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Kathy Hill, Skagit County Auditor
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WAIVER AND COVENANT NOT TO SUE

John Posel and _____ Grantor(s) hereinafter referred to as covenantor(s), of Skagit County, Grantee, being the owners of that certain property commonly known as:

34165 South Shore Drive, Lake Cavanaugh and legally described as:
(site address)

Property ID #: P 66560 Assessor's Tax Account #: 3938-001-082-0000

Legal Description: Section 26 Township 33 Range 06 / Plat Name _____ Lot _____ Block _____
(when applicable)

have applied to the Skagit County Planning and Permit Center to erect, build and/or install a structure or a portion of a structure on the above described property which in an area of: Steep Slope ☒ Alluvial Fan (slide prone soils) High Water Table Other _____ covenantor(s) acknowledge that Skagit County has accumulated certain factual information concerning the presence of steep slopes and/or slide prone soils, or high water tables in Skagit County which information is available for the covenantor(s) review and study; that covenantor(s) and/or their architect, engineer, or agent have examined such data and have provided such additional data as was required by the Building Official for the purpose of determining the suitability of such construction site for residential or commercial construction in view of any hazard presented by the steep slope and/or slide prone soils, or high water table in the area; that such data may not accurately reflect or represent all unstable soil or water table conditions in any particular area but is supplied by the County as a public service to serve as a general guide for use by landowners to evaluate land conditions; and that based upon such examination and/or other independent suitable for residential or commercial construction notwithstanding the steep slope and/or slide prone soils, or high water tables in the area.

Now, therefore, in consideration of the County's issuance of Building Permit # _____, receipt of which is hereby acknowledged, covenantor(s), do hereby covenant with the County of Skagit, their elected or appointed officials, employees or agents, or any one action by or through Skagit County, that they will never at any future time sue said County of said designated persons for or on account of any claim for injuries, property damages, loss of services or support, expenses, costs, general damages, or in any manner whatsoever arising out of any occurrence, accident, or incident that may hereinafter occur on or about said premises due to and incident of any and every description on or in the vicinity of the subject premises related to, caused by, or as incident of steep slope and/or unstable soils or sliding in the area, or high water table, including but not limited to subsidence of the ground or loss of lateral support.

The covenants hereby granted to Skagit County shall run with the land and be binding on covenantor(s), their heirs, devisees, successors and assigns and all owners now or hereafter of the land described above.

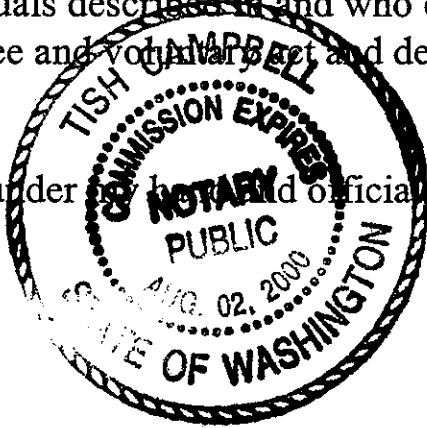
Covenantor(s) further covenant that after execution of this document the same shall be recorded with the Skagit County Auditor as covenantor(s) expense and the compliance with such recording requirement be supplied by the Skagit County Planning and Permit Center within thirty (30) days after the date of this document.

Signed *Julian Porel*
Bertha Porel

STATE OF WASHINGTON)
) SS
COUNTY OF SKAGIT)

On this 16th day of March, 2000, before me the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared before me *Julian Porel* and *Bertha Porel* to me known to be the individuals described in and who executed the foregoing instrument and acknowledged 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 16th day of March, 2000.

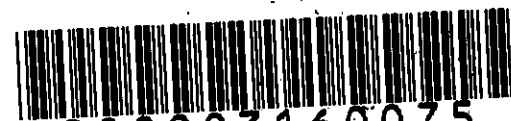


Tish Campbell
NOTARY PUBLIC in and for the State of Washington
WASHINGTON residing at *Mount Vernon WA*

Exhibit A to Ordinance No. _____

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