

Robert Kuchan  
26704 Paramount Ln.  
Sedro Woolley WA 98284

KATHY HILL  
SKAGIT COUNTY AUDITOR

'98 OCT 29 AIO:47

9810290046

RECORDED \_\_\_\_\_ FILED \_\_\_\_\_  
IN OFFICE OF \_\_\_\_\_

**NON-EXCLUSIVE EASEMENT  
AND  
MAINTENANCE DECLARATION**

THIS DECLARATION made and entered into this 29 day of  
October, 1998, by ROBERT KUCHAN AND WENDY RHODES  
of 1191 KRETZ LANE, SEDRO WOOLEY, WA. 98284

(hereinafter "Declarants"), as owners of the following described land, situated in Skagit  
County, Washington: LOT 1 AND LOT 4 OF SHORT PLAT NO. 91-08 RECORDED  
APRIL 11, 1991. UNDER AUDITORS FILE NO. 9104110050, IN VOLUME 9  
OF SHORT PLATS PAGE 346. RECORDS OF SKAGIT COUNTY, WASHINGTON

THE DECLARANTS under this declaration do hereby establish of record a Non-Exclusive  
Easement for ingress, egress and utilities over, under and through a sixty-foot (60') wide  
strip of land, for the benefit of the owners and future owners of Lots A, B & D,  
situated within Skagit County Short Plat Number 97-0044. Recorded in Volume 13  
of Short Plats at page 18 E 17 under Skagit County Auditor's file 9810290045,  
records of Skagit County, Washington. Declarants further provide that this property  
access is perpetual and SUBJECT TO the right of Declarants to dedicate the roadway to  
Skagit County as a public County road, all at the exclusive option of Declarants or their  
successors owning a majority of the Lots.

9810290046

SK1890PG0001

UNRECORDED

SAID AND DESCRIBED roadway easement is more specifically described as follows: SEE ATTACHED EXHIBIT "A"

MAINTENANCE OF THE ABOVE-DESCRIBED EASEMENT (including labor and expenses) shall be shared equally among the owners of Lots A, B & D.

"MAINTENANCE" as used herein shall mean the equal requirement of said Lot owners and their successors in ownership to share the labor and cost to maintain the roadway easement in a good and workmanlike manner and, so long as Declarants own one or more of the Lots, to the pleasure of the Declarants herein.

FURTHER, THE DECLARANTS under this declaration acknowledge and grant a perpetual easement for installation of utilities and for all reasonable utility maintenance and servicing requirements, including the right to enter in, cross under, through and over the described roadway to provide utility services to each owner of a property within Shaort Plat 97-0044 and any division of refinement thereof, and Declarants specifically grant to, but not limited to, Puget Sound Power & Light Company, General Telephone Company, County Cable, and any successors and assigns of said companies.

DATED the 15 day of Jan, 1998.

SKAGIT COUNTY WASHINGTON  
Real Estate Excise Tax  
PAID

OCT 29 1998

Amount Paid \$ 0  
By: SP Skagit County Treasurer Deputy

Robert U. Kuch  
Wendy J. Kuch

9810290046

BK1890PG0002

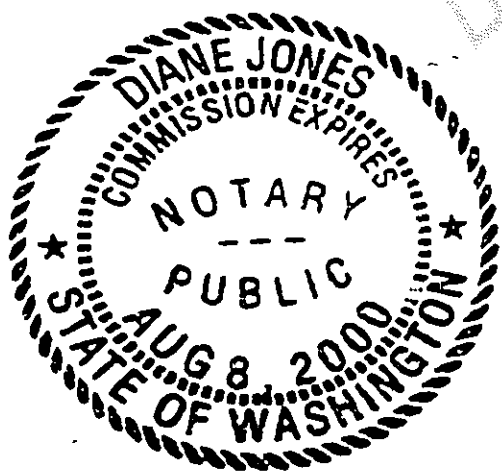
STATE OF WASHINGTON )

) SS.

COUNTY OF SKAGIT )

On this 15 day of January, 199, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Windy Rhodes & Robert Kuchan, to me known to be the individuals described in and who executed the foregoing instrument, and acknowledged to me that they signed and sealed the said instrument as their free and voluntary act and deed for the uses and purposes mentioned herein,

WITNESS my hand and official seal hereto affixed the day and year above written,



Diane Jones  
Notary Public in and for the State of  
Washington residing at: Maple  
My commission expires: 88-11

9810290046

SK1890PG0003



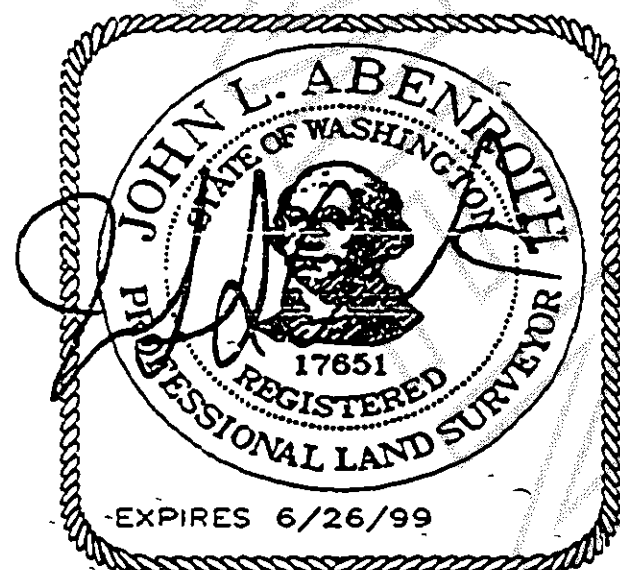
EXHIBIT A  
LEGAL DESCRIPTION  
FOR  
ROBERT KUCHAN  
OF  
SHORT PLAT ROAD EASEMENT

May 12, 1998

A sixty (60) foot wide road easement and a forty-five (45) foot radius cul de sac easement for ingress, egress and utilities over, under and through a portion Lot 1 of Short Plat #91-08 as recorded in Volume 9 of Short Plats at page 346 under AF#9104110050, the centerline of which is described as follows:

Commencing at the east line of Old Day Creek Road and the south line of Kretz Lane as shown on said short plat; thence easterly along the 330 foot radius curve of the south line of Kretz Lane through a central angle of  $37^{\circ}01'04''$ , and an arc distance of 213.21 feet to the point of beginning of this centerline description; thence  $S53^{\circ}42'30''E$ , a distance of 83.11 feet to the point of curvature of a curve to the right having a radius of 321 feet; thence southeasterly along said curve through a central angle of  $9^{\circ}57'59''$ , and an arc distance of 55.84 feet to the point of reverse curvature with a curve to the left having a radius of 175 feet; thence southeasterly along said curve through a central angle of  $46^{\circ}22'14''$ , and an arc distance of 141.63 feet to the center of the 45.00 foot radius cul de sac and the terminal point of this centerline description. (All bearings refer to bearings of said short plat)

Situated in Skagit County, Washington.



5/12/98

9810290046

BK1890PGU004