



199911180059

Kathy Hill, Skagit County Auditor

11/18/1999 Page 1 of 2 2:17:33PM

## LAND TITLE COMPANY OF SKAGIT COUNTY

Parcel No.: 4169-002-018-0200, 4169-002-018-0300  
Legal Desc.: Ptn Lot 18, Blk 2, Rosedale Garden Tracts, aka Trs.  
2 & 3, SP No. SW-04-95

## DECLARATION OF EASEMENT

Morris Nilson and Cheryl Nilson, husband and wife, hereinafter referred to as "Declarant", owners of the property legally described herein, hereby conveys to themselves, their heirs, successors and assigns in ownership to said Lots 2 and 3 described below, a non-exclusive easement for ingress, egress and utilities over, under and across a strip of land 30 feet in width, and more particularly described as follows:

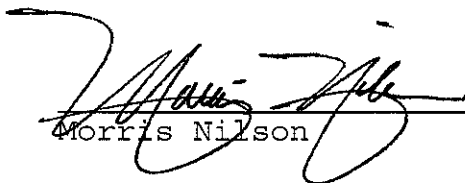
The South 10 feet of Lot 3, and, a strip of land 20 feet in width over that portion of Lot 2 lying Southerly of and adjacent to the South line of said Lot 3, all in Sedro-Woolley Short Plat NO. 4-95, approved July 20, 1995, recorded July 21, 1995, in Volume 12 of Short Plats, pages 5 and 6, under Auditor's File No. 9507210075, and being a portion of Lot 18, Block 2, "ROSEDALE GARDEN TRACTS OF SEDRO WOOLLEY", as per plat recorded in Volume 3 of Plats, page 52, records of Skagit County, Washington.

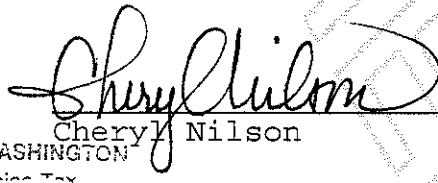
Declarant hereby covenants and agrees that all maintenance and repair of the roadway which exists on the respective properties described herein, shall be shared equally between the owners of said Lots 2 and 3, their heirs, successors and assigns.

Declarant further covenants and agrees that should there be a disagreement as to the necessity of any maintenance or repair, each owner shall select a licensed engineer, who together will select a third licensed engineer, and they shall determine whether the disputed maintenance or repair is required to maintain the roadway in a safe and passable manner. The costs of said engineers shall be born exclusively by the non-prevailing party.

Declarant further covenants and agrees that this agreement shall be binding upon themselves, their heirs, successors and assigns and shall be a covenant running with the lands described herein.

Dated this 17th day of November, 1999.

  
Morris Nilson

  
Cheryl Nilson

SKAGIT COUNTY WASHINGTON  
Real Estate Excise Tax

NOV 18 1999

Amount Paid \$ 0-  
Skagit Co. Treasurer  
By DC Deputy

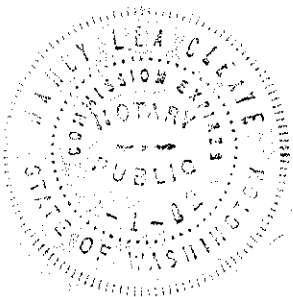
STATE OF WASHINGTON

SS

County of Skagit

I hereby certify that I know or have satisfactory evidence that Morris Nilson and Cheryl Nilson are the persons who appeared before me, and said persons acknowledged that they signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in this instrument.

Dated this 17th day of November, 1999.



*Nancy Lea Cleave*

Notary Public in and for the State  
of Washington, residing at  
Mount Vernon

Nancy Lea Cleave

My appointment expires 9-1-02



199911180059

Kathy Hill, Skagit County Auditor

11/18/1999 Page 2 of 2 2:17:33PM