



199909090092

Kathy Hill, Skagit County Auditor
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Return to:
Custom Pumping, Inc.
7499 Fruitdale Rd.
Sedro-Woolley, WA 98284

Document Title: NON-EXCLUSIVE EASEMENT AND MAINTENANCE DECLARATION

Grantors:

Custom Pumping, Inc.
Jewell, Joe S.
Brady, David A.
Swett, Thomas R.
Hanson, Errol
Bornstein, Daryl K.
American Marine Bank - Trustee for Warren P. Jensen IRA

Grantees:

Owners and future owners of Lot 1, Lot 2, Lot 3, and Lot 4 of
Short Plat No. 96-031

Legal Description (Abbreviated: i.e., lot, block, plat or quarter section)

Parcel "A".

The northeast quarter of the southwest quarter of Section 7, Township 35 North, Range 5 East, W.M., EXCEPT the south 22 acres thereof and ALSO EXCEPT that portion of said tract lying east of a line 15 feet west of the west boundary of that certain easement granted to United States of America by deed recorded in Volume 234 of Deeds, page 460 under AF#432617.

Parcel "B".

That portion of Government Lot 3 in Section 7, Township 35 North, Range 5 East, W.M., lying easterly of the County Road.

Assessor Parcel/Tax I.D. Number:

350507-0-023-0000 P38609

350507-3-002-0009 P38639

**NON-EXCLUSIVE EASEMENT
AND
MAINTENANCE DECLARATION**

THIS DECLARATION made and entered into this 21st day of January, 1999, by Joe Samuel Jewell, Custom Pumping, Inc., Thomas R. Swett, Errol Hanson, Daryl K. Bornstein and American Marine Bank, Trustee for Warren P. Jensen IRA (hereinafter "Declarants"), as owner(s) of the following described land, situated in Skagit County, Washington:

Parcel "A".

The northeast quarter of the southwest quarter of Section 7, Township 35 North, Range 5 East, W.M., EXCEPT the south 22 acres thereof and ALSO EXCEPT that portion of said tract lying east of a line 15 feet west of the west boundary of that certain easement granted to United States of America by deed recorded in Volume 234 of Deeds, page 460 under AF#432617.

Parcel "B".

That portion of Government Lot 3 in Section 7, Township 35 North, Range 5 East, W.M., lying easterly of the County Road.

THE DECLARANTS under this declaration do hereby establish of record a Non-Exclusive Easement for ingress, egress and utilities over, under and through the sixty-foot (60') wide roadway and ninety-foot (90') wide cul de sac as shown on Skagit County Short Plat Number 96-031, for the benefit of the owners and future owners of Lots 1, 2, 3 and 4, situated within Skagit County Short Plat Number 96-031 as recorded in Volume _____ of Short Plats at page _____, under Skagit County Auditor's file number 199909090091, 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.



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SAID AND DESCRIBED roadway easement is more specifically described as follows:

That certain sixty-foot (60') wide roadway and ninety-foot (90') wide cul de sac known as Brandon Lane as shown on Skagit County Short Plat Number 96-031, recorded in Volume _____ of Short Plats at page _____, under Skagit County Auditors file _____, records of Skagit County.

MAINTENANCE OF THE ABOVE-DESCRIBED EASEMENT (including labor and expenses) shall be shared equally among the owners of Lots 1, 2, 3 and 4.

"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 Short Plat 96-031 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.

SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax

SEP 8 - 1999

Amount Paid \$ 00
By OO Skagit Co. Treasurer Deputy



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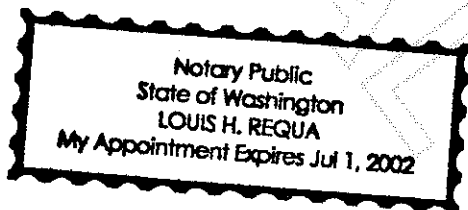
DATED the 30 day of June, 1999.

STATE OF WASHINGTON)
) SS.
COUNTY OF SKAGIT)

Joe Samuel Jewell

On this 30 day of JUNE, 1999, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared JOE SAMUEL JEWELL, 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,



Louis H. Requa
Notary Public in and for the State of
Washington residing at: Sedro-Woolley
My commission expires: July 1, 2002



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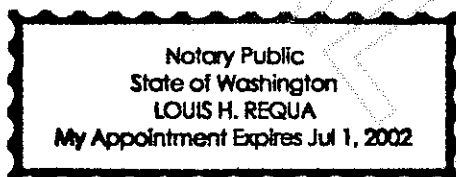
DATED the 25 day of June, 1999.

James I. Sweett S/T
Custom Pumping, Inc.

STATE OF WASHINGTON)
) SS.
COUNTY OF SKAGIT)

On this 25 day of June, 1999, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared James I. Sweett S/T Custom Pumping Inc. 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,



Louis H. Requa
Notary Public in and for the State of
Washington residing at: Sebro-Woolley
My commission expires: July 1, 2002



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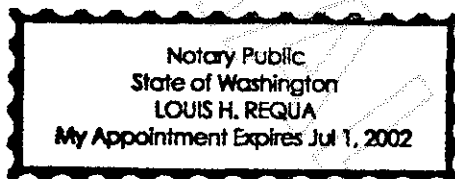
DATED the 30 day of June, 1999.

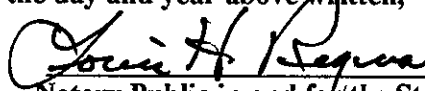

Thomas R. Swett

STATE OF WASHINGTON)
) SS.
COUNTY OF SKAGIT)

On this 30 day of June, 1999, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Thomas R. Swett, 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,

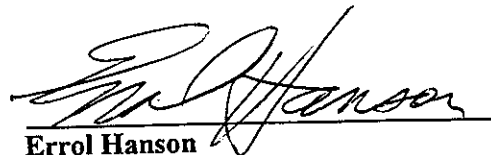



Notary Public in and for the State of
Washington residing at: Sedro-Woolley
My commission expires: July 1, 2002



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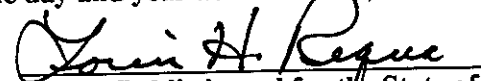
DATED the 30 day of June, 1999.



Errol Hanson

STATE OF WASHINGTON)
) SS.
COUNTY OF SKAGIT)

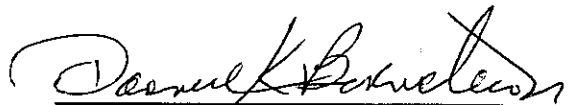
On this 30 day of June, 1999, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Errol Hanson, to me known to be the individuals described in and who executed the foregoing instrument, and acknowledged to me that they signed 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,


Notary Public in and for the State of
Washington residing at: Sedro-Woolley
My commission expires: July 1, 2002


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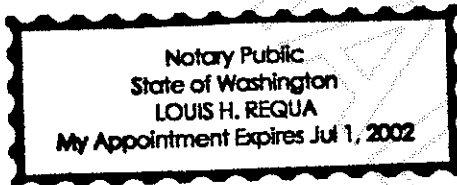
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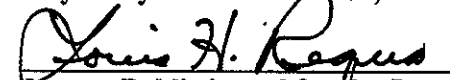

Daryl K. Bornstein

STATE OF WASHINGTON)
) SS.
COUNTY OF SKAGIT)

On this 30 day of June, _____, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Daryl K. Bornstein, 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,




Notary Public in and for the State of
Washington residing at: Sedro-Woodley
My commission expires: July 1, 2002



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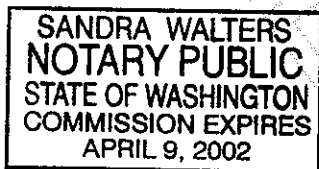
DATED the 30 day of July, 1999.

L.R. Gjoavaag S.V.P.
American Marine Bank
Trustee for Warren P. Jensen IRA

STATE OF WASHINGTON)
 Kitsap) SS.
COUNTY OF ~~SKAGIT~~)

On this 30th day of July, 1999, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared G.R. Gjoavaag, to be the person who executed the within instrument as Mr. Vice President or on behalf of the corporation therein named and acknowledged to me that the corporation executed it and 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,



Sandra Walters
Notary Public in and for the State of
Washington residing at: Squamish
My commission expires: 4-9-02

