

AFTER RECORDING SEND TO:

Houston Family LLC
c/o Encore Homes, Inc.
1801 Grove St., Unit B
Marysville, WA 98270



201112290079
Skagit County Auditor

12/29/2011 Page 1 of 3 4:00PM

Chicago Title has placed this document for recording as a customer courtesy and accepts no liability for its accuracy or validity

620014665

Document Title

Declaration of Exclusive Use Easement and Maintenance Agreement

Grantor

Houston Family LLC, owner of Lot 9, Plat of Digby Heights Phase 1 as recorded under Skagit County Auditor's File number 200904150063

Grantee:

Encore Homes, Inc., owner of Lot 8, Plat of Digby Heights Phase 1 as recorded under Skagit County Auditor's File number 200904150063

Legal Description:

The portion of Lot 9, Plat of Digby Heights Phase 1 as recorded under Skagit County Auditor's File number 200904150063, situate in Skagit County, Washington shown in Exhibit A.

Assessor's Property Tax Parcel/Account Numbers:

P128448
P128449

ACCOMMODATION RECORDING

**DECLARATION OF EXCLUSIVE USE EASEMENT
AND MAINTENANCE AGREEMENT**

Whereas, Houston Family LLC (Grantor) currently owns Lot 9, Plat of Digby Heights Phase 1 as recorded under Skagit County Auditor's File number 200904150063, situate in Skagit County, Washington; and

Whereas, Encore Homes, Inc. (Grantee) currently owns Lot 8, Plat of Digby Heights Phase 1 as recorded under Skagit County Auditor's File number 200904150063, situate in Skagit County, Washington; and

Whereas it is desired by Grantor and Grantee that the portion of the property shown in Exhibit A owned by the Grantor is to be used by Grantee, its successors and assigns as yard area;

NOW THEREFORE; Grantor does hereby grant, convey, and establish for the benefit of Grantee and all future owners, assigns and successors in interest of said Lot 8, an exclusive use easement over the following described property within Lot 9: See Exhibit A.

Grantor and Grantee hereby agree that the maintenance of the easement area as well as liability arising from the use and enjoyment of the easement area by Grantee and others shall be the responsibility of the Grantee, to the same extent as if the Grantee owned the easement area.

Said easement is appurtenant to and for the benefit of Encore Homes, Inc., its heirs, future owners, assigns and successors in interest of Lot 8 as shown on Exhibit A.

This easement shall be subject to and subordinate to any utility easements and other encumbrances affecting the property at the time of recording.

GRANTOR: Houston Family LLC

David B. Johnson
David B. Johnson, Member

12/22/11
Date

GRANTEE: Encore Homes, Inc.

David B. Johnson
David B. Johnson, President

12/22/11
Date

STATE OF WASHINGTON)
COUNTY OF SNOHOMISH)

On this day personally appeared before me David B. Johnson, to me known to be a member of England Family LLC and acknowledged to me that he was authorized to execute the foregoing instrument as such, and that said instrument was the free and voluntary act and deed of the entity referenced, for the uses and purposes therein mentioned.

Dated 12/22/11

**MARIE K. ENGLISH
NOTARY PUBLIC
STATE OF WASHINGTON
COMMISSION EXPIRES
DECEMBER 4, 2015**

Marie K English
Marie K. English, Notary Public in and for the State of Washington, residing at Arlington. My appointment expires December 4, 2015.

STATE OF WASHINGTON)
COUNTY OF SNOHOMISH)

On this day personally appeared before me David B. Johnson, to me known to be the president of Encore Homes, Inc. and acknowledged to me that he was authorized to execute the foregoing instrument as such, and that said instrument was the free and voluntary act and deed of the entity referenced, for the uses and purposes therein mentioned.

Dated 12/22/11

**MARIE K. ENGLISH
NOTARY PUBLIC
STATE OF WASHINGTON
COMMISSION EXPIRES
DECEMBER 4, 2015**

Marie K English
Marie K. English, Notary Public in and for the State of Washington, residing at Arlington. My appointment expires December 4, 2015.

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX



201112290079

Skagit County Auditor

DEC 29 2011

Amount Paid \$
Skagit Co. Treasurer
By mm Deputy

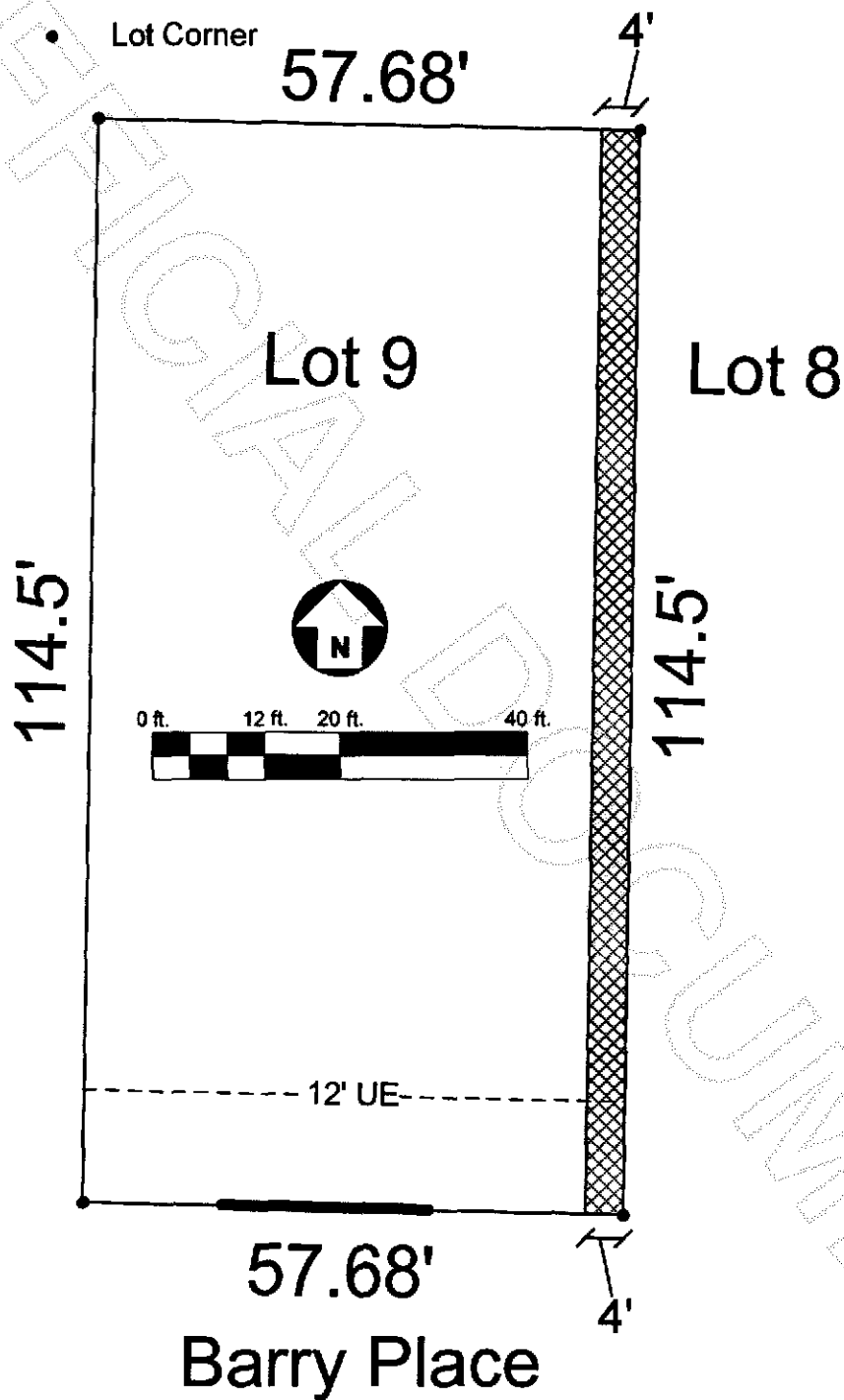
Exhibit A



Easement Area



Lot Corner



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