



200103050201

, Skagit County Auditor

3/5/2001 Page 1 of 4 2:12:37PM

### **Tract C Privacy Easement**

The undersigned, Thomas Conroy, hereinafter referred to as the "Declarant" representing 100 per cent ownership of the following described real property situate in Skagit County, Washington:

Tract B and C of Skagit County Short Plat No. 93-054, as approved 11-4-94, and recorded 11-8-94 in volume 11 of Short Plats, page 139 under Auditor's file No. 9411080001, records of Skagit County, Washington being a portion of the E  $\frac{1}{2}$  of the W  $\frac{1}{2}$  of Section 14, Township 34 North, Range 1 East of the Willamette Meridian

*Parcel # P109910*

WHEREAS, the Declarant does desire that there will exist a border of evergreen trees between the homes built on Tracts B and C and the lake that covers a portion of both Tract B and C

WHEREAS, a border of mature evergreen trees already exists on Tract C and is protected by the Restrictive and Protective Covenants for Short Plat No.1-82 and recorded March 30, 1992 under Auditor's file No. 9203300067, records of Skagit County, Washington

WHEREAS, there exists no border of mature evergreen trees between the house site on Tract B and Mud Lake

WHEREAS, there does exists a wetland buffer on Tract B that extends 50-ft inland from the edge of the Category III wetlands adjacent to Mud Lake as delineated and described by Cantrell and Associates in their report dated February 25, 1999 to Skagit County Permit and Planning Department

AND WHEREAS, there are seven 3-ft. to 6-ft. high young Douglas Firs planted in this wetland buffer twenty-five feet to fifty feet from the outer edge of the aforementioned Category III Wetland in a strip of land sixty-five feet long

NOW THEREFORE, the Declarant does set forth and agrees that Tract C be granted a privacy easement for the purpose of protecting these Douglas Firs, and assuring that these seven Douglas Firs may be replaced to their original positions by the owner of Tract B or Tract C if any of these trees die or are seriously damaged. No buildings shall be constructed within this easement or in such a manner that it would necessitate the removal the aforementioned trees.

Said easement shall be described as follows:

**A sixty-five foot long strip of land on Tract B of Skagit County Short Plat No. 93-054, as approved 11-4-94, and recorded 11-8-94 in volume 11 of Short Plats, page 139 under Auditor's file No. 9411080001, records of Skagit County, Washington being a portion of the E ½ of the W ½ of Section 14, Township 34 North, Range 1 East of the Willamette Meridian. The aforementioned strip of land runs in a north/south direction; is roughly centered in front of the home site; and is situated entirely within the fifty foot wetland buffer that circumscribes the Category III wetlands adjacent to Mud Lake as delineated and described by Cantrell and Associates in their report dated February 25, 1999 to Skagit County Permit and Planning Department. The width of the aforementioned strip of land extends from the outer most edge of the wetland buffer towards Mud Lake for a distance of twenty-five feet.**

As per attached drawing:





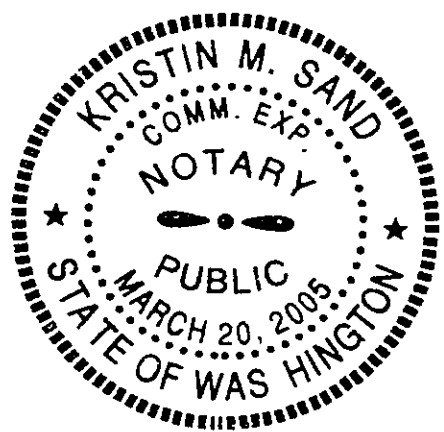
IN WITNESS WHEREOF, I have hereunto set my hand and seal this  
5 day of March 2001.

*Thomas Conroy*

State of Washington  
County of Skagit

On this day personally appeared before me Thomas Conroy, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 5 day of March 2001.



*Kristin Sand*  
Kristin Sand

SKAGIT COUNTY WASHINGTON  
Real Estate Excise Tax

MAR 05 2001

Amount Paid \$  
Skagit Co. Treasurer  
By *[Signature]* Deputy



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Skagit County Auditor