



201112220119

Skagit County Auditor

12/22/2011 Page 1 of 4 2:59PM

When recorded return to:

Race Bannon Ventures, LLC  
9676 Evergreen Drive  
Bellevue, WA 98004

**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 PL07-0680, and mutual benefits herein, Grantor(s), Race Bannon Ventures, LLC, 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 (or noted if attached):

Protected Critical Area, designated as Tract "A"-PCA, Tract "B"-PCA, Tract "D"-OS-PA, as shown on the accompanying site plan, located in parcels P46841, P46842, and P46934 a portion of Section 36, Township 36-N., Range 01 E., W.M.

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 and SCC 14.24.120, 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. or as allowed under 14.24.120.
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.

Any future development within the area designated Tract-"D"-OS-PA shall require a critical areas site assessment for that portion of Tract-"D"-OS-PA within 200 feet of the proposed development area(s) and the open space protected area shall be changed to conform to the new open space use status.

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

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

DEC 22 2011

Amount Paid \$ 0  
Skagit Co. Treasurer  
By MG Deputy

7. 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.
8. 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.
9. 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.

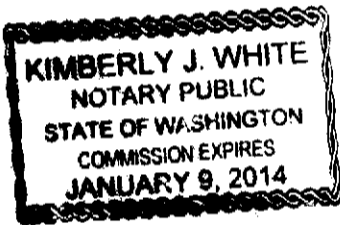
DATED this 22<sup>ND</sup> day of November, 2011.

By: *Phil Greger*

STATE OF WASHINGTON )  
 )  
 COUNTY OF SKAGIT King )

I certify that I know or have satisfactory evidence Phil Greger signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledge it as the member / manager to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED this 22<sup>nd</sup> day of November, 2011.



*Kimberly J. White*  
 NOTARY PUBLIC in and for the State of  
 Washington residing at: Liveland WA  
 Print Name: Kimberly J. White  
 My appointment expires: 1/9/2014



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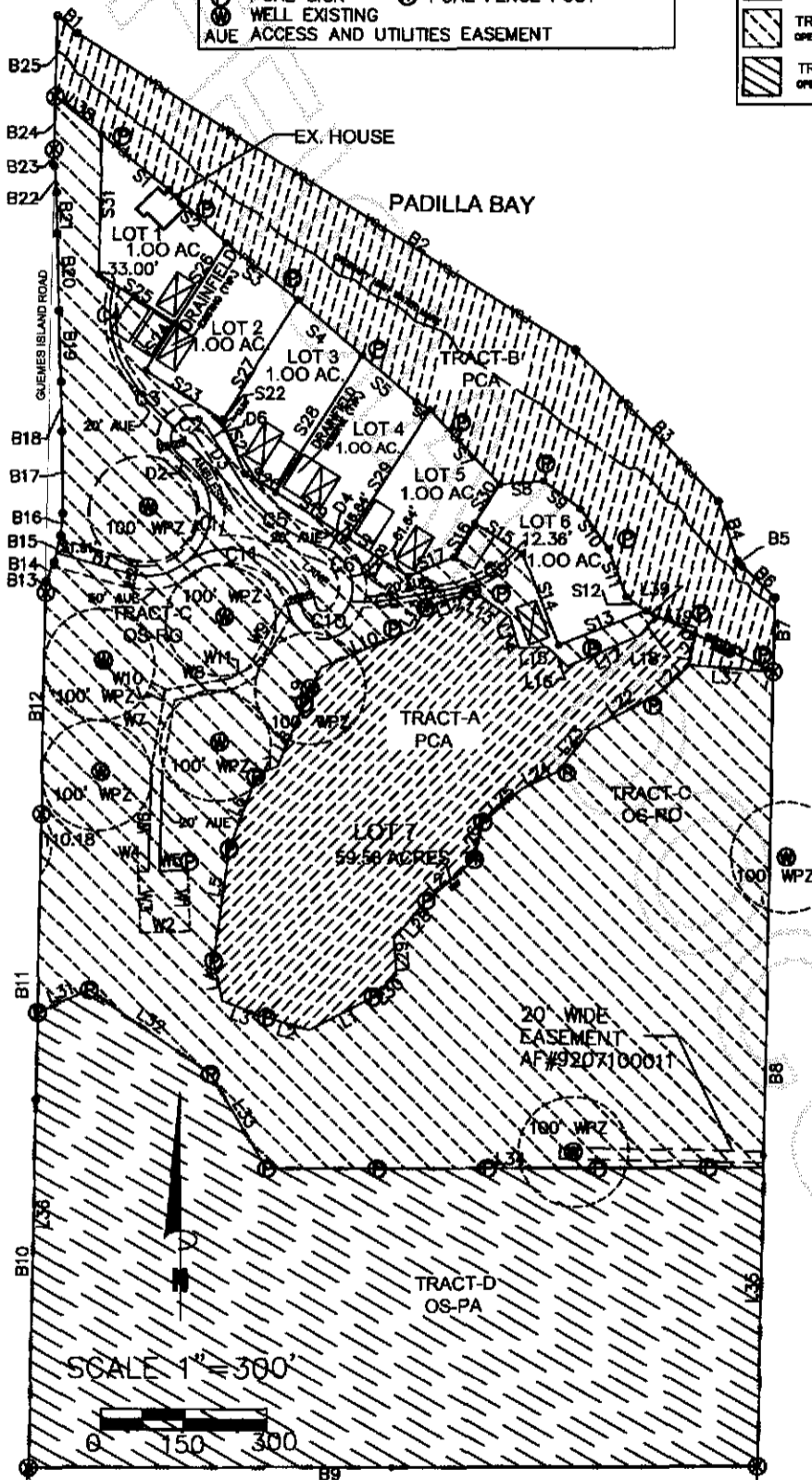
PROTECTED CRITICAL AREA SITE PLAN  
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Applicant: AMBLESIDE LONG CoRD Permit #: PL#07-0680

Parcel #: P46841, P46842, P46934 Site Address: 5525 GUEMES ISLAND ROAD ANACORTES, WA 98221

LEGEND	
⊗	FOUND 1/2" REBAR W/ CAP "LEONARD 8992"
●	SET 1/2" REBAR W/ CAP "PEM LS 25971"
⊙	SET 5/8" REBAR W/ CAP "VISSER LS 34146"
○	CALCULATED LOCATION
⊕	PCAE SIGN
⊗	PCAE FENCE POST
⊙	WELL EXISTING
—	AUE ACCESS AND UTILITIES EASEMENT

TRACT SUMMARY (PORTIONS OF LOT 7)	
	TRACT-A PCA 7.33 AC. PCAE - CATEGORY 2 AND 3 WETLANDS 100' ASSOCIATED BUFFER, TYPE B STREAM AND 30' ASSOCIATED BUFFER
	TRACT-B PCA 7.32 AC. PCAE - STEEP SLOPE BUFFER, SHORELINE HABITAT
	TRACT-C OS-RO 26.40 AC. OPEN SPACE TRACT OSRO
	TRACT-D OS-PA 18.53 AC. OPEN SPACE TRACT OS-PA



Skagit County CAO Staff Signature

Date:

Applicant Signature

Date



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PROTECTED CRITICAL AREA SITE PLAN

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LANE AND DRIVE CURVE TABLE			TRACT SEGMENTS			BOUNDARY SEGMENTS			LOT SEGMENTS			
CURVE	RADIUS	LENGTHS	DELTA	SEGMENT	LENGTHS	SEGMENT BEARINGS	SEGMENT	LENGTH	SEGMENT BEARING	SEGMENT	LENGTH	SEGMENT BEARING
C1	118.00	312.48	A=154.70°00'	1	128.48	S82°51'38.88"W	B1	47.48'	N48°14'26"W	S1	157.06'	N50°06'40"W
C2	36.00	123.78	A=19.70°00'	2	80.88	N74°00'00.00"W	B2	1086.91'	N57°44'17"W	S2	140.30'	N47°00'24"W
C3	360.00	138.62	A=21.44°38'	3	85.68	N69°00'00.00"W	B3	376.32'	N43°14'32"W	S3	165.88'	N51°44'31"W
C4	200.00	158.75	A=45.28°40'	4	72.18	N11°08'20.14"W	B4	112.86'	N17°44'56"W	S4	153.93'	N49°20'00"W
C5	280.00	183.88	A=40.28°33'	5	203.78	N07°58'29.41"E	B5	12.11	N38°14'35"W	S5	127.19'	N49°20'00"W
C6	76.00	168.51	A=78.31°36'	6	140.21	N07°02'38.77"E	B6	82.93'	N46°17'23"W	S6	28.65'	N61°35'48"W
C7	60.00	64.18	A=81.77°28'	7	44.38	N68°17'28.69"E	B7	134.14'	S01°20'13"W	S7	185.48'	N42°49'05"W
C8	200.00	82.54	A=77.54°55'	8	133.18	N23°05'58.20"E	B8	1435.12'	S01°20'13"W	S8	79.89'	S85°25'29"W
C9	200.00	139.01	A=39.49°74'	9	80.92	N68°04'55.25"E	B9	1319.48'	S89°57'49"W	S9	84.02'	N52°48'43"W
C10	38.00	76.18	A=114.51°50'	10	43.98	N28°23'08.68"E	B10	688.40'	S01°16'32"W	S10	89.57'	N35°21'28"W
C11	136.00	270.55	A=113.38°45'	11	181.34	N67°23'08.68"E	B11	514.86'	S01°16'38"W	S11	90.31'	N19°26'18"W
				12	89.38	N71°06'51.90"E	B12	399.10'	S01°17'12"W	S12	44.06'	N54°22'33"W
				13	83.04	S55°18'05.88"E	B13	20.34'	S01°16'08"W	S13	169.97'	S68°39'33"W
				14	57.83	S16°06'51.42"E	B14	37.94'	S24°29'00"W	S14	178.80'	N21°19'31"W
				15	51.09	N68°17'43.54"E	B15	47.48'	S14°38'36"W	S15	102.47'	N57°37'08"W
				16	51.04	S47°30'43.80"E	B16	40.08'	S04°56'33"W	S16	70.86'	S32°20'10"W
				17	142.02	N68°57'45.60"E	B17	149.37'	N00°43'29"W	S17	90.95'	S67°53'00"W
				18	42.82	N89°08'53.21"E	B18	86.51'	N00°58'27"W	S18	128.36'	N57°39'50"W
				19	78.91	S74°58'51.30"E	B19	127.63'	N01°02'07"W	S19	65.44'	N57°39'50"W
				20	68.18	S10°49'42.43"W	B20	138.25'	N01°12'03"W	S20	2.70'	S32°20'06"W
				21	64.01	S45°46'42.35"W	B21	75.07'	N04°08'06"W	S21	101.99'	N23°55'37"W
				22	152.44	S62°28'55.38"W	B22	48.03'	S01°16'08"W	S22	165.00'	N57°38'18"W
				23	91.88	S18°50'33.02"W	B23	28.89'	S01°20'59"W	S23	100.69'	S32°20'06"W
				24	78.54	S44°49'04.31"W	B24	94.57'	S01°16'32"W	S24	163.78'	N57°39'50"W
				25	93.46	S18°30'07.87"W	B25	143.78'	S01°16'32"W	S25	171.80'	S32°20'06"W
				26	88.81	S12°43'08.09"W				S26	171.80'	S32°20'06"W
				27	113.84	S50°01'15.68"W	LANE/DRIVE SEGMENTS			S27	255.55'	S32°20'06"W
				28	90.38	S40°48'28.52"E	D1	137.23'	N74°40'00"W	S28	292.60'	S32°44'18"W
				29	83.88	S04°23'15.94"E	D2	28.00'	N49°00'00"W	S29	276.14'	S32°20'10"W
				30	60.34	S48°58'45.27"W	D3	124.00'	N32°00'00"W	S30	83.75'	S32°20'10"W
				31	103.04	N67°10'05.22"E	D4	36.03'	S32°44'18"W	S31	253.34'	S01°28'00"W
				32	268.05	S55°33'50.60"E	D5	124.60'	S80°00'00"W			
				33	200.28	S30°37'43.81"E	D6	28.58'	S53°58'13"W			
				34	898.89	N69°57'25.44"E						
				35	541.82	S01°20'12.18"W						
				36	825.54	N01°16'43.13"E						
				37	107.87	N51°04'06.33"W						
				38	152.28	S85°09'48.08"E						
				39	18.45	S84°22'33.42"E						
WATER EASEMENT SEGMENTS			W1	110.00'	N01°47'18"W							
			W2	90.00'	S88°12'42"W							
			W3	110.00'	N01°47'18"W							
			W4	18.56'	N88°12'42"E							
			W5	51.40'	N88°12'42"W							
			W6	176.39'	N01°36'00"E							
			W7	152.22'	N09°54'09"E							
			W8	119.88'	N79°16'42"E							
			W9	138.18'	N28°53'38"E							
			W10	32.48'	N64°49'07"W							
			W11	36.80'	N61°53'10"E							

Skagit County CAO Staff Signature

Date:

Applicant Signature

Date

*[Handwritten Signature]* 11/22/11



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