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Skagit County Auditor

FILED FOR RECORD AT THE
REQUEST OF/RETURN TO:
Craig E. Cammock
Skagit Law Group, PLLC
P.O. Box 336 / 227 Freeway Drive, Suite B
Mount Vernon, WA 98273

Document Title: Protected Critical Area Easement (PCAE)

Grantors: NEIL HANSEN and
FREIDA HANSEN, husband and wife,
and the marital community composed thereof

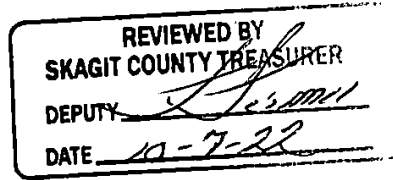
Grantee: SKAGIT COUNTY,
a political subdivision of the State of Washington

Additional Grantor(s) on page(s)
Additional Grantee(s) on page(s)

Abbreviated Legal: Ptn of Government Lot 8, in the SE ¼ of the SE ¼,
Section 36, Township 34 North, Range 4 East, W.M.

Additional Legal on page(s): Exhibit "A"

Assessor's Tax Parcel No: P29886; P107656; P29885



PROTECTED CRITICAL AREA EASEMENT (PCAE)

In consideration of Skagit County Code (SCC) 14.24.090, requirements for recording of protected critical area easements (PCAE), for areas included under PL07-0465, and mutual benefits herein, Neil & Freida Hansen (husband and wife), hereafter referred to as Grantor(s), does hereby grant, convey and warrant to Skagit County, a political subdivision of the State of Washington, a non-exclusive perpetual easement establishing a PCAE 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 PCAE described herein.


The easement is granted to and conditioned upon the following terms, conditions and covenants:


1. The PCAE legal description is **ATTACHED** as shown on **Exhibit A** and **Exhibit B**.
2. Grantor(s) shall hereafter be responsible for maintaining and repairing PCAE areas as described herein and is hereby required to leave PCAE areas undisturbed in a natural state. "With the exception of activities identified as Allowed without Standard review under SCC 14.24.070, 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 PCAE areas except as specifically permitted by Skagit County on a case-by-case basis consistent with SCC 14.24.
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.
 - i. None
 - ii. None
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 PCAE and do not

detract from its integrity may be permitted within the PCAE 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, 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 PCAE 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 PCAE, 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 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.
7. 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.
8. 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 19 day of April, 2022


Neil Hansen


Frieda Hansen

ACKNOWLEDGMENT

STATE OF WASHINGTON)
 ss.)
COUNTY OF SKAGIT)

On this day personally appeared before me **NEIL HANSEN** known to be the individual(s) 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 uses and purpose therein mentioned.

GIVEN under my hand and official seal the 19th day of April, 2022.

CRAIG CAMMOCK

NOTARY PUBLIC in and for the State of Washington residing at
My Commission Expires: 11-1-2022

ACKNOWLEDGMENT

STATE OF WASHINGTON)
 ss.)
COUNTY OF SKAGIT)

On this day personally appeared before me **FRIEDA HANSEN** known to be the individual(s) 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 uses and purpose therein mentioned.

GIVEN under my hand and official seal the 19th day of April, 2022.

CRAIG CAMMOCK

NOTARY PUBLIC in and for the State of Washington residing at
My Commission Expires: 11-1-2022

EXHIBIT "A"
LEGAL DESCRIPTION OF PCA TRACT B

A PROTECTED CRITICAL AREA OVER, UNDER AND ACROSS THAT PCA TRACT B, PHASE LOT 106 THE RESERVE AT OVERLOOK CREST, AS FILED UNDER AUDITOR'S FILE NO. 202210070031, RECORDS OF SKAGIT COUNTY, WASHINGTON, BEING A PORTION OF THE GOVERNMENT LOT 8, IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, SECTION 36, TOWNSHIP 34 NORTH, RANGE 4 EAST W.M., AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 36, AS SHOWN ON SAID PHASE LOT 106 THE RESERVE AT OVERLOOK CREST;

THENCE **NORTH 02°04'01" EAST**, ALONG THE EAST LINE OF SECTION 36, **130.43 FEET**, TO THE SOUTHEAST CORNER OF SAID PCA TRACT 1, AND THE CUSP OF A CURVE, CONCAVE TO THE RIGHT, THE CENTER OF WHICH BEARS **NORTH 22°26'14" WEST**, AND HAVING A RADIUS OF **50.00 FEET**, SAID POINT BEING THE **TRUE POINT OF BEGINNING**;

THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF **63°38'23"**, AN ARC DISTANCE OF **55.54 FEET**, TO A POINT OF TANGENCY;

THENCE **NORTH 48°47'51" WEST**, **40.52 FEET**, TO THE BEGINNING OF A CURVE, CONCAVE TO THE RIGHT, HAVING A RADIUS OF **50.00 FEET**;

THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF **12°01'26"**, AN ARC DISTANCE OF **10.49 FEET**;

THENCE **NORTH 36°46'25" WEST**, **47.57 FEET**, TO THE BEGINNING OF A CURVE, CONCAVE TO THE RIGHT, HAVING A RADIUS OF **50.00 FEET**;

THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF **19°09'57"**, AN ARC DISTANCE OF **16.73 FEET**;

THENCE **NORTH 17°36'27" WEST**, **41.19 FEET**, TO THE BEGINNING OF A CURVE, CONCAVE TO THE RIGHT, HAVING A RADIUS OF **50.00 FEET**;

THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF **78°05'36"**, AN ARC DISTANCE OF **68.15 FEET**;

THENCE **NORTH 60°29'08" EAST**, **17.64 FEET**, TO THE BEGINNING OF A CURVE, CONCAVE TO THE RIGHT, HAVING A RADIUS OF **50.00 FEET**;

THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF **72°29'03"**, AN ARC DISTANCE OF **63.25 FEET**;

THENCE **SOUTH 47°01'49" EAST**, **49.14 FEET**, TO THE BEGINNING OF A CURVE, CONCAVE TO THE RIGHT, HAVING A RADIUS OF **50.00 FEET**;

THENCE ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF **20°01'16"**, AN ARC DISTANCE OF **17.47 FEET**, TO THE NORTHEAST CORNER OF SAID PCA TRACT 1;

THENCE **SOUTH 02°04'01" EAST**, ALONG THE EAST LINE OF SAID PCA TRACT 1, **148.26 FEET**, TO THE SOUTHWEST CORNER OF SAID PCA TRACT 1, AND THE **TRUE POINT OF BEGINNING**.

SAID EASEMENT CONTAINING **22,276 SQUARE FEET**, MORE OR LESS.

SITUATE IN SKAGIT COUNTY, WASHINGTON.



JEPSON & ASSOCIATES
222 GRAND AVE., SUITE C ~ BELLINGHAM,
WA 98225
PHONE: (360) 733-5780
JOB NO. 05128.03 | APRIL 5, 2022



