

Strand Title

Mr. Lavern Deane
1317 Deane Drive
Anacortes, WA 98221

700
SERP: MCINTIFF
84 JUN 25 1984

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SA-3190

WATER USE AND MAINTENANCE AGREEMENT
REQUEST OF _____

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THIS AGREEMENT, made this day by and among CAROL STRAND, a married woman, owning the property hereinafter described as her sole and separate estate, of 274 Rosario Road, Anacortes, Washington, hereinafter designated Strand; NCEL JOHNSON and BETTY JOHNSON, husband and wife, of 1335 Deane Drive, Anacortes, Washington, hereinafter designated Johnson; LAVERN DEANE, a married man, owning the property hereinafter described as his sole and separate estate, of 1317 Deane Drive, Anacortes, Washington, hereinafter designated Deane; HENRY CURRAN and ANITA L. CURRAN, husband and wife, of 271 Rosario Road, Anacortes, Washington, hereinafter designated Curran; MICHAEL J. FELT and SUZANNE E. FELT, husband and wife, of 1321 Deane Drive, Anacortes, Washington, hereinafter designated Felt; and KAAREN WOODING, an unmarried woman, of 1337 Deane Drive, Anacortes, Washington, hereinafter designated Wooding, WITNESSETH:

That for and in consideration of the mutual covenants, conditions and agreements hereinafter contained, the parties hereto agree as follows:

1. Strand is the owner of that portion of Government Lot 5, Section 11, Township 34 North, Range 1 East, W.M., lying South of Rosario Road, EXCEPT the East 200 feet thereof, upon which there is a well and source of water supply for the parties to this instrument. Said well is a dug well, equipped with pump for pumping water into a 5,000 gallon holding tank located upon the property. A pipeline runs from the well to the tank and from the tank to the Rosario Road and under the Rosario Road, at or about its intersection with Deane Drive. From said point, pipelines branch to connect with the properties of the other parties to this instrument.

2. Property ownerships of the other parties hereto are as follows:

- (a) Johnson owns Tract 7, "DEANE'S LAKE ERIE TRACTS," according to the plat recorded in Volume 7 of Plats, page 66, records of Skagit County, Washington.
- (b) Deane owns Tract 1, "DEANE'S LAKE ERIE TRACTS."
- (c) Curran owns Tract 16, "DEANE'S LAKE ERIE TRACTS."
- (d) Felt owns Tract 2, "DEANE'S LAKE ERIE TRACTS."
- (e) Wooding owns Tract 8, "DEANE'S LAKE ERIE TRACTS."

3. All of the properties hereinabove described are served with water from the well on the Strand tract by pipeline leading from said well.

4. Deane has acted as manager for the owners hereinabove named in connection with seeing to the maintenance and operation of the water supply system. At the present time the cost to each owner is \$60.00 per year, and this may vary as costs of service, equipment and maintenance may increase. Each of the undersigned owners consents and agrees to share equally in the cost of maintenance, repair and replacement of the well, pump, holding tank and pipeline, and agrees to share the charges assessed by the manager as they become due. Each party to this instrument shall

8406250060

VOL 565 PAGE 492
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1 be responsible for his own pipeline to the point of connection
2 with the main pipe leading from the Rosario Road.

3 5. Strand hereby grants and conveys to each of the other
4 parties hereto the right of ingress and egress and easement from
5 the Rosario Road to the holding tank and well, for purposes of
6 maintaining, repairing and replacing pipe, tank, pump and allied
7 equipment, over, along, under and across the following described
8 property:

9 A strip of land three feet (3') in width, being one and
10 one-half feet (1½') on each side of a line (being the
11 existing pipeline) commencing approximately 150 feet East of
12 the West line of the Strand property, on the Southerly
13 border of the Rosario Road; running thence Southerly fifty
14 feet (50'), more or less, to a tank with a dimension of ten
15 feet by ten feet (10' x 10'); and from that point Southeast-
16 erly parallel to the Rosario Road approximately four hundred
17 feet (400') to the well, said well being housed by a well-
18 house approximately six feet by six feet (6' x 6') in size.

19 This agreement and this easement will be appurtenant to and run
20 with the lands of the parties herein above described.

21 6. Other than owning the real estate upon which the source of
22 water is located, Strand has no connection whatsoever with the
23 water system herein described, and all of the other parties to this
24 agreement acknowledge that Strand has made no representations what-
25 soever regarding the quantity, quality or potability of the water,
26 and all of the other parties agree to hold Strand harmless from
27 and to indemnify her against any loss or damage resulting, directly
28 or indirectly, from a shortage of water or any contamination mak-
29 ing said water unsatisfactory to drink.

30 Dated and executed this 23rd day of June, 1984.

31 Carol L Strand
32 STRAND

Paul H Johnson

Betty E. Johnson
JOHNSON

Laura M Deane
DEANE

Ante L Curran

Ante L Curran
CURRAN

Michael J. Wells

Suzanne E. Fell
FELL

8406250060

- 2 -

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VOL 585 PAGE 493

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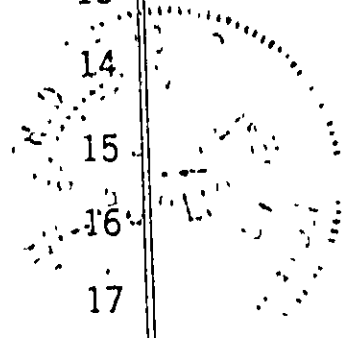
WOODING

STATE OF WASHINGTON)
 :SS
COUNTY OF SKAGIT)

On this day personally appeared before me CAROL STRAND, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged 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 this 22 day of June, 1984.

Alfred L. Roy Carpenter
NOTARY PUBLIC in and for the State of Washington, residing at Anacortes



8406250060

VOL 585 PAGE 491

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