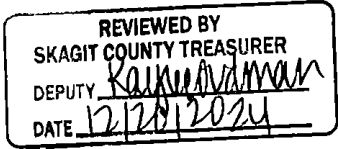




202412200054

12/20/2024 11:24 AM Pages: 1 of 6 Fees: \$308.50
Skagit County Auditor



AFTER RECORDING RETURN TO:
KRISTEN A. CAVANAUGH
BELCHER SWANSON LAW FIRM, P.L.L.C.
900 DUPONT STREET
BELLINGHAM, WA 98225

Document: Declaration of Temporary Construction Easement
Grantor: Gateway Village, LLC, a Washington limited liability corporation
Grantee: Gateway Village, LLC, a Washington limited liability corporation
Abbrev. Legal Desc: Ptn E 1/2 of SE 1/4 of SW 1/4. S23, T35N, R4E of W.M.
Tax Parcel No: P37331; P37206

DECLARATION OF TEMPORARY CONSTRUCTION EASEMENT

THIS DECLARATION OF TEMPORARY CONSTRUCTION EASEMENT (hereinafter "Easement") is made and entered into this 6 day of December, 2024, by Gateway Village, LLC (hereinafter, "Declarant").

RECITALS:

- A. Declarant owns certain real property situated in Skagit County, Washington legally described on the attached Exhibit "A" ("**Benefitted Parcel**").
- B. Declarant also owns certain real property situated in Skagit County, Washington legally described on the attached Exhibit "B" ("**Burdened Parcel**").
- C. Declarant is developing the Benefitted Parcel and Burdened Parcel ("**Project**") and desires to use a certain portion of the Burdened Parcel in connection with the construction, placement, operation, repair, replacement, improvements and maintenance of the Project.

NOW, THEREFORE, the Declarant grants, declares, reserves, and conveys as follows:

- 1. **Grant of Easement.** The Declarant grants a temporary, non-exclusive construction easement within, over, under, and across a portion of the Burdened Parcel, more particularly described in the attached Exhibit "C" and depicted in the attached Exhibit "D" ("**Easement Area**").
- 2. **Purpose of Easement.** Declarant, its agents, contractors, subcontractors, permittees, consultants, and other third parties authorized by Declarant, may use the Easement Area for the purposes of performing work to facilitate construction of the improvements related to the Project.
- 3. **Term of Easement.** This Easement shall commence upon full execution of this Easement and shall expire twenty-four (24) months from date of execution, whichever occurs first.
- 4. **Binding Effect.** In all respects, the provisions of this Easement shall be construed and interpreted as covenants which run with and are appurtenant to the land of the parties above described, and shall be binding upon and inure to the benefit of the heirs, assigns, successors to and personal representatives of the parties hereto.
- 5. **No Waiver.** Failure to enforce any provision of this document shall not operate as a waiver of any such provision.

6. Severability. Invalidation of any of the provisions of this Easement by judgment or court order shall in no way affect any of the other provisions, which shall remain in full force and effect.

DATED this 6 day of December, 2024

GATEWAY VILLAGE, LLC

By [Signature]
ROBERT W. JANICKI, Manager

STATE OF WASHINGTON)
)ss.
COUNTY OF WHATCOM)

On this 6th day of December, 2024, before me personally appeared Robert W. Janicki, to me known to be the Manager of the corporation that executed the within and foregoing instrument to be the free and voluntary act and deed of said companies for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.



[Signature]
Notary Public in and for the State of Washington,
residing at Bellingham.
My Commission Expires: 03.25.2026.

EXHIBIT "A"

LEGAL DESCRIPTION OF BENEFITTED PARCEL

ACCORDING TO RECORD OF SURVEY FOR BOUNDARY LINE ADJUSTMENT AS RECORDED UNDER AUDITOR'S FILE NO. ~~202412200052~~ RECORDS OF SKAGIT COUNTY, WASHINGTON:

THAT PORTION OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 35 NORTH, RANGE 4 EAST, WILLAMETTE MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION 23, THENCE NORTH 0° 59' 30" EAST ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION A DISTANCE OF 501.13 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 89° 56' 10" WEST A DISTANCE OF 636.17 FEET;

THENCE NORTH 0° 59' 12" EAST, PARALLEL WITH THE WEST LINE OF THE EAST HALF OF SAID SOUTHEAST QUARTER, A DISTANCE OF 821.63 FEET;

THENCE SOUTH 89° 26' 04" EAST ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 215.44 FEET;

THENCE SOUTH 0° 59' 30" WEST, PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 452.02 FEET;

THENCE SOUTH 89° 00' 30" EAST A DISTANCE OF 420.70 FEET TO A POINT ON SAID EAST LINE;

THENCE SOUTH 0° 59' 30" WEST ALONG SAID EAST LINE A DISTANCE OF 359.50 FEET TO THE TRUE POINT OF BEGINNING.

SITUATE WITHIN THE CITY LIMITS OF SEDRO-WOOLLEY, SKAGIT COUNTY, WASHINGTON.

CONTAINS 329,591 SQUARE FEET±



JEPSON & ASSOCIATES

222 GRAND AVE., SUITE C - BELLINGHAM, WA 98225
PHONE: (360) 733-5760
JOB NO. 19097.01 | OCT. 31, 2023

SHEET 1 of 1

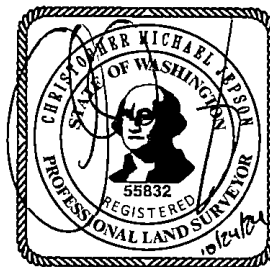


EXHIBIT "B"

LEGAL DESCRIPTION OF BURDENED PARCEL

ACCORDING TO RECORD OF SURVEY FOR BOUNDARY LINE ADJUSTMENT AS RECORDED UNDER AUDITOR'S FILE NO. ~~202412200052~~ RECORDS OF SKAGIT COUNTY, WASHINGTON:

THAT PORTION OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 35 NORTH, RANGE 4 EAST, WILLAMETTE MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION 23, THENCE NORTH 0° 59' 30" EAST ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION A DISTANCE OF 501.13 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 89° 56' 10" WEST A DISTANCE OF 636.17 FEET;

THENCE NORTH 0° 59' 12" EAST, PARALLEL WITH THE WEST LINE OF THE EAST HALF OF SAID SOUTHEAST QUARTER, A DISTANCE OF 821.63 FEET;

THENCE SOUTH 89° 26' 04" EAST ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 215.44 FEET;

THENCE SOUTH 0° 59' 30" WEST, PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 452.02 FEET;

THENCE SOUTH 89° 00' 30" EAST A DISTANCE OF 420.70 FEET TO A POINT ON SAID EAST LINE;

THENCE SOUTH 0° 59' 30" WEST ALONG SAID EAST LINE A DISTANCE OF 359.50 FEET TO THE TRUE POINT OF BEGINNING.

SITUATE WITHIN THE CITY LIMITS OF SEDRO-WOOLLEY, SKAGIT COUNTY, WASHINGTON.

CONTAINS 329,591 SQUARE FEET±



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SHEET 1 of 1

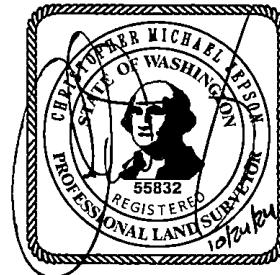


EXHIBIT "C"

LEGAL DESCRIPTION OF EASEMENT AREA

THAT PORTION OF PARCEL "B," AS DELINEATED ON RECORD OF SURVEY FOR BOUNDARY LINE ADJUSTMENT RECORDED UNDER AUDITOR'S FILE NO. ~~202412200054~~ RECORDS OF SKAGIT COUNTY, WASHINGTON, BEING A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 35 NORTH, RANGE 4 EAST OF W.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER, THENCE **SOUTH 0° 59' 30" WEST** ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF **455.14 FEET** TO THE SOUTH LINE OF PARCEL "A" OF SAID BOUNDARY LINE ADJUSTMENT;

THENCE **NORTH 89° 00' 30" WEST** ALONG SAID SOUTH LINE A DISTANCE OF **420.70 FEET** TO THE WEST LINE OF SAID PARCEL "A" AND THE **TRUE POINT OF BEGINNING**;

THENCE CONTINUING **NORTH 89° 00' 30" WEST 20.00 FEET**;

THENCE **NORTH 0° 59' 30" EAST**, PARALLEL WITH SAID WEST LINE, A DISTANCE OF **80.00 FEET**;

THENCE **SOUTH 89° 00' 30" WEST 20.00 FEET** TO SAID WEST LINE;

THENCE **SOUTH 0° 59' 30" WEST** ALONG SAID WEST LINE A DISTANCE OF **80.00 FEET** TO THE **TRUE POINT OF BEGINNING**.

CONTAINS **1,600 SQUARE FEET±**

SITUATE WITHIN THE CITY OF SEDRO-WOOLLEY, SKAGIT COUNTY, WASHINGTON.



JEPSON & ASSOCIATES

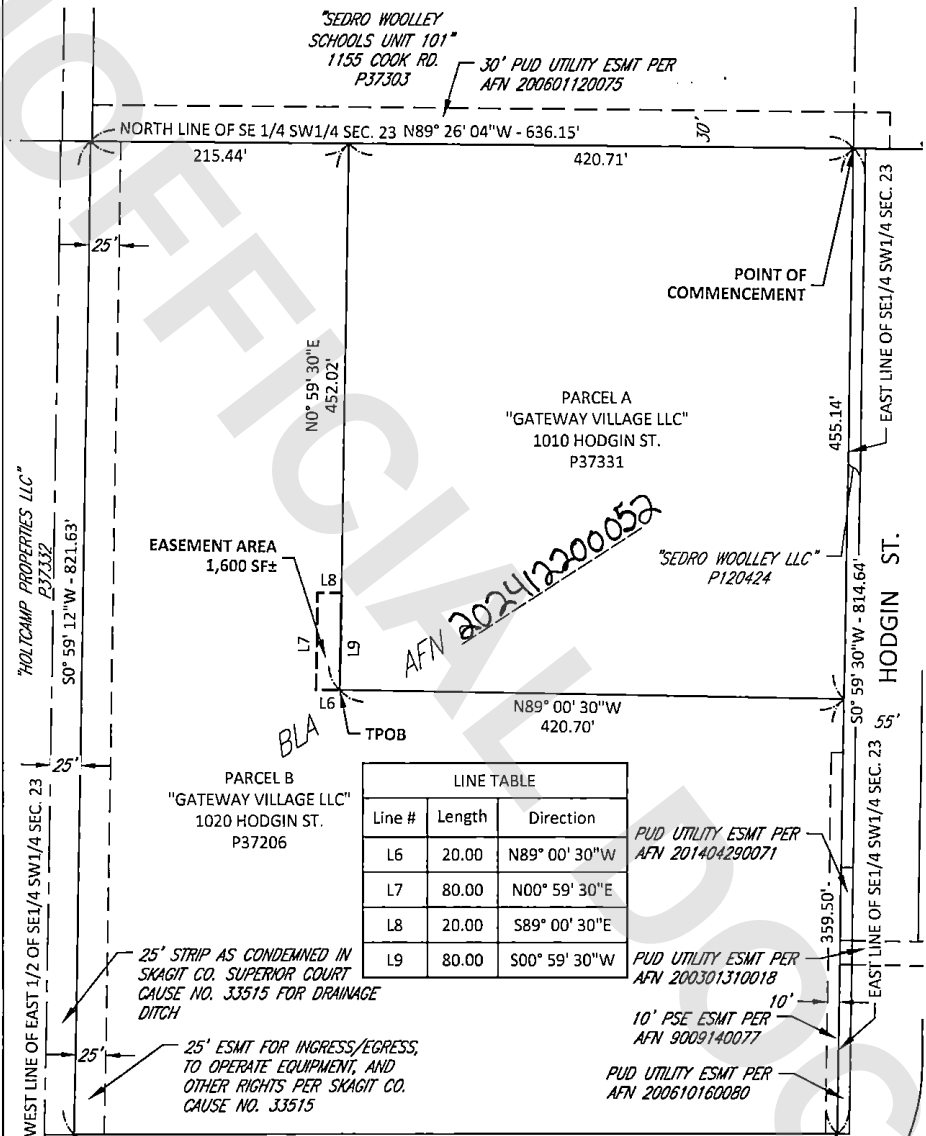
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SHEET 1 of 1



EXHIBIT "D"

DEPICTION OF EASEMENT AREA



BASIS OF BEARINGS:
 RELATED TO WASHINGTON COORDINATE SYSTEM (NAD 83/11), NORTH ZONE
 LINE HELD: SOUTH LINE OF SOUTHWEST QUARTER SECTION 23: BEING S89°56'10"W - 2644.45'.
 SECTION BREAKDOWN PER SKAGIT SURVEYORS ROS FILED UNDER A.F. NO. 9810210062 & 200011060074 (SOUTH LINE OF SOUTHWEST QUARTER SECTION 23 BEING S89°56'04"W - 2644.50')



JEPSON & ASSOCIATES
 222 GRAND AVE., SUITE C - BELLINGHAM, WA 98225
 PHONE: (360) 733-5760
 JOB NO. 19097.01 | OCT. 24, 2024

SE1/4 SW1/4 SEC. 23, T. 35 N., R. 4 E. W.M.
 SKAGIT COUNTY, WASHINGTON

DWG. NO.:	19097.01-ESMT	SHEET NO.:	
DRWN BY:	RRC	CHKD BY:	CMJ

1 of 1