

Return Address:



201912090090

12/09/2019 01:10 PM Pages: 1 of 3 Fees: \$105.50
Skagit County Auditor

Document Title:

Lien

Reference Number (if applicable): _____

Grantor(s): additional grantor names on page ____

- 1) John L Miller
- 2) Margaret K Miller

Grantee(s): additional grantor names on page ____

- 1) Forrest A Foss + Cheryl R Foss
- 2) Jedediah + Jade Barth
Matthew G Coleman + Jessica Coleman

Abbreviated Legal Description: full legal on page(s) ____

E 1/2 of SW 1/4 of SE 1/4 S31-T35N-R2E, WM

Assessor Parcel /Tax ID Number: additional parcel numbers on page ____

350231-4-0B-0106

Filed for Record at Request of:
John & Margaret Miller
1102-7th Street
Anacortes, WA 98221

Grantors/Claimants: John L. Miller Jr. and Margaret K. Miller
Grantees/Debtors: Forrest A. and Cheryl R. Foss
Jedediah and Jade Barth
Matthew G. and Jessica Coleman

Abbreviated legal: E1/2 of SW1/4 of SE ¼, S31-T35N-R2E, WM
(aka) (a) Lot 1, (b) Lot 3, (c) Lot 4, Short Card No. PL 06-1147

Tax Parcel No: (a) 350231-4-013-0106
(b) 350231-4-013-0300
(c) 350231-4-013-0400

NOTICE OF LIEN

JOHN L. MILLER, Jr and MARGARET K. MILLER)
(GRANTORS OF EASEMENT AF#9709080043))
Claimants)
vs.)
FORREST A. and CHERYL R. FOSS)
JEDEDIAH and JADE BARTH)
MATTHEW G. and JESSICA F. COLEMAN)
(GRANTORS OF EASEMENT AF#201811290002))
Name of persons indebted to Claimant.)

NOTICE IS HEREBY GIVEN that JOHN L. MILLER Jr. and MARGARET K. MILLER, GRANTORS of AF#9709080043, the Claimant above named, does hereby claim a lien against the real property described below for unpaid late-comer-fee/penalty in the amount of \$50,000, together with interest thereon at the rate of 12% per annum from November 29, 2018, Recording Date of Easement AF#201811290002, recording fees, and any future attorney fees to enforce this Lien.

This Claim of Lien is filed pursuant to terms and conditions of Easement AF#9709080043, to wit:

RESTRICTION (4): "In event Grantees Foss grant easement without Grantors approval, Grantees Foss agree to pay the Grantor the sum of fifty thousand dollars (\$50,000) for which Grantor shall have the right to place a security lien against the below described property of Grantees Foss (Parcel C), their heirs, successors, and assigns."

On November 29, 2018, Grantees Foss granted Easement for Utilities in favor of Whistle Lake, LLC's property identified as W1/2 of SW1/4 of SE1/4, S31-T35N-R2E WM, to which Easement AF#9709080043 specifically prohibits: "This easement is expressly limited and is specifically unavailable to benefit W1/2 of SW1/4 of SE1/4, S31-T35N-R2E WM without the expressed written consent of the Grantor" and "Any granting of utility easements by Grantees Foss, their heirs, successors, and assigns, in favor of the W1/2 of SW1/4 of SE1/4, S31-T35N-R2E WM shall require prior written approval of the Grantor." Grantees Foss, their heirs, successors, and assigns have never sought or obtained Grantor Millers prior written approval, when granting Easement For Utilities AF#201811290002, in direct violation of conditions and restrictions in Easement AF#9709080043.

This Claim of Lien is against the real property described as follows:

PARCEL C: The East Half (E1/2) of Southwest Quarter (SW1/4) of Southeast Quarter (SE1/4) of Section 31, Township 35 North, Range 2 East, W.M., Skagit County, Washington; currently subdivided as Lot 1, Lot 3, Lot 4, Short Card No. PL 06-1147.

IN WITNESS WHEREOF the undersigned parties have caused this instrument to be executed on this December 6th, 2019.

GRANTORS (CLAIMANT):

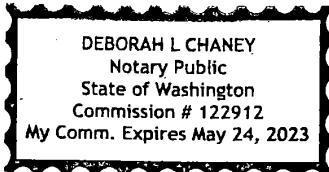
[Signature]
John L. Miller Jr.

[Signature]
Margaret K. Miller

STATE OF WASHINGTON
COUNTY OF SKAGIT

On this day personally appeared before me John L. Miller Jr. and Margaret K. Miller, 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 purposes therein mentioned.

Subscribed and Sworn to before me this 6th day of December, 2019.



[Signature]
Notary Public in and for the State of Washington
Print name: Deborah L Chaney
My commission expires: 05/24/23