTER OF SECTION LINE SOUTH 02°26'19" WEST 116.76 FEET; THENCE SOUTH 20°39'19" WEST 246.34 FEET; THENCE SOUTH 45°45'45" WEST 357.20 FEET; THENCE NORTH 54°46'29" WEST 192.92 FEET TO THE WEST LINE OF SAID LOT D; THENCE ALONG SAID WEST LINE SOUTH 00°29'29" WEST 426.12 FEET; THENCE DEPARTING FROM SAID WEST LINE NORTH 89°50'45" EAST 177.72 FEET; THENCE SOUTH 01°13'40" WEST 281.41 FEET TO THE SOUTH LINE OF SAID LOT D; THENCE ALONG SAID SOUTH LINE SOUTH 89°25'30" EAST 200.83 FEET; THENCE DEPARTING FROM SAID SOUTH LINE NORTH 01°25'50" EAST 152.08 FEET; THENCE NORTH 89°25'30" WEST 100.00 FEET; THENCE NORTH 01°25'50" EAST 109.96 FEET; THENCE NORTH 30°05'45" EAST 105.40 FEET; THENCE NORTH 58°08'39" EAST 142.86 FEET; THENCE NORTH 44°14'29" EAST 139.17 FEET; THENCE NORTH 20°31'55" EAST 423.29 FEET; THENCE NORTH 00°37'37" EAST 113.87 FEET; THENCE NORTH 08°53'17" EAST 145.05 FEET TO THE POINT OF BEGINNING.

CONTAINING 8.098 ACRES, MORE OR LESS.

SITUATE IN SKAGIT COUNTY, WASHINGTON.



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