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Kathy Hill, Skagit County Auditor
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CITY OF BURLINGTON

AGREEMENT TO PERFORM

WHEREAS, Duane Johnson and Sons Construction is the fee simple owner of that certain property located at 20257 Lafayette Road, in the City of Burlington Urban Growth Area, which property is bound by the terms of the Special Use Permit PL99-0455, which is hereby incorporated into this agreement by reference, as if fully set forth, and

P# P62426 PTN. TR. 24 BURLINGTON AREAS

WHEREAS, said property owner is preparing to occupy the new building at 20257 Lafayette Road, and

WHEREAS, a requirement of the Special Use Permit is to comply with the terms of the Interlocal Agreement between Skagit County and the City of Burlington, and

WHEREAS, certain requirements and/or improvements imposed on the development of the property are reasonable and will serve to protect the public needs and will also serve to neutralized expected negative impacts from the development of the above referenced property, and

Duane Johnson and Sons Construction HEREBY AGREES AND PROMISES to comply with the following conditions, if Skagit County concurs in the issuance of a Certificate of Occupancy:

A. Improvements, and/or Requirements Agreed to Perform.

1. Participate in any future local improvement district, should it become feasible.
2. Agree to connect to public sanitary sewer at such time as it becomes available and to contribute a fair share and participate in any Utility Local Improvement District (ULID), public or private project for the construction of sanitary sewer to serve the site.

B. Binding Property.

That if a Certificate of Occupancy is approved, Duane Johnson and Sons Construction agrees that the above referenced list of improvements, and/or requirements shall run with the land. It is the intent of the property owner to bind the future successors and assigns of this property to this agreement. It is agreed that prior to approval of a building permit for this property, this agreement will be filed with the Skagit County Auditor to appear as a matter of record against the described property as evidence of the intent to bind the property.

C. Enforceability of Agreement.

Duane Johnson and Sons Construction. agrees that the approval of a Certificate of Occupancy by the County on this property constitutes acceptance and consideration for this agreement and that this agreement will constitute a valid contract enforceable by the County in a court of law.

That should the County disapprove the Certificate of Occupancy for this property, the promises and agreements contained herein shall be and remain unenforceable and of no legal force and effect, and that any obligation created hereunder shall be terminated.

DATED 18 of JANUARY, ²⁰⁰⁰~~1999~~.

[Signature] ⁴² Duane L. Johnson

State of Washington)
) ss.
County of Skagit)

On this 18 day of JANUARY, ²⁰⁰⁰~~19~~, before me personally appeared Randal & Duane Johnson, known to be the same person whose name is subscribed to within the instrument and acknowledged that they voluntarily executed the same for the purposes herein contained.



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IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Angi J. Johnson

Notary Public

in and for the State of Washington

residing at: Skagit Co



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Property Description Summary

PROPERTY ID..... P62426

XREF.ID..... 3867-000-024-1410

LEGAL DESCRIPTION... 1 ACRE TRACT & HOUSE IN BURLINGTON ACRES E 128 FEET OF W1/2
E1/2 TRACT 24 DK 12

SITUS ADDRESS..... 20257 LAFAYETTE ROAD
BURLINGTON, WA 98233

SITUS CSZ..... BURLINGTON, WA 98233

OWNER NAME..... DUANE JOHNSON & SONS C
ONSTR

OWNER ADDR 1..... VEGA PETRA G L/E

OWNER ADDR 2..... P O BOX 243

CITY, STATE ZIP.... BURLINGTON WA 98233

1 records listed.



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