



199908130027

Kathy Hill, Skagit County Auditor

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Return to: Skagit Surveyors & Engineers
806 Metcalf Street
Sedro-Woolley, WA 98284
Phone: (360) 855-2121
FAX: (360) 855-1658

COVER SHEET

PROTECTED CRITICAL AREA EASEMENT AGREEMENT

Grantor, Marion Larkin, does hereby grant, convey, and warrant to the Grantee, Skagit County, the Protected Critical Area Easements described on the following page.

LEGAL DESCRIPTION:

Portions of the southwest quarter of the northeast quarter and the southeast quarter of the northeast quarter of Section 29, Township 33 North, Range 4 East, W.M.

ASSESSOR'S PROPERTY TAX PARCEL NUMBER: P99751, P99752

ASSESSOR'S PROPERTY TAX ACCOUNT NUMBER: 330429-1-003-0500,
330429-1-002-0100

PROTECTED CRITICAL AREA EASEMENT AGREEMENT

In consideration of Skagit County Code (SCC) 14.06.145, requirements for recording of Protected Critical Area (PCA) easement agreements for areas included under permit number SP 97-0041, and mutual benefits herein, Grantor, Marion Larkin the owner in fee of that certain real property described on the face of this project, do hereby grant, convey and warrant to Skagit County, a political subdivision of the State of Washington, an easement establishing PCA's over, along and across that portion of the project, denoted as PCA and described, hereinafter together with the right of ingress and egress to and from these easements for the sole purpose of monitoring and enforcing proper operation and maintenance of the PCA's described herein.

These easements are granted subject to and conditioned upon the following terms, conditions and covenants:

1. The PCA legal descriptions are as follows:

Tract "A" and Tract "B" of Short Plat Number 97-0041, records of Skagit County, Washington lying in the southwest quarter of the northeast quarter and in the southeast quarter of the northeast quarter of Section 29, Township 33 North, Range 4 East, W.M.

2. Grantor shall leave the PCA's undisturbed in a natural state. No clearing, grading, filling, logging or removal of woody material, building, construction or road construction of any kind or planting of non-native vegetation is allowed within the PCA's except as currently exists, is noted in "3." herein or is specifically permitted by Skagit County on a case-by-case basis consistent with SCC 14.06.

3. Grantor and Skagit County agree to the following special conditions requested by the Grantor or required as part of mitigation pursuant to SCC 14.06.

- a. Permit the use of the buffer area along Fisher Creek for recreation, including picnic areas and pedestrian trails. Allow the clearing of underbrush and dead trees in some areas to provide open spaces for these activities. This will require a pre-construction conference with Skagit County personnel to discuss the scope of improvements within the buffer area and possible limitations.
- b. The Grantor shall be held harmless from any damage or injury to any property or person by any person entering the easement areas not expressly authorized to do so by the Grantor.



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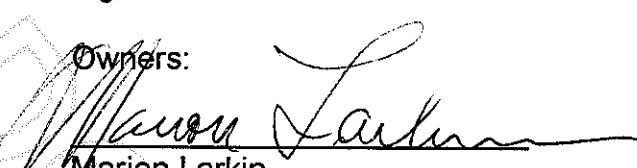
4. Grantor retains the right to the use and possession of the real property over which the easements are granted. To the extent permitted by Skagit County, uses of the property may include but are not limited to low impact uses and activities, which are consistent with the purpose and function of the PCA's. Said uses may be permitted within the PCA's depending on the sensitivity of the habitat involved, as long as the activity does not adversely effect the integrity of the PCA's nor create an obstruction that would preclude ingress or egress. Examples of uses and activities which may be permitted in appropriate cases, with prior County written approval separate from this agreement, include pedestrian trails, viewing platforms, stormwater management facilities and utility easements.

5. The parties recognize that these easements are created, granted and accepted to protect the inherent natural functions provided by the PCA's. The PCA's do not provide open or common space for owners within the project or members of the public. By acceptance of the easements for the purposes described, Skagit County does not accept or assume any liability of acts or omissions of the fee owners, his or her invitees, licensees or third parties within the easement areas. Grantor holds Skagit County harmless from any damage or injury to any property or person by any person entering the easement areas not expressly authorized to do so by Skagit County.

6. Grantor agrees that these easements shall run with the land and that the rights and obligations of Grantor and Skagit County shall inure to the benefit of each and shall be binding upon their respective heirs, successors and assigns.

Skagit County:

Owners:


Marion Larkin

SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax
PAID

AUG 13 1999

Amount Paid \$0
Skagit County Treasurer
By:  Deputy



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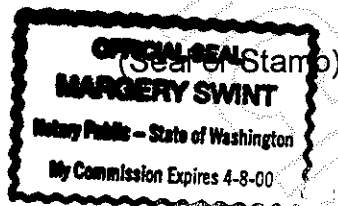
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State of Washington

County of Skagit

I certify that I know or have satisfactory evidence that Marion Larkin is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument, on oath stated that (he/she) was authorized to execute the instrument and acknowledged it as the _____ of _____ to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.



Dated Aug 2, 1999

Margery Swint
Signature

Accountant Planner
Title

My appointment expires 4-8-2000

State of Washington

County of Skagit

I certify that I know or have satisfactory evidence that Marion Larkin is the person who appeared before me that they signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in the instrument.

(Seal or Stamp)

Dated _____

Signature

Notary

Title

My appointment expires _____



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