

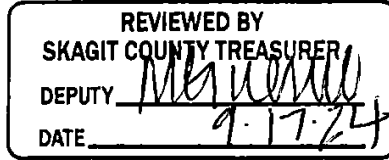


202409170143

09/17/2024 12:13 PM Pages: 1 of 6 Fees: \$308.50
Skagit County Auditor

Filed at the Request of/Return to:

Port of Skagit County
15400 Airport Drive
Burlington, WA 98233



DECLARATION OF EASEMENT
for
INGRESS, EGRESS, and UTILITIES

GRANTOR/ DECLARANT:	PORT OF SKAGIT COUNTY , a Washington public port district and municipal corporation
GRANTEE/ BENEFICIARY:	PORT OF SKAGIT COUNTY , a Washington public port district and municipal corporation
Abbreviated Legal:	A portion of 87, of the Alteration to Amended Skagit Regional Airport Binding Site Plan, Phase 1, AF 202112100111
Servient Parcel No.:	P35352
Dominant Parcel No.:	P35352

THIS DECLARATION OF EASEMENT for INGRESS, EGRESS, and UTILITIES is made and entered into by the PORT OF SKAGIT COUNTY, a Washington public port district and municipal corporation”) as “**Declarant**” and “**Beneficiary**”.

RECITALS

A. Declarant/Beneficiary is the owner of real property encumbered by the easement dedicated herein, the “Servient Parcel,” legally described as:

Lot 87 of the Alteration to Amended Skagit Regional Airport Bindings Site Plan, Phase 1, AF 202112100111

Situate in Skagit County, Washington.

Beneficiary is also the owner of real property benefitting from the easement dedicated herein, the "Dominant Parcels," legally described as follows:

Lot 87 Alteration to Amended Skagit Regional Airport Binding Site Plan, Phase 1, AF 202112100111.

Situate in Skagit County, Washington.

B. Declarant has determined that it is in its best interest to dedicate a non-exclusive perpetual easement for ingress, egress, and utilities over, under, and across a strip of Servient Parcel.

NOW, THEREFORE, the Declarant hereby declares and dedicates the following non-exclusive easement:

1. Dedication of Easement. Declarant hereby dedicates and grants to Beneficiary, without warranty, a non-exclusive, perpetual easement for ingress, egress, and utilities, over, under, and across a portion of Lot 87 of Alteration to Amended Skagit Regional Airport Binding Site Plan, Phase 1, Auditor's File No. 202112100111 (the "Easement Area") and being more particularly described in **Exhibit A** and attached hereto and incorporated herein by this reference

2. Intent of Easement. The intent of this easement is to provide access from the edge of Higgins Airport Way right-of-way to benefit the portion of the Servient Parcel not in the Easement Area and the Dominant Parcel and those other parcels owned by Declarant as described herein.

3. Use of Easement. The Declarant/Beneficiary, the Declarant's employees, invitees and agents, the public and any tenant of the Declarant/Beneficiary, including employees, agents and invitees thereof, may use the easement in a reasonable manner that does not interfere with the use of the easement area by any tenant of either the Dominant Parcels or the Servient Parcel. Declarant/Beneficiary shall have exclusive authority to approve the placement, or to place, improvements in the easement area consistent with the terms hereof.

4. Site Map. A map showing the Easement Area, the Servient Parcel and the Dominant Parcel is attached hereto as **Exhibit B** and incorporated herein by this reference.

5. Non-Waiver of Breach. The failure of Declarant to insist upon strict performance of any of the covenants or agreements of this easement in one or more instances shall not be construed to be a waiver or relinquishment of any such covenant or agreement, but the same shall be and remain in full force and effect during the term of this easement.

6. Easement Runs with Land. The benefits, burdens, and covenants of the easement declared herein shall be deemed to be appurtenant to and run with the land and shall bind the

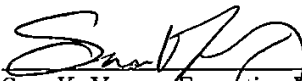
Declarant's/Beneficiary's Property, the Declarant/Beneficiary, and all entities and persons possessing or leasing the Servient Parcel.

7. Applicable Law. This Agreement shall be construed according to the laws of the State of Washington.

IN WITNESS WHEREOF, the Declarant/Beneficiary has executed this Easement on the day, month and year last written below.

DECLARANT/BENEFICIARY

PORT OF SKAGIT COUNTY



Sara K. Young, Executive Director
Date 9/16/2024



Pacific Surveying & Engineering, Inc

land surveying • civil engineering • consulting • environmental
909 Squalicum Way #111, Bellingham, WA 98225
Phone 360.671.7387 Facsimile 360.671.4685 Email info@psurvey.com

EXHIBIT 'A' INGRESS, EGRESS & UTILITIES EASEMENT DESCRIPTION FINN LEASE AREA

A 22.00-FOOT-WIDE INGRESS, EGRESS AND UTILITIES EASEMENT LOCATED WITHIN A PORTION OF LOT 87, ALTERATION TO AMENDED SKAGIT REGIONAL AIRPORT BINDING SITE PLAN PHASE 1, ACCORDING TO THE MAP THEREOF, RECORDED UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 202112100111, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 1, BINDING SITE PLAN FOR BAYVIEW HANGARS LLC, ACCORDING TO THE MAP THEREOF, RECORDED UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 200706180136; THENCE SOUTH $41^{\circ}10'26''$ WEST, 181.70 FEET TO THE **POINT OF BEGINNING**; THENCE NORTH $52^{\circ}53'25''$ WEST, 22.00 FEET; THENCE AT RIGHT ANGLES, SOUTH $37^{\circ}06'35''$ WEST, 115.30 FEET; THENCE SOUTH $52^{\circ}25'41''$ EAST, 22.00 FEET; THENCE NORTH $37^{\circ}06'35''$ EAST, 115.48 FEET TO THE **POINT OF BEGINNING**.

BASIS OF BEARINGS PER ALTERATION TO AMENDED SKAGIT REGIONAL AIRPORT BINDING SITE PLAN RECORDED UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 202112100111.

SITUATE IN SKAGIT COUNTY, WASHINGTON.



ALTERATION TO
AMENDED SKAGIT REGIONAL
AIRPORT BINDING SITE PLAN

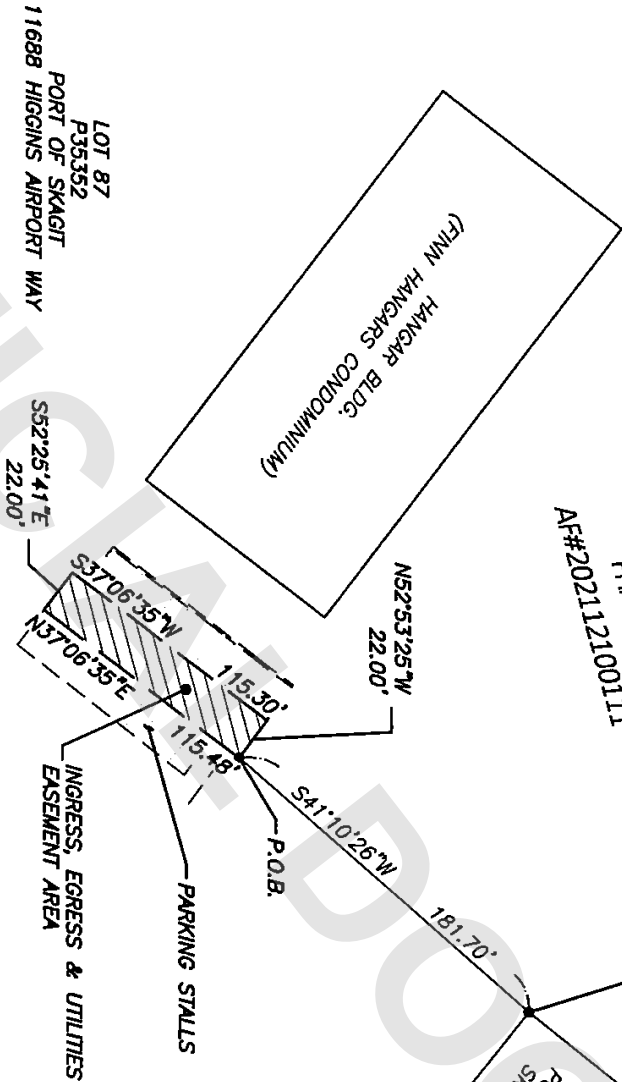
SITUATE IN A PORTION OF THE SE 1/4 OF THE SW 1/4 OF SECTION 34,
TOWNSHIP 35 NORTH, RANGE 3 EAST, W.M., SKAGIT COUNTY, WASHINGTON

EXHIBIT 'B'

PHASE 1
AF# 202112100111

BINDING SITE PLAN FOR
BAVVIEW HANGARS LLC

AF# 200706180136



**PACIFIC SURVEYING
& ENGINEERING, INC.**
909 Southcum Way, Suite 111 | BELLEVUE, WA 98225
T: 360.671.7387 | F: 360.671.4685
WWW.PSE.SURVEY.COM | INFO@PSE.SURVEY.COM

DWG: 2024024.FINN.ACCESS.EASEMENT.dwg DATE: 9/6/24 JOB#: 2024024 SCALE: 1"=80' SHEET: 1 OF 1

