

After recording, return to:  
TERRANCE M. FROESE  
Attorney at Law  
P.O. Box 999  
Anacortes, WA 98221



200103210075  
Skagit County Auditor  
3/21/2001 Page 1 of 6 4:09:51PM

LAND TITLE COMPANY OF SKAGIT COUNTY

M12789

## RESIDENTIAL HEIGHT RESTRICTION

**GRANTOR:** James W. Macy and Linda S. Macy,  
husband and wife.  
4501 Anaco Beach Road  
Anacortes, WA 98221  
  
Telephone: 360.293.3013

Tax Parcel No.'s: P90333

Legals: SE 1/4 27-35-1

### RECITALS:

A. Grantor is the owner of real property, namely; Lots 50 and 51 (the "grantor parcels"), Anacortes, Washington, more fully described on Exhibit "A", attached hereto and incorporated herein by reference.

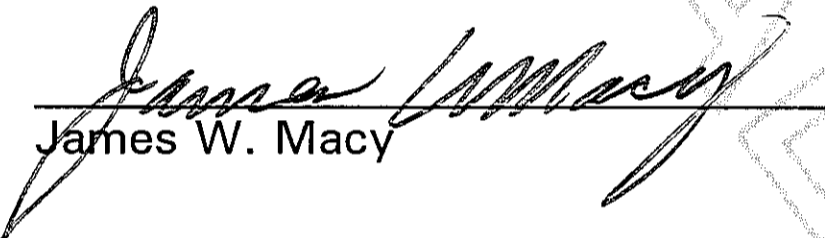
B. The purpose of this agreement is to encumber the Grantor parcels such that residential construction shall not impede the view from neighboring properties.

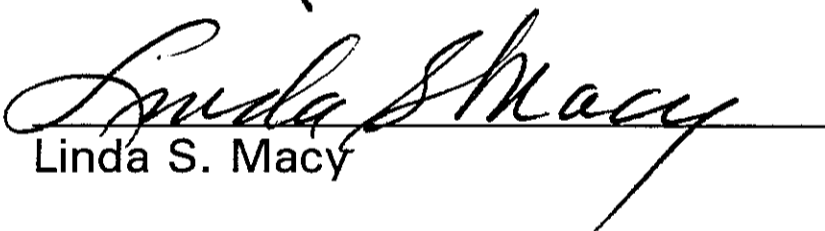
**NOW, THEREFORE, IN CONSIDERATION OF VALUE RECEIVED,  
GRANTOR DECLARES AS FOLLOWS:**

Encumbrance: Any residence constructed on lot 50 of the Grantor parcel shall have a roof ridge height no greater than 354 feet above sea level, and any residence constructed on lot 51 of the Grantor parcel shall have a roof ridge height no greater than 369 feet above sea level. This shall be binding on and shall inure to the benefit of the heirs, executors, administrators, successors, and assigns of the parties.

DATED: March 9, 2001 .

**GRANTOR'S:**

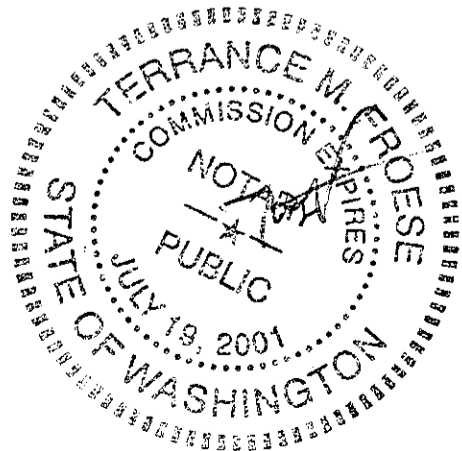
  
James W. Macy

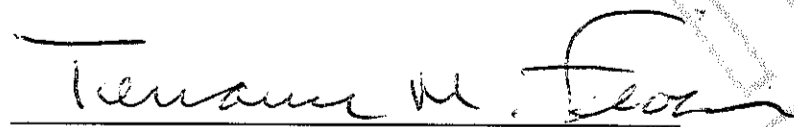
  
Linda S. Macy

STATE OF WASHINGTON )  
 ) ss  
County of Skagit )

On this 9<sup>th</sup> day of March, 2001, before me personally appeared James W. Macy and Linda S. Macy, husband and wife, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Subscribed and sworn to before me this 9<sup>th</sup> day of March, 2001.





NOTARY PUBLIC in and for the  
State of Washington, residing at ANACORTES  
My Commission expires: 7-19-01



200103210075  
Skagit County Auditor

Exhibit A

Lot 50

A parcel of land in the Southeast Quarter of Section 27, Township 35 North, Range 1 East of the Willamette Meridian, Skagit County, Washington, more particularly described as follows:

Commencing at the Northwest corner of Lot 31, Plat of Marine Heights, as recorded in Volume 16 of Plats, page 173, and running  
thence South  $01^{\circ}22'43''$  West along the West line of Lot 31, a distance of 118.06 feet; to the true point of beginning;  
thence South  $45^{\circ}00'00''$  East a distance of 30 feet;  
thence North  $88^{\circ}22'03''$  West a distance of 145 feet more or less to a point that lies 180 feet North  $88^{\circ}22'03''$  West of the West line of Lots 30 and 31, Plat of Marine Heights;  
thence South  $01^{\circ}22'43''$  West and parallel with the West line of Lots 30 and 31, to the North line of Lot 9, Plat of Marine Heights;  
thence South  $88^{\circ}13'39''$  East along the North line of Lots 9 and 10, a distance of 180 feet to the Southwest corner of Lot 30;  
thence North  $01^{\circ}22'43''$  East along the West line of Lot 30, a distance of 160.31 feet to the true point of beginning;

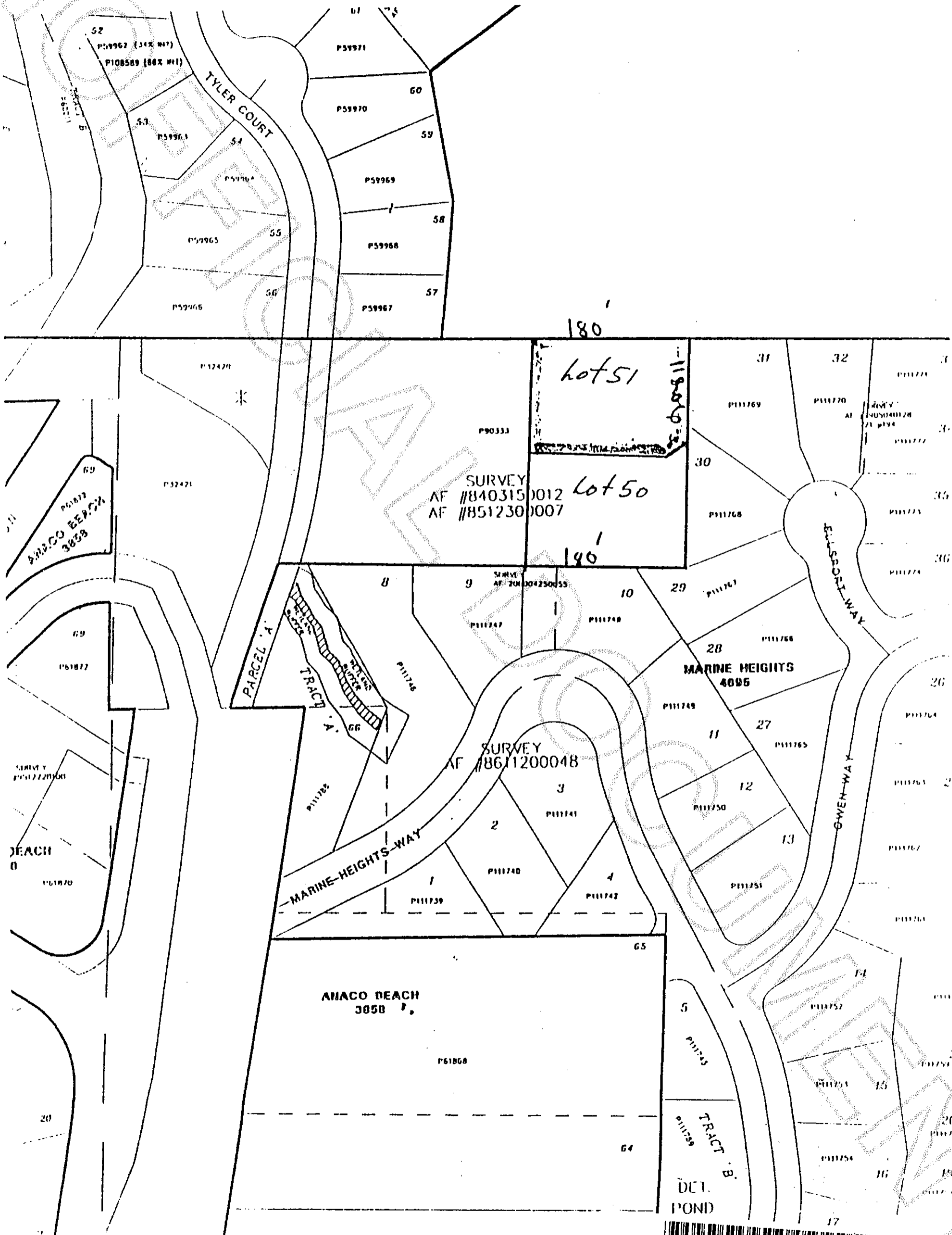
Lot 51

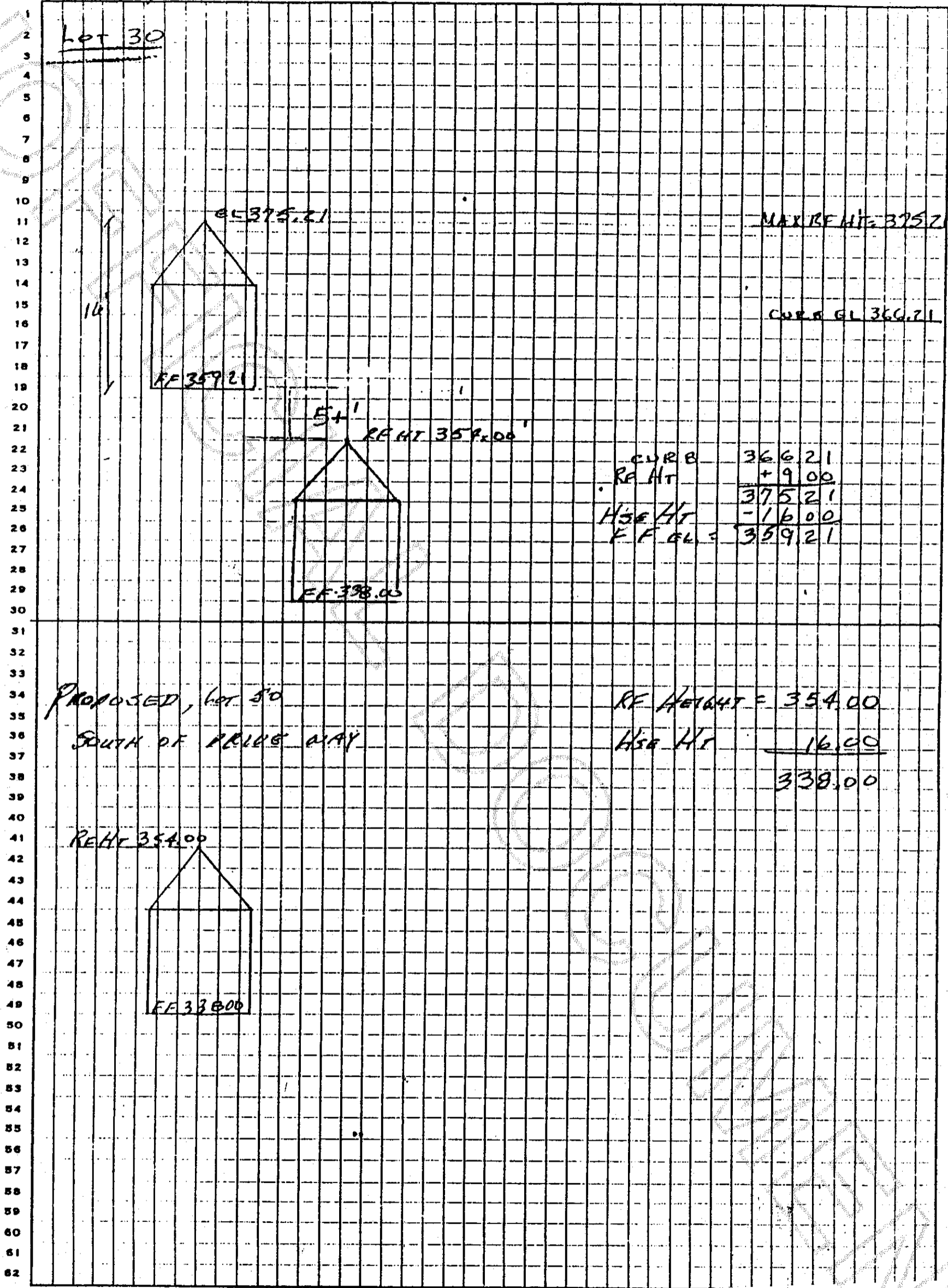
A parcel of land in the Southeast Quarter of Section 27, Township 35 North, Range 1 East of the Willamette Meridian, Skagit County, Washington, more particularly described as follows:

Beginning at the Northwest corner of Lot 31, Plat of Marine Heights, as recorded in Volume 16 of Plats, page 173, and running  
thence South  $01^{\circ}22'43''$  West along the West line of Lot 31, a distance of 118.06 feet;  
thence South  $45^{\circ}00'00''$  East a distance of 30 feet;  
thence North  $88^{\circ}22'03''$  West a distance of 145 feet more or less to a point that lies 180 feet North  $88^{\circ}22'03''$  West of the West line of Lots 30 and 31, Plat of Marine Heights;  
thence North  $01^{\circ}22'43''$  East and parallel with the West line of said Lots 30 and 31, to a point on the North line of that parcel conveyed to James W. Macy and Linda S. Macy by instrument recorded under Auditor's File No. 8603240051; said point being North  $88^{\circ}22'03''$  West a distance of 180 feet from the Northwest corner of Lot 31;  
thence South  $88^{\circ}22'03''$  East a distance of 180 feet to the Northwest corner of Lot 31 and the true point of beginning.



Exhibit A





200103210075  
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11-52

DATE 4/5/00 BY [signature]

C F BRAUN & CO

PAGES PAGE

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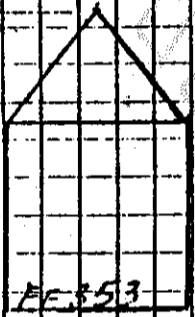
Lot 31

EL 392.91



RF HT 382.21

369.00

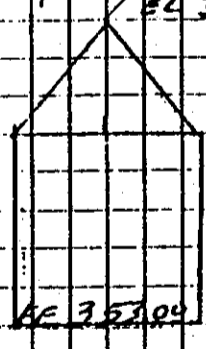


FF 366.91

	CURBEL	366.21
RF HT	16.70	26.70
RF HT	382.91	392.91
RF HT	16.00	16.00
FF	366.91	376.91

Proposed, Lot 51  
North of Driveway

EL 369.00



Prop HT	369.00
Hgt. Hr	16.00
	353.00

