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Skagit County Auditor

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Return to: Chris LeBoutillier
27250 NE 53rd Street
Redmond, WA 98053
Phone: 425-681-7796

COVER SHEET

**DECLARATION CREATING ROAD MAINTENANCE AGREEMENT (RMA) and EASEMENT
For REAL PROPERTY KNOWN AS
Eagles Crossing Short Plat No. PL07-0578 Lot 1, Lot 2 and Parcel P31128**

GRANTOR: Christopher H. LeBoutillier, Gail A. LeBoutillier

GRANTEE: Skagit County

LEGAL DESCRIPTION

The southeast quarter of the southwest quarter and the east 468.34 feet of the south half of the southwest quarter of the southwest quarter, EXCEPT the south 42 feet thereof as conveyed to ABC Investments by deed recorded June 26, 1985, under Auditor's File No. 8506260027, records of Skagit County, Washington, all in Section 1, Township 35 North, Range 1 East, W.M.

Situate in the County of Skagit, State of Washington.

ADDESSOR'S PROPERTY TAX PARCEL NUMBER P31130

**DECLARATION CREATING ROAD MAINTENANCE AGREEMENT (RMA) and EASEMENT
For REAL PROPERTY KNOWN AS
Eagles Crossing Short Plat No. PL07-0578 Lot 1, Lot 2 and Parcel P31128**

This declarations is made by Christopher H. LeBoutillier and Gail A. LeBoutillier herein referred to as "Declarants."

RECITALS:

- (a) Declarants are the owners of the real property hereinafter described and wish to impose thereon the requirement to maintain certain roads and related improvements, to the end that they remain in good and serviceable condition.
- (b) Declarants are the owners of the real property hereinafter described and wish to impose thereon an easement for ingress and egress for Addressor's Property Tax Parcel Number P31128 situate in the County of Skagit, State of Washington as described in Addendum A and Addendum B.
- (c) The real property which is and shall be held, conveyed, used and occupied subject to provisions of the Declaration is more particularly described as follows:
Eagles Crossing Short Plat No. PL07-0578 Lots 1 & 2 as recorded Skagit County Auditors' number 200809190078.
- (d) "Parcel P31128" shall mean Addressor's Property Tax Parcel Number P31128 situate in the County of Skagit, State of Washington.

NOW, THEREFORE, Declarants herby declare and impose thereon the following requirements to assure maintenance of said roads and improvements. Said requirements shall run with the land and shall be binding upon and enforceable by the owner or owners of each lot subject hereto, their heirs, successors, and assigns.

- 1) If located on a private road, the aforesaid private road constitutes the main access to and from Owner(s)' residence or property to the County-maintained road.
- 2) Owners(s) of Lot 1 and Lot 2 acknowledges that an easement for ingress and egress to Parcel P31128 of the private road for Lot 1 and Lot 2 will be granted to the Owners(s) of Parcel P31128.
- 3) Owner(s) of Lot 1 and Lot 2 further acknowledges that the easement described in paragraph two (2) above will include an easement of the right of way reserved for the private road/driveway for Lot 1 and Lot 2 for the Owner(s) of Lot 1 and Parcel P31128 so that utility lines can be installed and maintained, provided however, that any utility lines will be installed underground.



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Road Maintenance Agreement and Easement Page 2

4) The Owner(s) covenant and agree that each property owner along said private road and Owner(s) of Parcel P31128 shall have unobstructed right of ingress and egress to and from their respective residences or property over the easement described in paragraph two (2) above.

5) Owner(s) of Lot 1, Lot 2 and Parcel P31128 agree that it is in their mutual best interest that said private road shall be maintained in good and passable condition as a paved/gravel drive and that they will share equally in the cost of maintaining said private road to keep it in a state of repair that is, at a minimum, as good as the condition of the private road at the time of the closing. In the event it is necessary to take legal action to enforce any term of this Agreement, the prevailing party shall be entitled to collect reasonable attorney's fees for enforcement of this Agreement.

6) No gates shall be erected that would block a private road unless gates are on Owner's property and do not obstruct other Owners easement/access to their property. If a majority of Owner(s) want to install a gate at the entrance of the shared private road they can. The gate design, construction and cost of installation must be shared equally by all Owner(s) of Lot 1, Lot 2 and Parcel P31128. Any upkeep expense must be shared equally by all Owner(s) of Lot 1, Lot 2 and Parcel P31128.

8) In the event that road maintenance is required, the cost shall be shared equally by all Owner(s) of Lot 1, Lot 2 and Parcel P31128. The Owner(s) of of Lot 1, Lot 2 and Parcel P31128 shall mutually agree on repairs to be performed and further agree to share equally the cost of repairs by all Owner(s) of Lot 1, Lot 2 and Parcel P31128. All other roads on each respective Owner(s) property shall be private and all road maintenance costs shall be borne by each respective Owner solely.

9) Any changes to this declaration must be mutually agreed on by the majority of the Owners Lot 1, Lot 2 and Parcel P31128. If Owner(s) have a majority agreement on the changes an amended declaration must be executed and recorded.

IN WITNESS WHEREOF, the undersigned have affixed their signatures:

Date: September 29, 2008



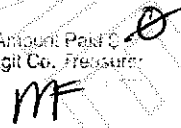
Christopher H. LeBoutillier



Gail A. LeBoutillier

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

SEP 29 2008

Amount Paid To
Skagit Co. Treasurer
By 



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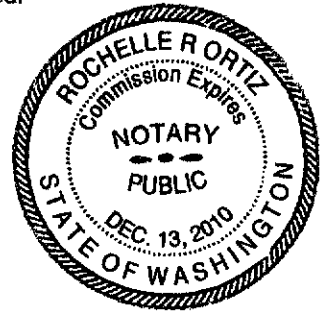
STATE OF WASHINGTON)

County of King)

On this day personally appeared before me Christopher H. LeBoutillier and Gail A. LeBoutillier 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 29th day of September 2008.

Rochelle R. Ortiz



Notary Public in and for the State of Washington residing In Redmond, WA



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Skagit County Auditor

Addendum A

LEGAL DESCRIPTION
FOR
CHRIS LEBOUTTIER and GAIL LEBOUTILLIER
AN EASEMENT THROUGH LOT 1, SHORT PLAT PL07-0578

September 29, 2008

A 30 foot wide easement for ingress, egress and utilities over, under and through Lot 1, Short Plat PL07-0578 recorded under Auditor's File Number 200809190078 lying 15 feet on each side of the following described centerline:

Beginning at the intersection of the east line of said Lot 1 with the south line of the north 15 feet of the south half of the southwest quarter of the southwest quarter of Section 1, Township 35 North, Range 1 East, W.M., thence N 88°11'45" E along said south line, a distance of 533.51 feet to the point of curvature of a curve to the left having a radius of 65.00 feet; thence northeasterly along said curve through a central angle of 27°23'35" and an arc distance of 31.08 feet; thence N 60°34'37" E, a distance of 91.28 feet to the point of curvature of a curve to the left having a radius of 85.00 feet; thence northerly along said curve through a central angle of 51°50'29" and an arc distance of 76.91 feet; thence N 08°44'08" E, a distance of 89.49 feet; thence N 32°54'55" E, a distance of 112.81 feet to the point of intersection of the north line of said Lot 1 and the centerline of the 30 foot wide easement through Lot 2 of said Short Plat PL07-0578 and terminus of this centerline description.

Situate in Skagit County, Washington.



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Addendum B

LEGAL DESCRIPTION
FOR
CHRIS LEBOUTTIER and GAIL LEBOUTILLIER
AN EASEMENT THROUGH LOT 2, SHORT PLAT PL07-0578

September 29, 2008

A 50 foot and 30 foot wide easement for ingress, egress and utilities over, under and through Lot 2, as described on Short Plat PL07-0578 recorded under Auditor's File Number 200809190078

Situate in Skagit County, Washington.



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