

KATHY HILL
SKAGIT COUNTY AUDITOR

99 MAY -3 P3:38

RECORDED _____ FILED _____
REQUEST OF _____

AFTER RECORDING RETURN TO:

JAMES L. KOTSCHWAR
Attorney at Law
Post Office Box 1593
Oak Harbor, Washington 98277

ISLAND TITLE COMPANY
A-2000-

9905030127

RELEASE AND EXTINGUISHMENT OF EASEMENT

THIS RELEASE AND EXTINGUISHMENT is made as of this _____ day of _____, 1999 by the following parties:

DANIEL EDWARD DOWNING and ALIN G. DOWNING, husband and wife, who are the owners of those parcels of real estate located in Skagit County, Washington, which are fully and legally described in Exhibit "A", which is attached hereto as page 3 and made a part of this document by this reference; and which parcels of property are referenced herein as the "DOWNING PARCEL NO. 5" and the "DOWNING PARCEL NO 6", respectively.

The abbreviated legal descriptions of the "DOWNING PARCEL NO. 5" and the "DOWNING PARCEL NO 6", respectively, are as follows:

Parcel No. 5: Section 13, Township 34 North, Range 1 E.W.M., North $\frac{1}{2}$, SE $\frac{1}{4}$, SE $\frac{1}{4}$, SW $\frac{1}{4}$; together with a portion of North $\frac{1}{2}$, SW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$ thereof.
which parcel is also known as Skagit County Assessor's tax parcel No. 340113-3-009-0207.

Parcel No. 6: Section 13, Township 34 North, Range 1 E.W.M., South $\frac{1}{2}$, SE $\frac{1}{4}$, SE $\frac{1}{4}$, SW $\frac{1}{4}$.
which parcel is also known as Skagit County Assessor's tax parcel No. 340113-3-008-0008.

CHARLES STAVIG, an unmarried person, who is the owner of that parcel of real estate located in Skagit County, Washington, which is fully and legally described in Exhibit "B", which is attached hereto as page 4 and made a part of this document by this reference; and which parcel of property is referenced herein as the "STAVIG PARCEL".

The abbreviated legal description of the "STAVIG PARCEL" is Section 13, Township 34 North, Range 1 E.W.M., SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$; the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$; together with a portion of the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ thereof.
which parcel is also known as Skagit County Assessor's tax parcel No. 340113-3-001-0007; and,

WHEREAS, the parties desire to enter into an agreement pertaining to the release by CHARLES STAVIG of certain easement rights affecting the DOWNING PARCEL NO. 5 and DOWNING PARCEL NO. 6.

NOW, THEREFORE, for and in consideration of mutual benefits of a nonmonetary nature, the parties do hereby agree and declare that CHARLES STAVIG, on behalf of himself, his successors, heirs, and/or assigns, does hereby release and extinguish any and all

RELEASE AND EXTINGUISHMENT OF EASEMENT - Page 1

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right, title, and interest now held by him with respect to that portion of an existing easement for ingress, egress, and/or utilities, as specified in that certain DECLARATION OF EASEMENTS, PROTECTIVE COVENANTS, AND ROAD AND WELL MAINTENANCE PROVISIONS, dated and recorded July 15, 1996, as Auditor's No. 9607150132, records of Skagit County, Washington, and as referenced and delineated in that certain survey recorded on July 15, 1996, as Auditor's No. 9607150009, records of Skagit County, Washington. This extinguishment of easement rights applies only to that portion of the above-referenced easement which affects the DOWNING PARCEL NO. 5 and the DOWNING PARCEL NO. 6, as shown in said survey (Auditor's No. 9607150009).

IN WITNESS WHEREOF, the parties have caused this document to be executed as of the day and year first above written.

Charles Stavig
CHARLES STAVIG

Daniel Edward Downing
DANIEL EDWARD DOWNING

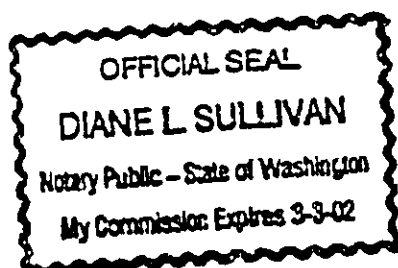
SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax
Paid

Alin G. Downing
ALIN G. DOWNING

STATE OF WASHINGTON) MAY 3 - 1999
County of Skagit) ss. Amount Paid \$
By aw Skagit County Treasurer
Deputy

On this 27 day of April A.D. 1999, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn personally appeared DANIEL EDWARD DOWNING and ALIN G. DOWNING 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 therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.

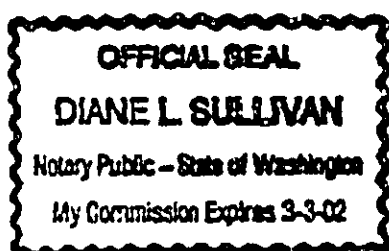


Diane L. Sullivan
Diane L. Sullivan
Notary Public in and for the State of
Washington, residing at Anacortes
My commission expires 3-3-02

STATE OF WASHINGTON)
County of Skagit) ss.

On this 20 day of April A.D. 1999, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn personally appeared CHARLES STAVIG to me known to be the individual described in and who executed the foregoing instrument, and acknowledged to me that he signed and sealed the said instrument as his free and voluntary act and deed for the uses and purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.



Diane L. Sullivan
Diane L. Sullivan
Notary Public in and for the State of
Washington, residing at Anacortes
My commission expires 3-3-02

E017:DS

EXHIBIT "A"

DOWNING PARCEL 5:

The North Half of the Southeast Quarter of the Southeast Quarter of the Southwest Quarter of Section 13, Township 34 North, Range 1 East of the Willamette Meridian;

TOGETHER WITH that portion of the North Half of the Southwest Quarter of the Southwest Quarter of the Southeast Quarter of said Section 13 lying Westerly of an existing gravel roadway as set forth in an easement to Earl and Teresa Rodgers by instrument recorded under Auditor's file No. 610687, records of Skagit County.

EXCEPT all that portion described as follows:

Commencing at the South Quarter corner of said Section 13;
thence North 1°59'50" East along the North-South centerline of said Section 13, a distance of 660.90 feet to the Northeast corner of the South Half of the Southeast Quarter of the Southwest Quarter of said Section 13, being the true point of beginning;
thence North 88°09'09" West along the North line of said South Half of the Southeast Quarter of the Southwest Quarter a distance of 332.07 feet to the Southwest corner of the East Half of the Northeast Quarter of the Southeast Quarter of the Southwest Quarter of said Section 13;
thence South 2°07'49" West a distance of 30.00 feet;
thence South 88°09'09" East parallel to the said North line of the South Half of the Southeast Quarter of the Southwest Quarter a distance of 577.11 feet, more or less, to the Westerly line of an existing gravel road, being that roadway as set forth in an easement to Earl and Teresa Rodgers by instrument recorded under Auditor's File No. 610687, records of Skagit County;
thence North 20°47'28" West a distance of 32.76 feet to the North line of the South Half of the Southwest Quarter of the Southeast Quarter of said Section 13;
thence North 88°12'39" West along said North line of the South Half of the Southwest Quarter of the Southeast Quarter, a distance of 202.20 feet, more or less, to the true point of beginning.

DOWNING PARCEL 6:

The South Half of the Southeast Quarter of the Southeast Quarter of the Southwest Quarter of Section 13, Township 34 North, Range 1 East of the Willamette Meridian.

TOGETHER WITH that portion of the South Half of the Southwest Quarter of the Southwest Quarter of the Southeast Quarter of said Section 13 lying Westerly of an existing gravel roadway as set forth in an easement to Earl and Teresa Rodgers by instrument recorded under Auditor's File No. 610687, records of Skagit County, Washington.

Situated in Skagit County, Washington.

- END OF EXHIBIT "A" -

EXHIBIT "B"

STAVIG PARCEL:

Situate in the County of Skagit, State of Washington:

The Southwest Quarter of the Northeast Quarter of the Southwest Quarter of Section 13, Township 34 North, Range 1 E.W.M., and the Northwest Quarter of the Southeast Quarter of the Southwest Quarter, of said Section 13;

TOGETHER WITH the following described parcel:

The North Half of the Southwest Quarter of the Southeast Quarter of the Southwest Quarter of said Section 13; EXCEPT the South 70 feet of said North Half;

EXCEPT that portion thereof conveyed to CAROL T. GAFFNEY and HAROLD L. HARRINGTON, in deed recorded June 30, 1998, as Auditor's No. 9806300255, records of Skagit County, Washington, which property is described as follows:

All that portion of the South 660 feet of the following described property:

The Northwest Quarter of the Southeast Quarter of the Southwest Quarter TOGETHER WITH the North half of the Southwest Quarter of the Southeast Quarter of the Southwest Quarter of Section 13, Township 34 North, Range 1 E.W.M., EXCEPT the South 70 feet thereof.