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Record at Request of:

Thomas L. Gilman, Esq.
BARRETT & GILMAN
1000 Second Avenue, Suite 3500
Seattle, WA 98104

ACCESS EASEMENT AGREEMENT

Document Title: Access Easement Agreement
Grantor: Morgan-Turner Properties, L.P.
Grantee: James D. Martin and Regina L. Martin
Legal Desc.: Ptn Gov. Lt 6, 9-34-2
Tax I.D. #: P20187

This Access Easement Agreement is by and between Morgan-Turner Properties, LP, a Washington limited liability company ("Morgan-Turner"), known as Grantor, and James D. Martin and Regina L. Martin, husband and wife ("Martin"); known as Grantees.

WHEREAS, Grantor owns certain real property consisting of a Portion of Government Lot 6, Section 9, Township 34 North, Range 2 East W.M., situate in the County of Skagit, State of Washington ("Grantor's Property"); and

WHEREAS, Grantee owns property adjacent to Grantor's property, legally described on Exhibit A ("Grantee's Property"); and

WHEREAS, a portion of Grantor's Property is used for ingress, egress and utilities for the benefit of Grantor's Property; and

WHEREAS, Grantor has agreed to grant Grantee the right to use a Portion of Grantor's Property as more fully described in Exhibit B for ingress, egress and utilities for the benefit of Grantee's Property;

NOW, THEREFORE, the parties hereby agree as follows:

1. GRANT OF EASEMENT. In consideration of the undertakings of the Grantees herein and other valuable consideration, the receipt of which is hereby acknowledged, Morgan-

Turner hereby grants to Grantee a non-exclusive, perpetual easement over, under and across that Portion of Grantor's Property described in the attached Exhibit B ("Easement").

2. MAINTENANCE AND USE AND SCOPE. The Easement shall be used for ingress, egress, and utilities and shall be subject to all restrictions and limitations set forth on the face of any Short Plat hereafter recorded in connection with Skagit County Short Plat Application No. PL 04-0849. Grantee's use shall be consistent with and shall not interfere with the use of the Easement by Grantor. Grantor and Grantee shall share equally in the maintenance, repair and upkeep of the Easement area and the road located thereon, according to the total number of lots legally entitled to use the Easement at the time the time the maintenance, repair or upkeep expense is incurred. The scope of this Easement shall specifically include additional user rights in the event Grantee's or Grantor's property is subdivided, short platted or rezoned.

3. SUCCESSORS AND ASSIGNS. This Easement runs with the land and is appurtant thereto, shall be binding upon and inure to the benefit and burden of the parties hereto and their respective heirs, successors and assigns.

Dated: August __, 2007

MORGAN-TURNER PROPERTIES, L.P.

By Betty A. Morgan
Betty A. Morgan, General Partner

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

OCT 01 2007

Amount Paid \$
Skagit Co. Treasurer
By MF Deputy

MORGAN-TURNER PROPERTYS, L.P.

By Beth I. Morgan-Cleland
Beth I. Morgan-Cleland, General Partner

MORGAN-TURNER PROPERTYS, L.P.

By Lori J. Yandle
Lori J. Yandle, General Partner

GRANTEES

James D. Martin
James D. Martin

Regina L. Martin
Regina L. Martin

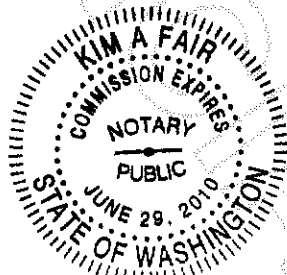


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STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that **BETTY A. MORGAN**, the General Partner of Morgan-Turner Properties, L.P., the limited partnership that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said limited partnership, for the uses and purposes therein mentioned, and on oath stated that she was authorized to execute the said instrument.

Given under my hand and official seal this 6 day of ~~August~~^{September}, 2007.



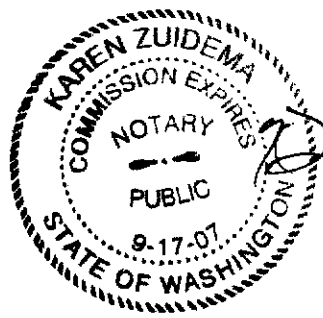
Kim A. Fair

Print Name Kim A. Fair
NOTARY PUBLIC in and for the State WASHINGTON
of Washington, residing at BURLINGTON
My appointment expires 06/29/10

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that **BETH MORGAN CLELAND**, the General Partner of Morgan-Turner Properties, L.P., the limited partnership that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said limited partnership, for the uses and purposes therein mentioned, and on oath stated that she was authorized to execute the said instrument.

Given under my hand and official seal this 14th day of ~~August~~^{September}, 2007.



Karen Zuidema

Print Name Karen Zuidema
NOTARY PUBLIC in and for the State
of Washington, residing at Anacortes
My appointment expires 9/17/07

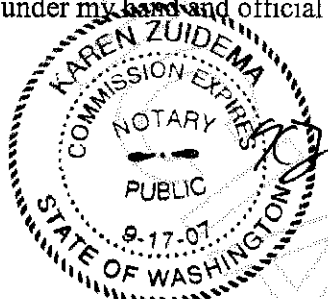


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STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT

I certify that I know or have satisfactory evidence that **LORI J. YANDLE**, the General Partner of Morgan-Turner Properties, L.P., the limited partnership that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said limited partnership, for the uses and purposes therein mentioned, and on oath stated that she was authorized to execute the said instrument.

Given under my hand and official seal this 7th day of ~~August~~ ^{Sept.}, 2007.

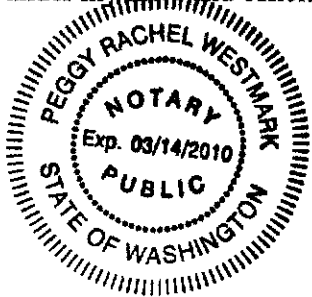


Karen Zuidema
Print Name Karen Zuidema
NOTARY PUBLIC in and for the State
of Washington, residing at Anacortes
My appointment expires 9/17/07

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT

On this day personally appeared before me **JAMES D. MARTIN and REGINA L. MARTIN**, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that 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 31 day of August, 2007.



Peggy Rachel Westmark
Type/Print Name **PEGGY RACHEL WESTMARK**
NOTARY PUBLIC in and for the State WA.
of Washington, residing at Sedro Woolley



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EXHIBIT B
EASEMENT DESCRIPTION

An easement for ingress, egress, roadway and utilities in a portion of Government Lot 6, Section 9, Township 34 North, Range 2 East, W.M., said easement being 50 feet in width and being 25 feet to the left and 25 feet to the right of the following described line:

Commencing at the Southeast corner of said Government Lot 6; thence South $88^{\circ} 27' 43''$ West 234.99 feet along the South line of said Government Lot 6; thence North $64^{\circ} 59' 00''$ West 254.58 feet to a point of curvature and the TRUE POINT OF BEGINNING of said easement; thence along the arc of said curve to the right having a radius of 50.00 feet, through a central angle of $98^{\circ} 27' 32''$, an arc distance of 85.92 feet to a point of tangency; thence North $33^{\circ} 28' 32''$ East 73.85 feet to a point of curvature; thence along the arc of said curve to the left having a radius of 50.00 feet, through a central angle of $88^{\circ} 41' 32''$, an arc distance of 77.40 to a point of tangency; thence North $55^{\circ} 13' 00''$ West 12.07 feet, more or less, to the Easterly line of the Satterlee Road and the terminus of said line.

SUBJECT TO and TOGETHER WITH an easement for ingress, egress and roadway, being 30 feet in width, as recorded under Auditor's File Number 644979, records of Skagit County, Washington.



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Escrow No.: 112103-PB

EXHIBIT "A"

LEGAL DESCRIPTION

DESCRIPTION:

That portion of the following described Parcels "A", "B" and "C" in Government Lots 4 and 5, Section 9, Township 34 North, Range 2 East, W.M., said portion lying Easterly of the following described line:

Beginning at the Northwest corner of said Government Lot 4; thence North 88°27'43" East 160.00 feet along the North line of said Government Lot 4 to the true point of beginning of said line; thence South 07°08'23" East 333.89 feet; thence South 01°27'19" East 475 feet, more or less, to the ordinary high water line of Similk Bay and the terminus of said line.

TOGETHER WITH an easement for ingress, egress and roadway, being 30 feet in width, as recorded under Auditor's File No. 644979,

AND ALSO TOGETHER WITH an easement for ingress, egress, roadway and utilities being 30 feet in width and being 20 feet to the left and 30 feet to the right of the following described line:

Beginning at the Northwest corner of said Government Lot 4; thence South 88°27'43" West 234.99 feet along the North line of said Government Lot 5 to the true point of beginning of said line; thence South 64°59'00" East 161.57 feet to a point of curvature; thence along the arc of said curve to the right having a radius of 100.00 feet, through a central angle of 46°28'29", an arc distance of 81.11 feet to a point of tangency; thence South 18°30'31" East 41.48 feet to a point of curvature; thence along the arc of said curve to the left having a radius of 70.00 feet, through a central angle of 37°47'25", an arc distance of 46.17 feet to a point of tangency; thence South 56°17'56" East 236.85 feet to the East line of the West 193.10 feet of said Government Lot 4 and the terminus of said line. The exterior side lines of said easement are to be shortened or extended to the North line of said Government Lot 5 and to the East line of the West 193.10 feet of said Government Lot 4.

Situate in the County of Skagit, State of Washington.

PARCEL "A":

Government Lot 4, Section 9, Township 34 North, Range 2 East, W.M., EXCEPT the East 40 rods thereof.

TOGETHER WITH tidelands of the second class, as conveyed by the State of Washington, situate in front of and abutting thereon, EXCEPT any portion of said tidelands as have been conveyed by the State of Washington as tidelands suitable for the cultivation of oysters, through any deed heretofore issued.

EXCEPT from said Government Lot 4 and tidelands, that portion described as follows:

That portion of the East 13.34 feet of Government Lot 5, and of the West 193.10 feet of Government Lot 4, Section 9, Township 34 North, Range 2 East, W.M., described as follows:

Beginning at the Northwest corner of Government Lot 4; thence South 1°27'19" East along the West line of said Lot 4 a distance of 353.23 feet to the South line of a 20 foot easement for water lines, belonging to Public Utility District No. 1 of Skagit County, Washington, said point being the true point of beginning for this description; thence North 68°46' East 51.01 feet;



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DESCRIPTION CONTINUED:

PARCEL "A" continued:

thence North $86^{\circ}59'$ East 145.14 feet to the East line of the West 193.10 feet of Government Lot 4;
 thence South $1^{\circ}27'19''$ East 475 feet, more or less, to the ordinary high water line of Similk Bay;
 thence Westerly along said ordinary high water line to an intersection with the West line of the East 13.34 feet of Government Lot 5;
 thence North $1^{\circ}27'19''$ West along the West line of the East 13.34 feet of said Government Lot 5, 425 feet, more or less, to the South line of the above mentioned P.U.D. easement;
 thence North $68^{\circ}46'$ East along said easement 14.18 feet to the true point of beginning.

TOGETHER WITH tidelands of the second class lying in front of the above described tract of land.

Situate in the County of Skagit, State of Washington.

PARCEL "B":

That portion of the East 13.34 feet of Government Lot 5, and of the West 193.10 feet of Government Lot 4, Section 9, Township 34 North, Range 2 East, W.M., described as follows:

Beginning at the Northwest corner of Government Lot 4;
 thence South $1^{\circ}27'19''$ East along the West line of said Lot 4 a distance of 353.23 feet to the South line of a 20 foot easement for water lines, belonging to Public Utility District No. 1 of Skagit County, Washington, said point being the true point of beginning for this description;
 thence North $68^{\circ}46'$ East 51.01 feet;
 thence North $86^{\circ}59'$ East 145.14 feet to the East line of the West 193.10 feet of Government Lot 4;
 thence South $1^{\circ}27'19''$ East 475 feet, more or less, to the ordinary high water line of Similk Bay;
 thence Westerly along said ordinary high water line to an intersection with the West line of the East 13.34 feet of Government Lot 5;
 thence North $1^{\circ}27'19''$ West along the West line of the East 13.34 feet of said Government Lot 5, 425 feet, more or less, to the South line of the above mentioned P.U.D. easement;
 thence North $68^{\circ}46'$ East along said easement 14.18 feet to the true point of beginning.

TOGETHER WITH tidelands of the second class lying in front of the above described tract of land.

Situate in the County of Skagit, State of Washington.

PARCEL "C":

Government Lot 5, Section 9, Township 34 North, Range 2 East, W.M.

TOGETHER WITH tidelands of the second class in front of that portion of the Government meander line described as follows:

Beginning on the meander line of said Lot 5, from which the meander corner of Sections 8 and 9 bears the following courses and distances; North 6° West 3.5 chains; North 84° West 2.60 chains; North 68° West 2 chains; North 31° West 3 chains; North 15° West 3 chains; North 75° West 5 chains;
 thence from the point of beginning run along the meander line in front of Lots 4 and 5, Section 9, South $30\frac{1}{2}^{\circ}$ East 1.30 chains; South 67° East 2.5 chains; East 3 chains; South $77\frac{1}{2}^{\circ}$ East to the East line of said Lot 5, EXCEPT any portion of said tidelands as have been conveyed by the State of Washington as tidelands suitable for the cultivation of oysters through any deed heretofore issued.



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DESCRIPTION CONTINUED:

PARCEL "C" continued:

EXCEPT from said Government Lot 5, the following described tracts:

- 1.) That portion platted as "SIMILK BEACH, SKAGIT CO., WASH.", as per plat recorded in Volume 4 of Plats, page 31, records of Skagit County, Washington.
- 2.) That portion platted as "MADRONA VIEW ADDITION TO SIMILK BEACH", as per plat recorded in Volume 5 of Plats, page 6, records of Skagit County, Washington.
- 3.) Beginning at the Northeast corner of Lot 15, Block 1, "MADRONA VIEW ADDITION TO SIMILK BEACH", as per plat recorded in Volume 5 of Plats, page 6, records of Skagit County, Washington; thence North 68°51' East, a distance of 15 feet to the true point of beginning of this description; thence from said true point of beginning running North 68°51' East a distance of 100 feet; thence South 31°29' East, a distance of 74.85 feet; thence South 6°54' East, a distance of 27.4 feet; thence South 68°30' West, a distance of 100 feet to a point that is North 68°30' East, from the Southeast corner of Lot 17 of Block 1, "MADRONA VIEW ADDITION TO SIMILK BEACH"; thence North 6°54' West, a distance of 27.4 feet; thence North 31°29' West 74.85 feet to the true point of beginning.

4. A portion of the East 13.34 feet of Government Lot 5, and of the West 193.10 feet of Government Lot 4, Section 9, Township 34 North, Range 2 East, W.M., described as follows:

Beginning at the Northwest corner of Government Lot 4;

thence South 1°27'19" East along the West line of said Lot 4 a distance of 353.23 feet to the South line of a 20 foot easement for water lines, belonging to Public Utility District No. 1 of Skagit County, Washington, said point being the true point of beginning for this description;

thence North 68°46' East 51.01 feet;

thence North 86°59' East 145.14 feet to the East line of the West 193.10 feet of Government Lot 4;

thence South 1°27'19" East 475 feet, more or less, to the ordinary high water line of Similk Bay;

thence Westerly along said ordinary high water line to an intersection with the West line of the East 13.34 feet of Government Lot 5;

thence North 1°27'19" West along the West line of the East 13.34 feet of said Government Lot 5, 425 feet, more or less, to the South line of the above mentioned P.U.D. easement;

thence North 68°46' East along said easement 14.18 feet to the true point of beginning.

TOGETHER WITH tidelands of the second class lying in front of the above described tract of land.

Situate in the County of Skagit, State of Washington.

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