

19

KATHY HILL
SKAGIT COUNTY AUDITOR

99 MAY -7 P3:46

RECORDED _____ FILED _____
9905070123 REQUEST OF _____

RETURN TO:

Island Title Co. Attn: Diane
P.O. Box 1228
Anacortes, WA 98221

ISLAND TITLE COMPANY
SA-18546 ✓

DOCUMENT TITLE(S) (or transactions contained herein):

CONFIRMATION + CORRECTION OF EASEMENT DEED.

REFERENCE NUMBER(S) OF DOCUMENTS ASSIGNED OR RELEASED:

9408120107

|| ADDITIONAL REFERENCE NUMBERS ON PAGE _____
OF DOCUMENT.

GRANTOR(S) (Last name, first name and initials):

1. SAN JUAN FIDALGO HOLDING COMPANY

2.

3.

4.

SKAGIT COUNTY WASHINGTON

|| ADDITIONAL NAMES ON PAGE _____ OF DOCUMENT
Excise Tax
PAID

GRANTEE(S) (Last name, first name and initials):

1. McCORKLE, George F

2. CRAWFORD, Patricia L.

3.

4.

MAY 7 - 1999

Amount Paid \$ 0
Skagit County Treasurer
By: *DS* Deputy

|| ADDITIONAL NAMES ON PAGE _____ OF DOCUMENT.

LEGAL DESCRIPTION (Abbreviated: i.e., lot, block, plat or quarter, quarter, section, township and range):

35-35-1 ptn. N2 SENW

35-35-1 ptn SWNW.

|| ADDITIONAL LEGAL(S) ON PAGE _____ OF DOCUMENT.

ASSESSOR'S PARCEL/TAX I.D. NUMBER: R 32576 / R 32596

|| TAX PARCEL NUMBER(S) FOR ADDITIONAL LEGAL(S) ON PAGE _____ OF DOCUMENT.

9905070123

BK 1987 PG 0019

**CONFIRMATION AND CORRECTION
OF
EASEMENT DEED FOR INGRESS, EGRESS AND UTILITIES**

This Confirmation and Correction Easement Deed is made on the 7th day of May, 1999 by Covenant Mortgage Incorporated ("Grantor") to U.S. Bank National Association, Trustee of the Esther McCorkle Trust, George F. McCorkle, as his separate property, Patricia L. Buchan, as her separate property, Kevin P. Welch and Jenny L. E. Welch, husband and wife, and Kevin P. Welch as Trustee of the Welch Family Charitable CRUT ("Grantees").

RECITALS

1. SAN JUAN FIDALGO HOLDING COMPANY, a Washington corporation, as "Grantor" granted to U.S. Bank of Washington N.A., as Trustee of the Testamentary Trust created under the Will of Esther M. McCorkle ("McCorkle Trust"), George F. McCorkle, as to a separate estate ("George") and Patricia L. Crawford, as her separate estate ("Patricia"), all collectively referred to therein as "Grantee", for the benefit of Grantee's property, a perpetual, non-exclusive sixty (60) foot wide easement ("The Easement") for ingress, egress and utilities over, under, in, upon, through and above Grantor's property, a portion of said easement being upon a parcel commonly referred to as "Pointe Division 4" and legally described in Exhibit A, said easement dated June 27, 1994 and recorded on August 12, 1994, under Skagit County Auditor's File Number 9408120107.

2. The Easement deed does not describe the route for a sixty (60) foot easement across Pointe Division 4 other than to state that it is "connecting with the westerly end of the "[Pointe] Division 3 roadway."

3. Grantor and Grantees recognize that a roadway has been roughed in across the Grantor's property and all parties agree that the centerline of said road was intended to be and should serve as the centerline for The Easement described in paragraph 1 above.

4. The parties have agreed to a legal description (Exhibit B hereto) for the centerline of the roadway and recognize that confirmation of that legal description will be to their mutual benefit.

THEREFORE, Grantor, in consideration of the mutual benefits derived therefrom, and for no additional monetary consideration, the adequacy of which is hereby acknowledged, confirms, gives, grants, bargains, sells, conveys and forever quitclaims

to Grantees, and Grantees' assigns forever, that interest in real estate conveyed by Grant of Easement signed on June 27, 1994 and recorded under Skagit County Auditor's File Number 9408120107, except that such deed shall be corrected as follows:

CORRECTION TO GRANT OF EASEMENT

Grantor and Grantees agree that the following easement grant description shall amend the terms and conditions of the original Grant of Easement as if set forth fully therein at the time of signing and recordation:

- A. Paragraph 1, "Grant of Easement," shall be modified to read as follows:

Grantor grants, conveys, and warrants to Grantees, for the benefit of Grantees' property: (i) a perpetual, non-exclusive easement for ingress, egress and utilities over, under, in, upon, through and above the Division 2 Roadway and the Division 3 Roadway; and (ii) a perpetual, non-exclusive easement sixty (60) feet and width, commencing at the westerly end of Division 3 Roadway, for ingress, egress and utilities over, under, in, upon, through and above Pointe Division 4, centerline of which easement is legally described in Exhibit B hereto.

- B. In all other respects, the terms and conditions of the original Grant of Easement shall remain in full force and effect.

Date: 5/6/99

By: Lori Simpson
Lori Simpson, Vice President
Authorized Representative of
Covenant Mortgage, Incorporated

Date: _____

By: _____
Steven L. Goff, CPM
Authorized Representative of
U.S. Bank National Association, Trustee
Esther McCorkle Trust

to Grantees, and Grantees' assigns forever, that interest in real estate conveyed by Grant of Easement signed on June 27, 1994 and recorded under Skagit County Auditor's File Number 9408120107, except that such deed shall be corrected as follows:

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B. In all other respects, the terms and conditions of the original Grant of Easement shall remain in full force and effect.

Date: _____

By: _____
Lori Simpson, Vice President
Authorized Representative of
Covenant Mortgage, Incorporated

Date: May 7, 1995

By: Steven L. Goff, CPM
Steven L. Goff, CPM
Authorized Representative of
U.S. Bank National Association, Trustee
Esther McCorkle Trust

Date: May 7, 1999

George F. McCorkle
George F. McCorkle

Date: _____

Kevin P. Welch
Kevin P. Welch

Date: 5-7-99

Date: 6 May 1999

Patricia L. Buchan
Patricia L. Buchan
F/K/A Patricia L. Crawford

Date: _____

Jerry L. E. Welch
Jerry L. E. Welch

By: Kevin P. Welch
Kevin P. Welch, Trustee
Welch Family Charitable CRUT

STATE OF WASHINGTON)
) ss.
COUNTY OF _____)

On this _____ day of _____, 1999, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Lori Simpson to me known to be the vice president of the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that she is authorized to execute the said instrument and that the seal affixed is the corporate seal of said corporation.

Witness my hand and official seal hereto affixed the day and year first written.

Notary Public in and for the State of
Washington, residing at _____
Printed Name: _____

Date: _____

Date: _____

George F. McCorkle

Patricia L. Buchan
F/K/A Patricia L. Crawford

Date: _____

Date: _____

Kevin P. Welch

Jenny L. E. Welch

Date: _____

By: _____
Kevin P. Welch, Trustee
Welch Family Charitable CRUT

STATE OF WASHINGTON)
COUNTY OF King) ss.

On this 6th day of May, 1999, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Lori Simpson to me known to be the vice president of the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that she is authorized to execute the said instrument and that the seal affixed is the corporate seal of said corporation.

Witness my hand and official seal hereto affixed the day and year first written.



Gina A. Zappone
Notary Public in and for the State of
Washington, residing at Mercer Island
Printed Name: GINA A ZAPPONE

STATE OF WASHINGTON)
) SS.
COUNTY OF KING)

On this day personally appeared before me Steven L. Goff, to me known to be the authorized representative of U.S. Bank National Association, Trustee for the Esther McCorkle Trust that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said Trust, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument.

Given under my hand and official seal this 6th day of May, 1999.

Connie L. Muller
Notary Public in and for the State of
Washington, residing at Kent
Printed Name: CONNIE L. MULLER
COMMISSION EXPS 5-9-99

STATE OF WASHINGTON)
) SS.
COUNTY OF Snohomish)

On this day personally appeared before me Patricia L. Buchan, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledge 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 6th day of May, 1999.

Carol Nerby
Notary Public in and for the State of
Washington, residing at Snohomish
Printed Name: CAROL Nerby

STATE OF WASHINGTON)
COUNTY OF Snohomish) SS.

On this day personally appeared before me George F. McCorkie, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledge that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 7 day of May, 1999.

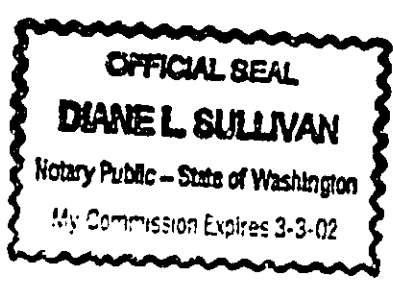


Diane L. Sullivan
Notary Public in and for the State of
Washington, residing at Shoreline
Printed Name: Diane L. Sullivan

STATE OF WASHINGTON)
COUNTY OF Snohomish) SS.

On this day personally appeared before me Kevin P. Welch and Jenny L.E. Welch, husband and wife, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledge that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 7 day of May, 1999.

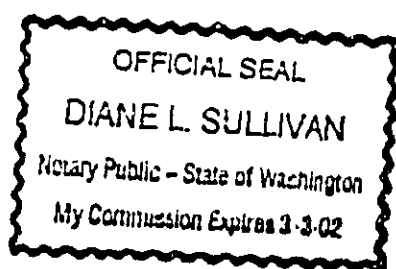


Diane L. Sullivan
Notary Public in and for the State of
Washington, residing at Shoreline
Printed Name: Diane L. Sullivan

STATE OF WASHINGTON)
COUNTY OF Skagit) SS.

On this day personally appeared before me Kevin P. Welch, to me known to be the Trustee of the Welch Family Charitable CRUT, that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said Trust, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument.

Given under my hand and official seal this 7 day of May, 1999.



Diane Sullivan
Notary Public in and for the State of
Washington, residing at Ingrown
Printed Name: Diane L. Sullivan

EXHIBIT "A"

Parcel D:

All that portion of Lot 4, Short Plat No. 10-89, approved June 27, 1989, as recorded in Volume 8 of Short Plats, page 150, under Auditor's File No. 8908020066, records of Skagit County, Washington.

EXCEPT Plat of the Pointe Div. No. 3, as per plat filed in Volume 14 of Plats, pages 151 through 153, records of Skagit county, Washington.

ALSO EXCEPT that portion of said lot lying East of the Plat of the Pointe, Division No. 3, as per plat filed in Volume 14 of Plats, pages 151 through 153, records of Skagit County, Washington.

Parcel E:

The South 200 feet to the East 980 feet of the Northwest Quarter of the Northwest Quarter of Section 35, Township 35 North, Range 1 East of the Willamette Meridian.

EXCEPT all that portion platted as The Pointe Division No. 3 as per plat recorded in Volume 14 of Plats, pages 151, 152, and 153, records of Skagit County, Washington.

ALSO EXCEPT the following described tract of land:

That portion of the Northwest Quarter of the Northwest Quarter of Section 35, Township 35 North, Range 1 East of the Willamette Meridian, described as follows:

Beginning at the Southeast corner of said Northwest Quarter of the Northwest Quarter; thence South 89° 35' 35" West along the South line of said Northwest Quarter of the Northwest Quarter, a distance of 266.24 feet to the most Easterly line of Lot 38, Plat of the Pointe, Division No. 3, as per plat filed in Volume 14 of Plats at pages 151, 152, and 153; thence North 22° 23' 33" East for 86.26 feet; thence North 3° 40' 56" East a distance of 120.79 feet; thence North 89° 35' 35" East a distance of 228.88 feet to the East line of the Northwest Quarter of the Northwest Quarter; thence South 0° 56' 08" West a distance of 200.05 feet to the POINT OF BEGINNING.

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BK 1987 PG 0028

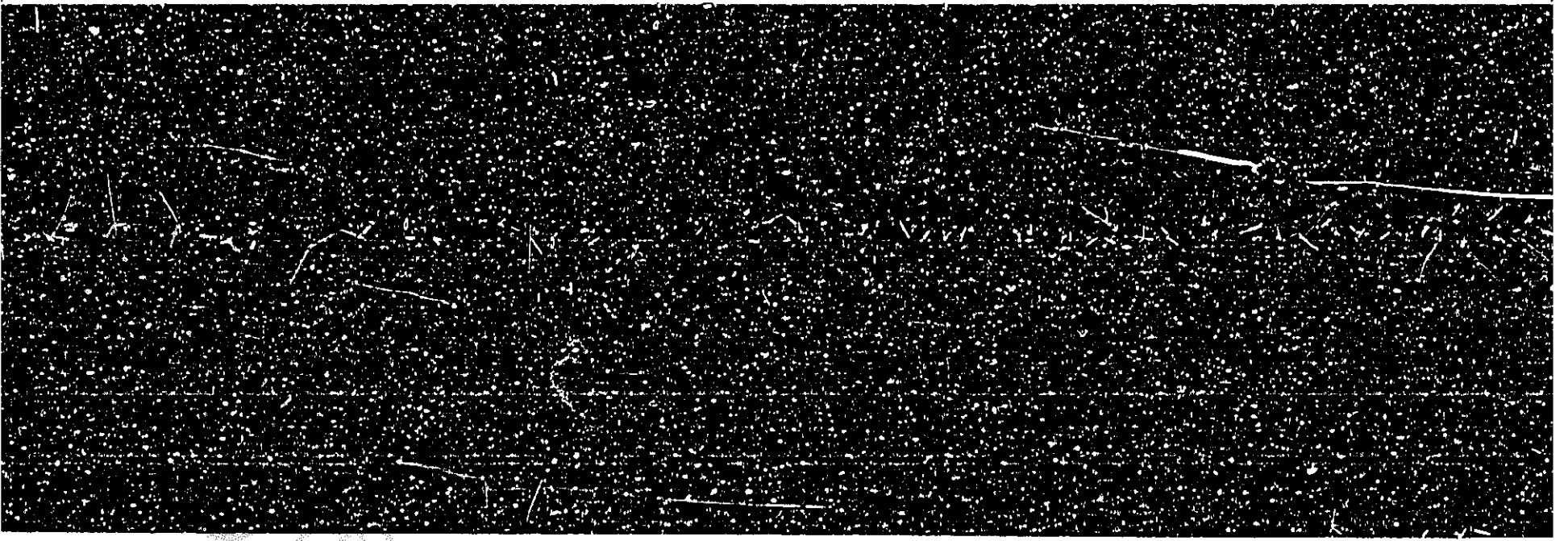


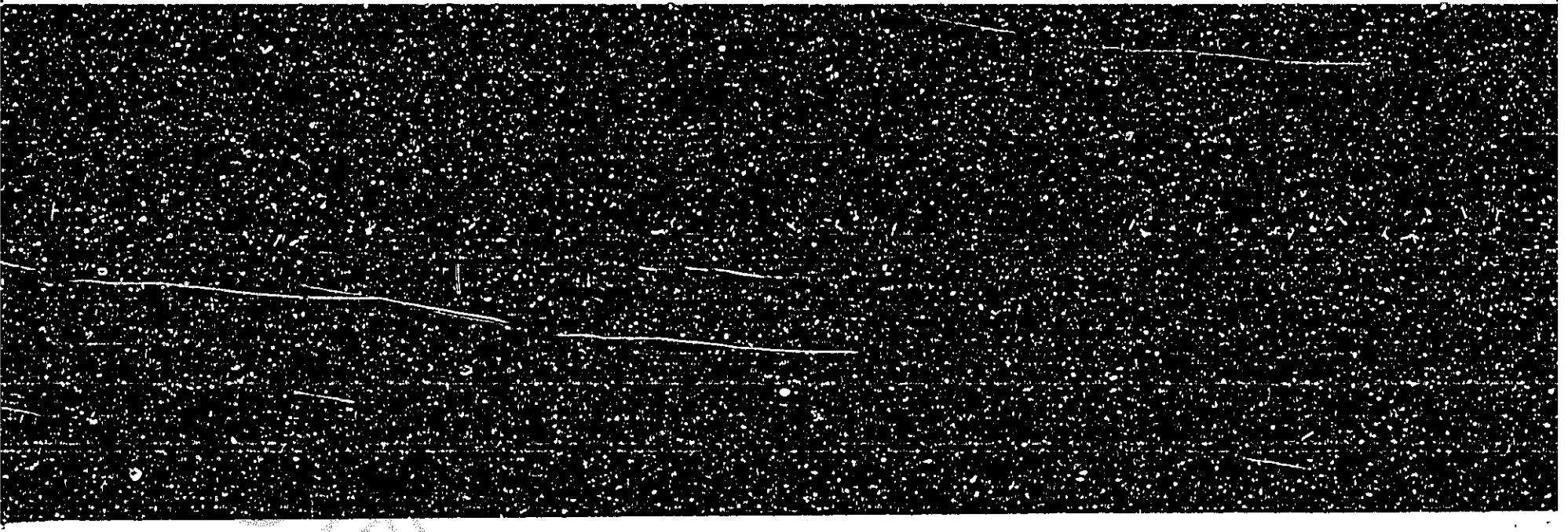
EXHIBIT "B"

A 60.00 foot wide strip of land, being a portion of the Northwest Quarter (NW¼) of the Northwest Quarter (NW¼) and of the Southwest Quarter (SW¼) of the Northwest Quarter (NW¼), all of Section 35, Township 35 North, Range 1 East, W.M., said strip lying 30.00 feet on each side of the following described centerline:

Commencing at the Southwest corner of the North One-half (N½) of the Northwest Quarter (NW¼) of said Section 35, as said point is shown on Short Plat No. 10-89, recorded August 2, 1989 in Book 8 of Short Plats at page 150, in the Auditor's office of Skagit County, Washington; thence North 89° 35' 35" East, along the South line of said North half, for a distance of 348.48 feet to the Southwest corner of the East 980 feet of the Northwest quarter of the Northwest quarter of Section 35; thence North 00° 56' 08" East along the West line of said East 980 feet for a distance of 200.06 feet to the Northwest corner of the South 200 feet of said East 980 feet; thence North 89° 35' 35" East along said North line of said South 200 feet for a distance of 518.71 feet to the **TRUE POINT OF BEGINNING** of said centerline, thence South 42° 54' 48" West for a distance of 15.78 feet; thence South 56° 09' 43" West for a distance of 565.09 feet; thence South 59° 55' 58" West for a distance of 141.20 feet; thence South 43° 14' 41" West for a distance of 191.46 feet; thence South 15° 13' 57" West for a distance of 113.49 feet; thence South 20° 38' 36" West for a distance of 144.66 feet; thence South 03° 31' 13" West for a distance of 173.69 feet to the point of curvature of a curve to the right, said curve having a radius of 200.00 feet; thence Southerly, following said curve to the right through a central angle of 44° 14' 10" for an arc distance of 154.41 feet to the end of said curve; thence South 40° 42' 58" East for a distance of 64.09 feet to the point of curvature of a curve to the left, said curve having a radius of 240.00 feet; thence Southeasterly, following said curve to the left through a central angle of 09° 27' 28" for an arc distance of 39.62 feet to a point of reverse curvature and the beginning of a curve to the right, said curve having a radius of 400.00 feet; thence Southeasterly, following said curve to the right through a central angle of 02° 30' 45" for an arc distance of 17.54 feet to the end of said centerline, said point lying at a monument marking the Northwesterly end of the centerline of San Juan Boulevard, as said street is shown on "Plat of the Pointe Div. No. 3", according to the map thereof recorded in Volume 14 of Plats, pages 151, 152 and 153, under Auditor's File No. 9011050014, records of said county and state.

9905070123

BK 1987 PG 0029



The margins of said 60.00 foot wide strip of land are to be lengthened or shortened to intersect with said North line of the South 200 feet and with the Westerly boundary of said "Plat of the Pointe Div. No. 3".

Situate in the County of Skagit, State of Washington.

9905070123

BK 1987 PG 0030