



200903270125

Skagit County Auditor

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**GRANT OF SETBACK EASEMENT**  
(with license restriction)

Grantor(s) Richard K. Johnson & Diana M. Johnson, husband & wife

Grantee(s) Richard K. Johnson & Diana M. Johnson, husband & wife

Grantor's Abbreviated legal description: NW 1/4 of the NE 1/4 of Sec 35Twn 35N Rng 1 E  
W.M.

Grantor's Assessor's Parcel/Tax ID No. 350735-1-006-0108/P32553

Grantee's Abbreviated legal description: NW 1/4 of the NE 1/4 of Sec 35 Twn 35N Rng 1E,  
W.M.

1. THE GRANTORS, Richard K. Johnson & Diana M. Johnson, husband and wife, are owners of the following property, herein referred to as the subservient property:

Attached as "A"

2. THE GRANTEES, Richard K. Johnson & Diana M. Johnson, husband and wife, are the owners of the following property, hereby referred to as the dominant property:

Attached as "B"

3. The Grantors hereby grant to Richard K. Johnson and Diana M. Johnson, husband and wife, an easement (herein called "easement area") for the continued use of an existing fenced enclosure: as identified on the survey of Crossman & Associates recorded under Skagit County Auditor's File No. 200903270122

This instrument, entered into to satisfy the 35 feet of front yard setback requirements of the Skagit county code.

WITNESSETH:

WHEREAS, The Skagit county Codes requires a 35 foot front yard setback; and

WHEREAS, Section 14.16.810(5) provides an exception from the 35 foot front setback requirement if an easement is provided along the east lot line of the abutting lot, sufficient to

leave the minimum required building separation of 35 feet.

USE AND TERMINATION:

4. This easement shall terminate at the destruction or discontinuance of this usage by Grantee or his assignee. Grantee or his assignee shall not expand or improve the existing fenced animal enclosure except for maintenance as necessary to maintain the current fenced animal enclosure. Said easement is described herein called the "easement area", for front yard purposes to satisfy the Skagit county code. The easement is set forth:

Attached as "C"


Nor shall the grantees conduct any activity on the easement that constitutes a nuisance or that interferes with unreasonably with the grantor's use of the remaining portion of the subservient property.

ASSIGNMENT OF EASEMENT:

5. Said easement shall be for the benefit of the property owned by the Grantees as described above and shall be a burden on the property owned by the Grantors. This easement is personal to the Grantee and transferrable and assignable by the Grantees set forth in #2 but this grant does not run with the land. This easement is superior and paramount to the rights of the parties to any subservient estate created herein, and said easement shall be binding upon the heirs, successors, and assigns of the parties thereto except as limited by the terms of this agreement.

SIGNED THIS 20 DAY OF October, 2008.

  
RICHARD K. JOHNSON

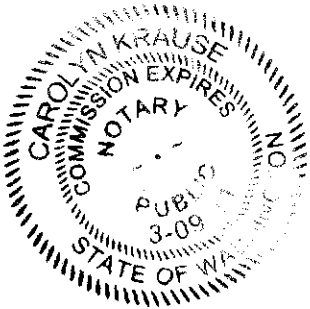
  
DIANA M. JOHNSON

STATE OF WASHINGTON )  
 )ss  
COUNTY OF SKAGIT )

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX  
MAR 27 2009  
Amount Paid \$  
By Skagit Co. Treasurer  
Deputy  
*mlm*

On this day personally appeared before me **Richard K. Johnson and Diana M. Johnson**, 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 THE DATE ABOVE WRITTEN.



Carolyn Krause  
Print Name Carolyn Krause



NOTARY PUBLIC in and for the State  
of Washington residing at Anacortes  
My commission expires: 2-9-11



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Skagit County Auditor

Clair (Sam) Crossman  
Land Surveyor  
16146 Mclean Road  
Mount Vernon, WA 98273  
360-424-7359

ATTACHMENT A

Lot B of Short Plat No. PL 06-1121.

Commencing in the southeast corner of the North Half of the Northwest Quarter of the Northeast Quarter of Section 35, Township 35 North, Range 1 East of the Willamette Meridian, Skagit County, Washington:

Thence S 89°38'52" W a distance of 780.66' along the south line of the North Half of the Northwest Quarter of the Northeast Quarter to the Point of Beginning:

Thence N 0°26'12" W a distance of 256.60';

Thence N 89°33'48" E a distance of 141.77';

Thence N 16°09'45" E a distance of 235.07';

Thence N 11°07'13" E a distance of 184.12';

To the North line of said Section 35;

Thence along the North line of said Section 35 to the North Quarter corner of said Section 35, S 89°33'48" W a distance of 753.84';

Thence S 89°15'12" W a distance of 77.90'

Thence S 0°32'22" W a distance of 299.96'

Thence S 19°48'29" E a distance of 157.79';

Thence S 31°05'52" E a distance of 43.89';

Thence S 44°08'02" E a distance of 141.05';

Thence Southeasterly along a tangent curve to the left, with a radius of 236.00', through a central angle of 46°13'04", an arc length of 190.37';

Thence N 89°38'52" E a distance of 248.60' to the point of beginning;



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ATTACHMENT B

Lot A of Short Plat No. PL 06-1121.

Beginning in the Southeast corner of the North Half of the Northwest Quarter of the Northeast Quarter of Section 35, Township 35 North, Range 1 East of the Willamette Meridian, Skagit County, Washington:

Thence S  $89^{\circ}38'52''$  W a distance of 780.66' along the south line of the North Half of the Northwest Quarter of the Northeast Quarter:

Thence N  $0^{\circ}26'12''$  W a distance of 256.60';

Thence N  $89^{\circ}33'48''$  E a distance of 141.77';

Thence N  $16^{\circ}09'45''$  E a distance of 235.07';

Thence N  $11^{\circ}07'13''$  E a distance of 184.12' to the North line of said Section 35;

Thence along the North line of said Section 35 to the Northeast corner of the North Half of the Northwest Quarter of the Northeast Quarter of Section 35, N  $89^{\circ}33'48''$  E a distance of 541.66';

Thence along the East line of said North Half of the Northwest Quarter of the Northeast Quarter of Section 35, S  $0^{\circ}09'03''$  W a distance of 663.44' to the point of beginning;



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ATTACHMENT C

COUNTY SETBACK EASEMENT FOR EXISTING ENCLOSURE.

EASEMENT ON LOT A

A 35' Setback easement from the east side of an existing caged enclosure located on Lot B of Short Plat No. PL 06-1121 that will extend into Lot A of same short plat. The easement is described as follows:

Commencing in the southeast corner of the North Half of the Northwest Quarter of the Northeast Quarter of Section 35, Township 35 North, Range 1 East of the Willamette Meridian, Skagit County, Washington:

Thence S 89°38'52" W a distance of 780.66' along the south line of the North Half of the Northwest Quarter of the Northeast Quarter also the south line of Lot A of said Short Plat:

Thence N 0°26'12" W a distance of 256.60' along the west line of Lot A of said Short Plat;

Thence N 89°33'48" E a distance of 141.77' along the west line of Lot A of said Short Plat;

Thence N 16°09'45" E a distance of 84.85' along the west line of Lot A of said Short Plat to the point of beginning;

Thence S 71°55'33" E a distance of 20.00';

Thence N 18°04'27" E a distance of 149.80';

Thence N 71°55'33" W a distance of 25.00';

Thence S 16°09'45" W a distance of 149.89' along the west line of Lot A of said proposed Short Plat to the point of beginning;



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