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Kathy Hill, Skagit County Auditor

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After recording return document to:

Azimuth Northwest, Inc.

17963 Wood Road

Bow, WA 98232

Document Title: Non-Exclusive Easement & Maintenance Declaration

Reference No. of Related Document: Short Plat No. 97-0012

Grantor: E. C. Deming Trust - John G. Deming, Trustee

Additional Grantors:

Grantee: Owners, Successors & Assigns of Lots 1, 2, 3 and 4 of Short Plat 97-0012.

Additional Grantees on Page of Document.

Abbreviated Legal Description: NE, NW And SW Quarter of Section 35, Township 36 NORTH, Range 3 East, W.M.

Assessor's Parcel Nos. 48716, 48720 and 48674.

NON-EXCLUSIVE EASEMENT AND MAINTENANCE DECLARATION

THIS DECLARATION, made and entered into this 15th day of March 2000 by THE E. C. DEMING TRUST, JOHN G. DEMING, TRUSTEE, Owner of the following described respective parcels, situate in Skagit County, Washington;

PARCEL "A":

THAT PORTION OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 35 NORTH, RANGE 3 EAST, W.M., LYING EASTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE WEST 1/4 CORNER OF SAID SECTION 35; THENCE NORTH 0 DEGREES 05'15" WEST ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION, 709.57 FEET TO THE EASTERLY LINE OF THE GREAT NORTHERN RAILWAY RIGHT-OF-WAY; THENCE CONTINUE NORTH 0 DEGREES 05'15" WEST 624.03 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 35; THENCE NORTH 88

DEGREES 38'32" EAST ALONG THE NORTH LINE OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4, A DISTANCE OF 781.75 FEET; THENCE SOUTH 8 DEGREES 09'25" EAST, 423.39 FEET; THENCE SOUTH 21 DEGREES 04'41" EAST TO THE NORTH LINE OF THE SOUTHWEST 1/4 AND THE TRUE POINT OF BEGINNING OF THIS LINE DESCRIPTION; THENCE CONTINUE SOUTH 21 DEGREES 04'41" EAST TO THE SOUTH LINE OF THE SOUTHWEST 1/4 AND THE TERMINUS OF THIS LINE DESCRIPTION.

PARCEL "B":

THAT PORTION OF THE WEST 1/2 OF THE WEST 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4, AND THAT PORTION OF THE EAST 1/2 OF THE NORTHWEST 1/4, IN SECTION 35, TOWNSHIP 36 NORTH, RANGE 3 EAST, W.M., DESCRIBED IN AN INSTRUMENT DATED JUNE 30, 1953, FILED JULY 9, 1953, AS FILE NO. 490362, AND RECORDED IN VOLUME 257 OF DEEDS, AT PAGE 86, AS THAT PORTION THEREOF WHICH LIES SOUTH OF A POST AND WIRE FENCE BUILT ABOUT 30 YEARS PRIOR TO JUNE 30, 1953, AND EXTENDING EASTERLY AND WESTERLY ACROSS THE PROPERTY DESCRIBED FROM A POINT APPROXIMATELY 150 FEET NORTH OF THE SOUTHWEST CORNER OF SAID PROPERTY TO A POINT APPROXIMATELY 95 FEET NORTH OF THE SOUTHEAST CORNER THEREOF; EXCEPT THAT PORTION OF SAID PREMISES LYING EAST OF THE WEST LINE OF THE WEST 1/8 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION.

THE DECLARANT under this declaration does hereby establish of record a Non-Exclusive Easement for ingress, egress and utilities over, under and through a sixty (60 foot wide strip of land in the above-described property, for the benefit of the owner and future owners of Lots 1, 2, 3 and 4, situated within Skagit County Short Plat Number 97-0012, recorded on July 28, 2000, under Skagit County Auditor's File No. 200007280006. 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.

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

A right-of-way in the Southwest Quarter of Section 35, Township 36 North, Range 3 East, W.M., being 60 feet wide, lying 30 feet on each side of the following described centerline.

Beginning at a point on the East-West centerline of said Section 35, lying North 88°22'08" East distant 1847.23 feet from the West Quarter corner of said Section 35; thence South 26°15'18" East a distance of 356.05 to Reference Point "A", being the terminus of said centerline description.

TOGETHER WITH a circular parcel for cul-de-sac having a radius of 45.00 feet with its radius point being said Reference Point "A".

MAINTENANCE OF THE ABOVE DESCRIBED EASEMENT (including labor and expenses) shall be shared equally among the owners of Lots 1, 2, 3 and 4 of Short Plat No. 97-0012.

"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



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easement roadway to provide utility services to each owner of a property within Short Plat 97-0012, and any division or refinement thereof, and Declarants specifically grant these rights to, but not limited to, Puget Sound Energy, General Telephone Company, Cable TV and any successors and assigns of said companies.

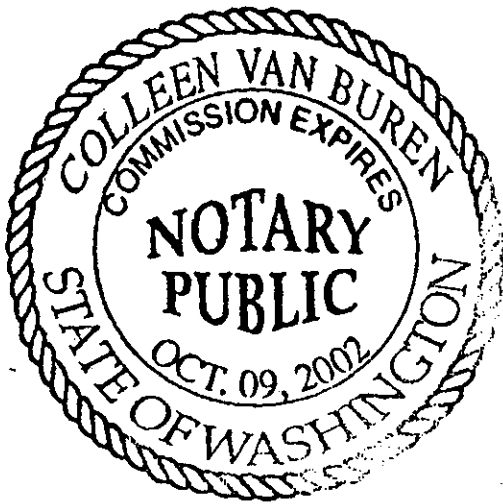
DATED this 15th day of March, 2000.

John G. Deming
John G. Deming as Trustee of the
E. C. Deming Trust

STATE OF WASHINGTON

COUNTY OF SKAGIT

On this 15th day of March, 2000, before me, a Notary Public, personally appeared JOHN G. DEMING, as Trustee of the E. C. DEMING TRUST, known to me to be the person whose name IS subscribed to on this instrument, and acknowledged that he executed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned. Given under my hand and official seal as of the date above written.



Colleen Van Buren
NOTARY PUBLIC in and for the State of
Washington residing at Bow

SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax
PAID

JUL 28 2000

Amount Paid \$
Skagit County Treasurer
By: lp Deputy



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