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04/06/2020 02:29 PM Pages: 1 of 8 Fees: \$110.50
Skagit County Auditor

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

20201241
APR - 6 2020

Amount Paid \$ 244.49
Skagit Co. Treasurer
By HB Deputy

AFTER RECORDING RETURN TO:

MARK A. LACKEY
BELCHER SWANSON LAW FIRM, P.L.L.C.
900 DUPONT STREET
BELLINGHAM, WA 98225-3105

Document Title:	Exclusive Easement
Grantor:	Corrine E. Siegel, an unmarried person, and Branden M. Fox, an unmarried person
Grantee:	Kip O. Jones and Lindsey Jones, husband and wife
Legal Description:	Ptn Lots 1 & 2, Blk 5, Plat of Alger; Ptn NE 1/4 SE 1/4, Sec 7, Twn 36, R 4 E (aka Lot 2 Corbell Short Plat No. PI-06-89)
Tax Parcel No.:	P70391 P49004

EXCLUSIVE EASEMENT

RECITALS:

A. Corrine E. Siegel, an unmarried person, and Branden M. Fox, an unmarried person (“**Grantors**”) own the real property legally described on the attached Exhibit “A” (the “**Servient Estate**”).

B. Kip O. Jones and Lindsey Jones, husband and wife (“**Grantee**”) own the real property legally described on the attached Exhibit “B” (the “**Dominant Estate**”).

C. Pursuant to the terms of this Easement, Grantor and Grantee desire to create an exclusive easement over a portion of the Servient Estate.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, and other valuable consideration, receipt of which is hereby acknowledged, the parties agree as follows:

1. GRANT OF EASEMENT. Grantors hereby grant, convey and quit claim to Grantee an exclusive easement over the portion of the Servient Estate as legally described on the attached Exhibit “C” and shown of the attached Exhibit “D” (the “**Easement Area**”).

2. USE. The owner of the Dominant Estate shall have the right to use the Easement Area for any and all purposes permitted by law, including but not limited to

landscaping, ingress, egress and recreation. Grantor shall have no right to possession or use of the Easement Area.

3. MAINTENANCE. Grantee shall be solely responsible, at Grantee's sole cost and expense, for maintaining the Easement Area and fence.

4. INDEMNIFICATION. Grantee and all successors shall indemnify, defend and hold Grantor, and its successors, harmless from and against any and all claims, losses, damages, costs and expenses (including without limitation, attorneys fees and court costs) suffered or incurred by Grantor, or successors, as a result of or in connection with any use of the Easement Area by Grantee, its successors, or any guest, invitee or agent, including without limitation personal injury or property damage.

5. ARBITRATION. In the event a dispute arises over the implementation or application of this Easement, the matter shall be resolved by arbitration. The arbitration shall be conducted pursuant to RCW 7.04A. The arbitrator shall be an attorney practicing law in Whatcom County, Washington, upon whom the parties may agree. If the parties cannot agree, the arbitrator shall be appointed by the American Arbitration Association. The costs of arbitration and attorney's fees incurred by the parties shall be allocated by the arbitrator at the arbitrator's discretion. The arbitrator shall have the same power as a judge of Superior Court, including the right to grant equitable relief.

6. BINDING EFFECT. This Easement shall be perpetual, run with the land and be binding upon the parties' heirs, successors or assigns.

7. TIME OF THE ESSENCE. Time is of the essence in the performance of this Easement.

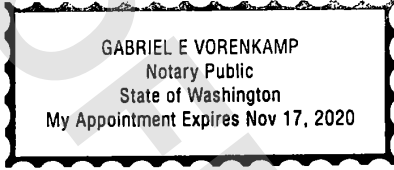
8. ENTIRE AGREEMENT. There are no other verbal or written agreements which modify or effect this agreement.

9. ATTORNEY'S FEES. In the event any of the parties shall institute suit to enforce the rights hereunder, the successful party shall be entitled to court costs and reasonable attorney's fees against the losing party.

10. SEVERABILITY. If any provision of this Easement is deemed void or unenforceable by the action of a court of law, or arbitrator, such provision shall be severable and not affect the balance of this Easement, which shall remain in full force and effect.

11. APPLICABLE LAW. This Easement shall be construed, interpreted and enforced pursuant to the laws of the state of Washington.

DATED this 27 day of ~~January~~ February, 2020. *y.v.*



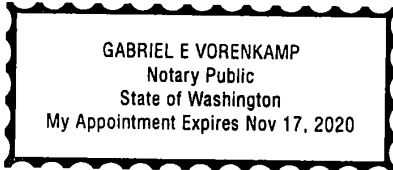
Corrine E. Siegel
CORRINE E. SIEGEL

Branden M. Fox
BRANDEN M. FOX

STATE OF WASHINGTON)
 : ss.
COUNTY OF Whatcom

On this 27 day of ~~January~~ February, 2020, before me personally appeared CORRINE E. SIEGEL, to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged to me that she signed the same as her free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN UNDER my hand and official seal the day and year first above written.



Gabriel E Vorenkamp
PRINTED NAME: Gabriel E. Vorenkamp
Notary Public in and for the State of Washington,
residing at Ferndale, WA
My commission expires: Nov 17, 2020

STATE OF WASHINGTON)
 : ss.
COUNTY OF Whatcom

On this 27 day of ~~January~~ February, 2020, before me personally appeared BRANDEN M. FOX, to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged to me that he signed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN UNDER my hand and official seal the day and year first above written.

Gabriel E Vorenkamp
PRINTED NAME: Gabriel E. Vorenkamp
Notary Public in and for the State of Washington,
residing at Ferndale, WA
My commission expires: Nov 17, 2020

DATED this 31st day of March, 2020.

Kip O. Jones
KIP O. JONES

Lindsey Jones
LINDSEY JONES

STATE OF WASHINGTON)
 : ss.
COUNTY OF WHATCOM)

On this 31st day of March, 2020, before me personally appeared KIP O. JONES and LINDSEY JONES, to me known to be the individuals described in and who executed the within and foregoing instrument and acknowledged to me 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 day and year first above written.



[Signature]
PRINTED NAME: Mark Lackey

Notary Public in and for the State of Washington,
residing at Bellingham.

My commission expires: 09/07/2022

N:\WP\MAL\Clients\Jones, Kip & Lindsey\Alger Property\Siegel-Fox Easement\Exclusive Easement.docx

EXHIBIT "A"

SERVIENT ESTATE

For APN/Parcel ID(s): P70391 / 4042-005-002-0108

PARCEL A:

Those portions of Lots 1 and 2, Block 5, PLAT OF ALGER, SKAGIT COUNTY, WASHINGTON, according to the plat thereof recorded in Volume 4 of Plates, page 9, records of Skagit County, Washington, described as follows:

Beginning at the Southeast corner of said Lot 2;
Thence Northwesterly along the East line of said Lot to the Northeast corner thereof;
Thence West along the North line of said Lot 301.5 feet;
Thence at right angles Southerly to the North line of Park Road, as shown on the above plat;
Thence East along the North line of Park Road to the place of beginning;

Excepting therefrom the following:

Commencing at the Southwest corner of Lot D, Short Plat No. 41-82, located in the Northeast Quarter of the Southeast Quarter of Section 7, Township 36 North, Range 4 East of the Willamette Meridian, said point being the Southeast corner of Lot 2, Block 5, Plat of Alger;
Thence North 01°05'00" West, along the West line of Lot D, a distance of 107.13 feet to the true point of beginning;
Thence continuing North 01°05'00" West, a distance of 70.00 feet to a cap and rebar, marking the Northeast corner of said Lot, also being an angle point in said Lot D;
Thence South 88°55'00" West, a distance of 17.00 feet to a point on the North line of Lot 2;
Thence south 14°44'01.5" East, a distance of 72.03 feet to the true point of beginning.

Situated in Skagit County, Washington.

PARCEL B:

Commencing at the Southwest corner of Lot D, Short Plat No. 41-82, located in the Northeast Quarter of the Southeast quarter of Section 7, Township 36 North, Range 4 East of the Willamette Meridian, said point being the Southeast corner of Lot 2, Block 5, Plat of Alger;
Thence North 01°05'00" West, along the West line of Lot D, a distance of 177.13 feet to the Northeast corner of said Lot 2, and an angle point in the West line of said Lot D;
Thence South 88°55'00" West, a distance of 37.50 feet to a point on the North line of said Lot 2, being the true point of beginning;
Thence South 88°55'00" West along said North line, a distance of 70.00 feet to a 2" iron pipe being an angle point in the West line of Lot D, also being the Southeast corner of Lot 3, Block 5;
Thence North 01°05'00" West, a distance of 17.00 feet to a point on the West line of said Lot D;
Thence South 77°25'58.5" East, a distance of 72.03 feet to the true point of beginning.

Situated in Skagit county, Washington.

EXCLUSIVE EASEMENT - 5

EXHIBIT "B"

DOMINANT ESTATE

For APN/Parcel ID(s): P49004 / 360407-4-015-0000

Lot 2, "corbel Short Plat", Short Plat #PL-06-0089, approved and recorded on August 16, 2007, under Skagit County Auditor File No. 200708160142, being a portion of Tract D, Skagit county Short Plat No. 41-82, approved June 27, 1988 and recorded June 29, 1988, under Skagit county Auditor File No. 8806290016 AND ALSO being a portion of Lot 2, Block 5, "PLAT OF ALGER, SKAGIT COUNTY, WASHINGTON", as per plat recorded in Volume 4 of Plats, page 9, records of Skagit county, Washington, all lying within the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 7, Township 36 North, Range 4 East, W.M.

Situate in the County of Skagit, State of Washington.

EXHIBIT " C "

USE EASEMENT

A VARIABLE WIDE EASEMENT, OVER AND ACROSS A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 36 NORTH, RANGE 4 EAST OF W.M., SAID EASEMENT DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE FOLLOWING DESCRIBED PARCEL, ALSO SHOWN OF THAT RECORD OF SURVEY FILED UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 201810310002:

ALGER, LOT 2 BLOCK 5. COMMENCING AT THE SOUTHEAST CORNER OF LOT 2 THENCE WEST 301.50 FEET THENCE NORTH TO THE NORTH LINE OF LOT 2 THENCE EAST 301.50 FEET THENCE SOUTH TO BEG-INC. EAST 14.80 FEET OF LOT 1. EXCEPT THAT PORTION OF FOLLOWING DESCRIBED PROPERTY: COMMENCING AT THE SOUTHWEST CORNER OF LOT D, SHORT PLAT 41-82, LOCATED IN THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 7, TOWNSHIP 36 NORTH, RANGE 4 EAST, W.M., SAID POINT BEING THE SOUTHEAST CORNER OF LOT 2, BLOCK 5, PLAT OF ALGER, THENCE NORTH 01 DEGREES 05 MINUTES, 00 SECONDS WEST, ALONG THE WEST LINE OF LOT D, A DISTANCE OF 107.13 FEET TO THE TRUE POINT OF BEGINNING. THENCE CONTINUING NORTH 01 DEGREES 05 00 WEST A DISTANCE OF 70.00 FEET TO A CAP AND REBAR, MARKING THE NORTHEAST CORNER OF SAID LOT, ALSO BEING AN ANGLE POINT IN SAID LOT D. THENCE SOUTH 88 DEGREES 55 00 WEST A DISTANCE OF 17.00 FEET TO A POINT ON THE NORTH LINE OF LOT 2, THENCE SOUTH 14 DEGREES 44 01.5 EAST A DISTANCE OF 72.03 FEET TO THE TRUE POINT OF BEGINNING. ALSO TOGETHER WITH COMMENCING AT THE SOUTHWEST CORNER OF LOT D, SHORT PLAT 41-82, LOCATED IN THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 7, TOWNSHIP 36 NORTH, RANGE 4 EAST, W.M., SAID POINT BEING THE SOUTHEAST CORNER OF LOT 2, BLOCK 5, PLAT OF ALGER, THENCE NORTH 01 DEGREES 05 MINUTES 00 SECONDS WEST, ALONG THE WEST LINE OF LOT D, A DISTANCE OF 177.13 TO THE NORTHEAST CORNER OF SAID LOT 2, AND AN ANGLE POINT IN THE WEST LINE OF SAID LOT B THENCE SOUTH 88 DEGREES 55 00 WEST, A DISTANCE OF 37.50 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 2, BEING THE TRUE POINT OF BEGINNING THENCE SOUTH 88 DEGREES 55 00 WEST ALONG SAID NORTH LINE, A DISTANCE OF 70.00 FEET TO A 2 IRON PIPE BEING AN ANGLE POINT IN THE WEST LINE OF LOT D, ALSO BEING THE SOUTHEAST CORNER OF LOT 3, BLOCK 5 THENCE NORTH 01 DEGREES 05 00 WEST A DISTANCE OF 17.00 FEET TO A POINT ON THE WEST LINE OF SAID LOT D THENCE SOUTH 77 DEGREES 25 58.5 EAST A DISTANCE OF 72.03 FEET TO THE TRUE POINT OF BEGINNING.

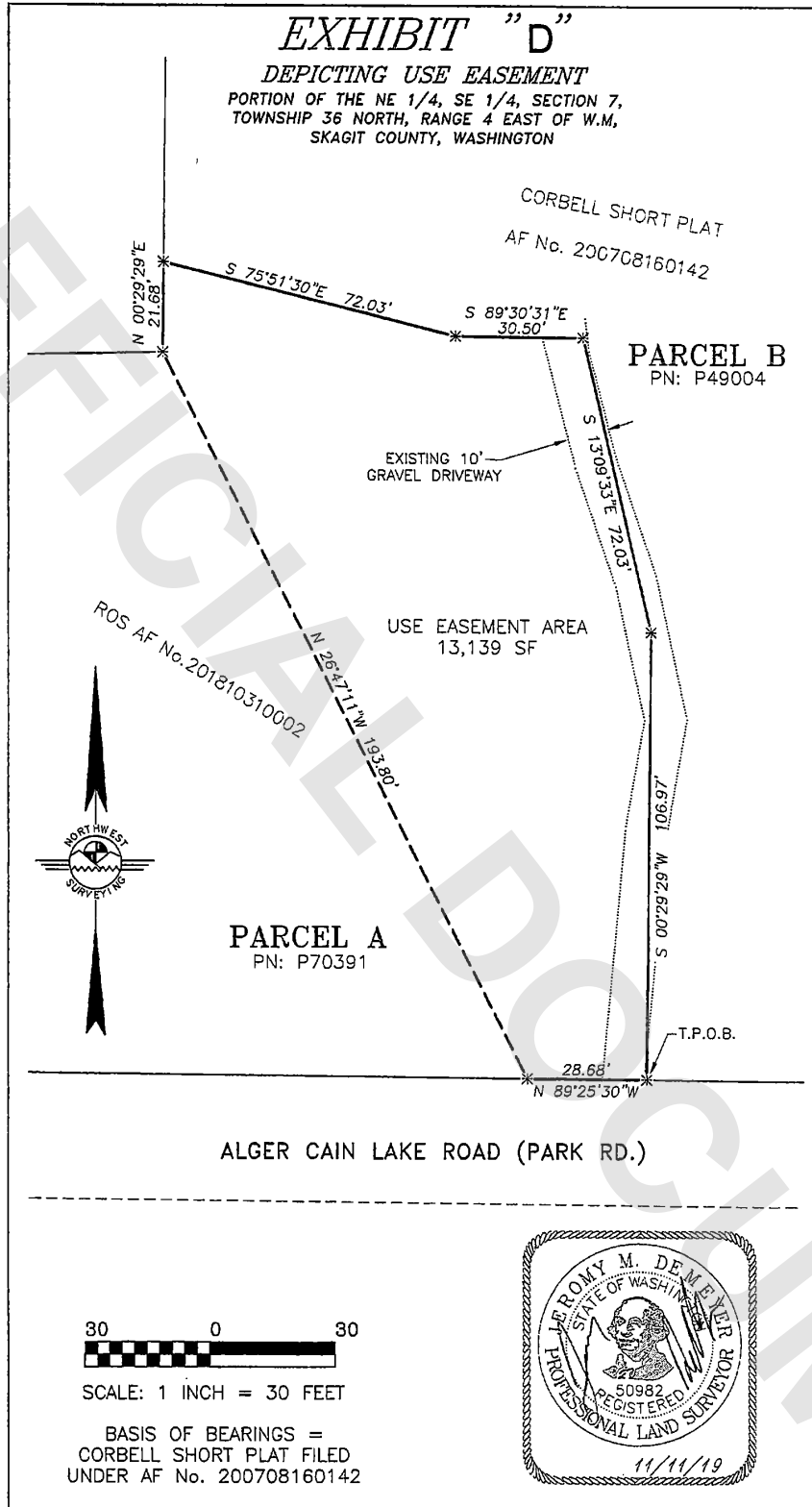
THENCE THE FOLLOWING SEVEN (7) COURSES:

1. NORTH 89° 25' 30" WEST ALONG THE SOUTH LINE OF THE ABOVE DESCRIBED PARCEL A DISTANCE OF 28.68 FEET;
2. NORTH 26° 47' 11" WEST A DISTANCE OF 193.80 FEET;
3. NORTH 00° 29' 29" EAST A DISTANCE OF 21.68 FEET;
4. SOUTH 75° 51' 30" EAST A DISTANCE OF 72.03 FEET;
5. SOUTH 89° 30' 31" EAST A DISTANCE OF 30.50 FEET;
6. SOUTH 13° 09' 33" EAST A DISTANCE OF 72.03 FEET;
7. SOUTH 00° 29' 29" WEST A DISTANCE OF 106.97 FEET TO THE POINT OF BEGINNING.

SITUATE IN SKAGIT COUNTY, WASHINGTON.

EXHIBIT "D"

DEPICTING USE EASEMENT
PORTION OF THE NE 1/4, SE 1/4, SECTION 7,
TOWNSHIP 36 NORTH, RANGE 4 EAST OF W.M.,
SKAGIT COUNTY, WASHINGTON



UNOFFICIAL DOCUMENT