



200905120081

Skagit County Auditor

5/12/2009 Page

1 of

4 11:10AM

Document Title:

Easement

Reference Number:

Grantor(s):

additional grantor names on page \_\_\_.

1. Forrest Foss
2. Cheryl Foss

Grantee(s):

additional grantee names on page \_\_\_.

1. Public
- 2.

Abbreviated legal description:

full legal on page(s) \_\_\_.

E 1/2 of SW 1/4 of Sec 31, Twn 35N, Rgn 2E, W.M

Assessor Parcel / Tax ID Number:

additional tax parcel number(s) on page \_\_\_.

P 33438

**NON-EXCLUSIVE EASEMENT  
AND  
MAINTENANCE DECLARATION**

THIS DECLARATION made and entered into this 29 day of March

Of 2009, by Forrest Foss and Cheryl Foss

(hereinafter "Declarants"), as owners of the following described land, situated in

Skagit County, Washington: The E. 1/2, SW 1/4, SE 1.4, Section 31,

Township 35 North, Range 2 East, W.M.

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THE DECLARANTS under this declaration do hereby establish of record a Non-exclusive Easement for ingress, egress and utilities over, under and through a forty-foot (40') wide strip of land, for the benefit of the owners and future owners

of lots 1 through 3 and all future subdivided lots within this short plat limits situated within Skagit County Short Plat Number PL 06-1147 ~~01-0325~~, Recorded on

12, day of May, 2009, under Skagit County Auditor's file

200905120079, records of Skagit County, Washington. Declarants further

provide that this property access is perpetual and SUBJECT TO the right of Declarants to dedicate the roadway to Skagit County as a public County road, all at the exclusive option of Declarants or their successors owning a majority of the Lots. Lot 4 of said Short Plat is excluded from the terms of this agreement.



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SAID AND DESCRIBED roadway easement is more specifically described as follows: A 40-foot easement that lies adjacent to, parallel with and Northwesterly of the following described line:

Commencing at the Northeast corner of the East ½ of the Southwest Quarter of the Southeast Quarter of Section 31, Township 35, Range 2 East, W.M. thence S00°28'40"E along the East line thereof, 342.29 feet to the true point of beginning of this description; thence S36°22'54"W 116.02 feet; thence S48°44'34"W 48.71 feet; thence S40°10'01"W 34.43 feet to a point on the Northeasterly line of Lot 2 of said Short Plat and the terminus of this description.

MAINTENANCE OF THE ABOVE-DESCRIBED EASEMENT (including labor and expenses) shall be shared equally among the owners of Lots 1 and 4 and any future lots created within the limits of Short Plat No. PL 01-0325.

"MAINTENANCE" as used herein shall mean the equal requirement of said LOT owners and their successors in ownership to share the labor and cost to maintain the roadway easement in a good and workmanlike manner and, so long as Declarants own one or more of the Lots, to the pleasure of the Declarants herein.

FURTHER, THE DECLARANTS under this declaration acknowledge and grant a perpetual easement for installation of utilities and for all reasonable utility maintenance and servicing requirements, including the right to enter in, cross under, through and over the described roadway to provide utility services to each owner of a property within Short Plat P106-1147 and any division of refinement thereof, and Declarants specifically grant to, but not limited to, Puget Sound Energy Company, Verizon Telephone Company, County Cable, and any Successors and assigns of said companies.

DATED the 29<sup>th</sup> day of March, 2005.

By: Forrest Foss

Forrest Foss

By: Cheryl Foss

Cheryl Foss



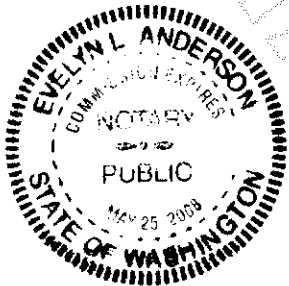
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STATE OF WASHINGTON )

COUNTY OF SKAGIT )

I certify that I know or have satisfactory evidence that Forrest Foss & Cheryl Foss signed this instrument, on oath stated that they <sup>were</sup> authorized to execute the instrument and acknowledged it to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument

DATED THIS 29<sup>th</sup> day of March, 2005



Evelyn L. Anderson  
NOTARY PUBLIC in and for the State of  
Washington residing at: Mt Vernon  
PRINT NAME Evelyn L Anderson  
My appointment expires: 5-25-2008

Esciment  
SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

MAY 12 2009

Amount Paid \$ ✓  
Skagit Co. Treasurer  
By man Deputy



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