



200104030040

, Skagit County Auditor

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9808070026

KATHY HILL  
SKAGIT COUNTY AUDITOR

## AFTER RECORDING MAIL TO:

Name First American TitleAddress 1419 Commercial AveCity/State Proctor, WA 98221A54042

98 AUG -7 A9:23

REFERED TO CORRECT LEGAL

RECORDED \_\_\_\_\_ FILED \_\_\_\_\_  
REQUEST OF \_\_\_\_\_

## Document Title(s): (or transactions contained therein)

1. Easement
- 2.
- 3.
- 4.

## Reference Number(s) of Documents assigned or released:

☐ Additional numbers on page \_\_\_\_\_ of document

## Grantor(s): (Last name first, then first name and initials)

1. Olympic Assoc.
- 2.
- 3.
- 4.

5. ☐ Additional names on page \_\_\_\_\_ of document

## Grantee(s): (Last name first, then first name and initials)

1. The Cove at Fidalgo Bay
- 2.
- 3.
- 4.

5. ☐ Additional names on page \_\_\_\_\_ of document

## Abbreviated Legal Description as follows: (i.e. lot/block/plat or section/township/range/quarter/quarter)

Ptn Gov lot 5 30-35-2☒ Complete legal description is on page 4 of document

## Assessor's Property Tax Parcel / Account Number(s):

350230-0-012-0007350331-0-016-0408

NOTE: The auditor/recorder will rely on the information on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

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BK1852PG0056

First American Title  
Insurance Company

ACCOMMODATION RECORDING ONLY

A54042

(this space for title company use only)

SKAGIT COUNTY WASHINGTON  
Real Estate Excise Tax

AUG 7 - 1998

Amount Paid \$ - 0 -  
By DUV Skagit Co. Treasurer DeputySKAGIT COUNTY WASHINGTON  
Real Estate Excise Tax

APR 03 2001

Amount Paid \$ - 0 -  
By [Signature] Skagit Co. Treasurer Deputy

## GRANT OF EASEMENT

IN CONSIDERATION of the mutual promises hereunder and the mutual benefits to be derived herefrom, and other valuable consideration, the receipt of which is hereby acknowledged, **OLYMPIC V ASSOCIATES**, a Washington General Partnership ("Grantor"), for itself, its heirs, successors and assigns, does hereby grant to **THE COVE AT FIDALGO BAY, LLC**, a Washington Limited Liability Company, ("Grantee"), its heirs, successors and assigns, the following easement:

*An non-exclusive easement, over, under and across Grantor's property described in the attached EXHIBIT A, that runs with the land.*

This easement is granted subject and conditions upon the following terms, conditions and covenants, which the Grantee and the Grantor hereby promise to faithfully and fully observe and perform.

1. Purpose. The Easement is for the purpose of construction, use, maintenance, repair of an entry road to be constructed, maintained and utilized by Grantee.

2. Indemnity and Hold Harmless. The Grantee shall bear and promptly pay all costs and expenses of construction, maintenance and repair of the entry road. Grantee assumes all of the risks associated with the construction and maintenance of the entry road. The Grantee agrees to indemnify and hold the Grantor harmless from any claims, damages, and costs or liability arising from or in connected in any way to the exercise of the Grantee's rights herein or to the use of the Easement.

3. Running with the Land, Etc. This Easement shall run with the land in perpetuity unless formally relinquished or vacated by the Grantees. This Easement shall be binding upon and inure to the benefit of the Grantor and Grantees and their heirs, successors and assigns.

GRANTOR:  
OLYMPIC V ASSOCIATES

BY: Gordon H. Wise  
GORDON H. WISE, Partner

GRANTEE:  
THE COVE AT FIDALGO BAY, LLC

BY: Ken Knight  
Ken Knight, Managing Member



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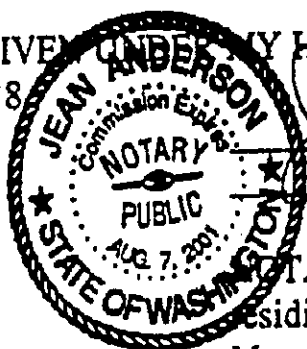
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State of Washington  
County King

I JEAN ANDERSON Notary Public in and for the State of Washington do hereby certify that on this 31 day of July, 1998 personally appeared before me GORDON H. WISE to be known to be the individual described in and who executed the within instrument and acknowledged that he signed the same as an individual free and voluntary act and deed for the uses and purposed herein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL this 31 day of July, 1998.

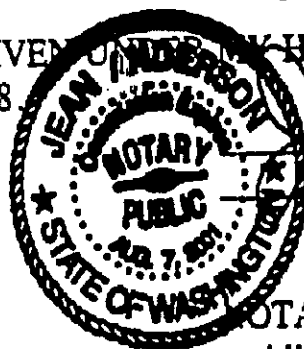


Jean Anderson  
JEAN ANDERSON  
(print name)  
NOTARY PUBLIC in and for the State of Washington  
residing at Seattle  
My appointment expires 8-7-01

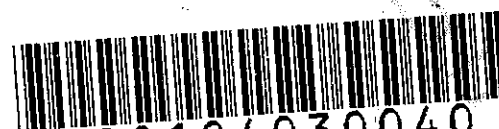
State of Washington  
County King

I JEAN ANDERSON Notary Public in and for the State of Washington do hereby certify that on this 31 day of July, 1998 personally appeared before me KEN KNIGHT to be known to be the individual described in and who executed the within instrument and acknowledged that he signed the same as an individual free and voluntary act and deed for the uses and purposed herein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL this 31 day of July, 1998.



Jean Anderson  
JEAN ANDERSON  
(print name)  
NOTARY PUBLIC in and for the State of Washington  
residing at Seattle  
My appointment expires 8-7-01



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**EXHIBIT A  
EASEMENT LEGAL DESCRIPTION**

An easement over the following described property:

Those portions of Government Lot 5 in Section 30, Township 35 North, Range 2 East, W.M., Government Lot 6 in Section 31, Township 35 North, Range 2 East, W.M., and Tract 13, Flat 11 of Anacortes Tidelands in said Section 30, which are described as follows:

Beginning at the section corner common to Section 29, 30, 31 and 32, Township 35 North, Range 2 East, W.M., situated in Skagit County, Washington; thence Westerly in Government Lot 5, Section 30, on the section line between Sections 30 and 31, a distance of 301.149 feet to a point which is the true point of beginning; thence North 40 degrees 57'37" East, 147.129 feet to the high tide line; thence North 65 degrees 05'48" West a distance of 259.00 (more or less) to a point which is the Northeast corner of the upland tract of Tract "D", of a Survey recorded under Auditor's File No. 847463, in Volume 2 of Surveys, page 18; thence Southwest along the East line of said Lot "D", crossing the City Limits line into Government Lot 6, Section 31, to the East boundary of Fidalgo Bay Road; thence following Southeasterly along the curve of the East boundary of Fidalgo Bay Road, a distance of 291.808 feet to the centerline of the private driveway as shown on the above described survey; thence North 40 degrees 57'37" East a distance of 324.922 feet to the South boundary of the Burlington-Northern right of way; thence continuing on said bearing 75 feet to the North boundary of the Burlington Northern right of way; thence continuing 5.548 feet to the true point of beginning. EXCEPT the Burlington Northern right of way, as conveyed by deed recorded in Volume 9 of deeds, page 278, and by deed recorded under Auditor's File No. 495092, records of Skagit County, Washington.

Except for the Northwesterly 12 feet of that portion of the above described tract lying Southwesterly of the Burlington Northern right-of-way:

Said easement being more particularly described as follows:

Commencing at the Southwest corner of the above mentioned Tract "D", Thence 12.27 feet Southeasterly along a curve, said curve being the Northeasterly margin of Fidalgo Bay Road, having a radius of 531.44 feet through a central angle of 01 degrees 19'21" to the ~~Northwesterly~~ <sup>southerlymost</sup> corner of the said Northwesterly 12 feet and the true point of beginning. *GHW*

Thence North 42 degrees 29'19" East, along the Southeasterly line of said Northwesterly 12 feet, 75.96 feet;  
Thence South 10 degrees 59'17" west 107.74 feet to the Northeasterly margin of Fidalgo Bay Road;  
Thence Northwesterly along a curve, , said curve being the Northeasterly margin of Fidalgo Bay Road, having a radius of 531.44 feet through a central angle of 06 degrees 00'21" to the true point of beginning.

Said easement contains 2107 square feet more or less.

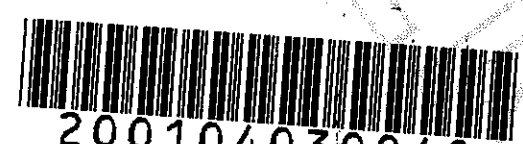
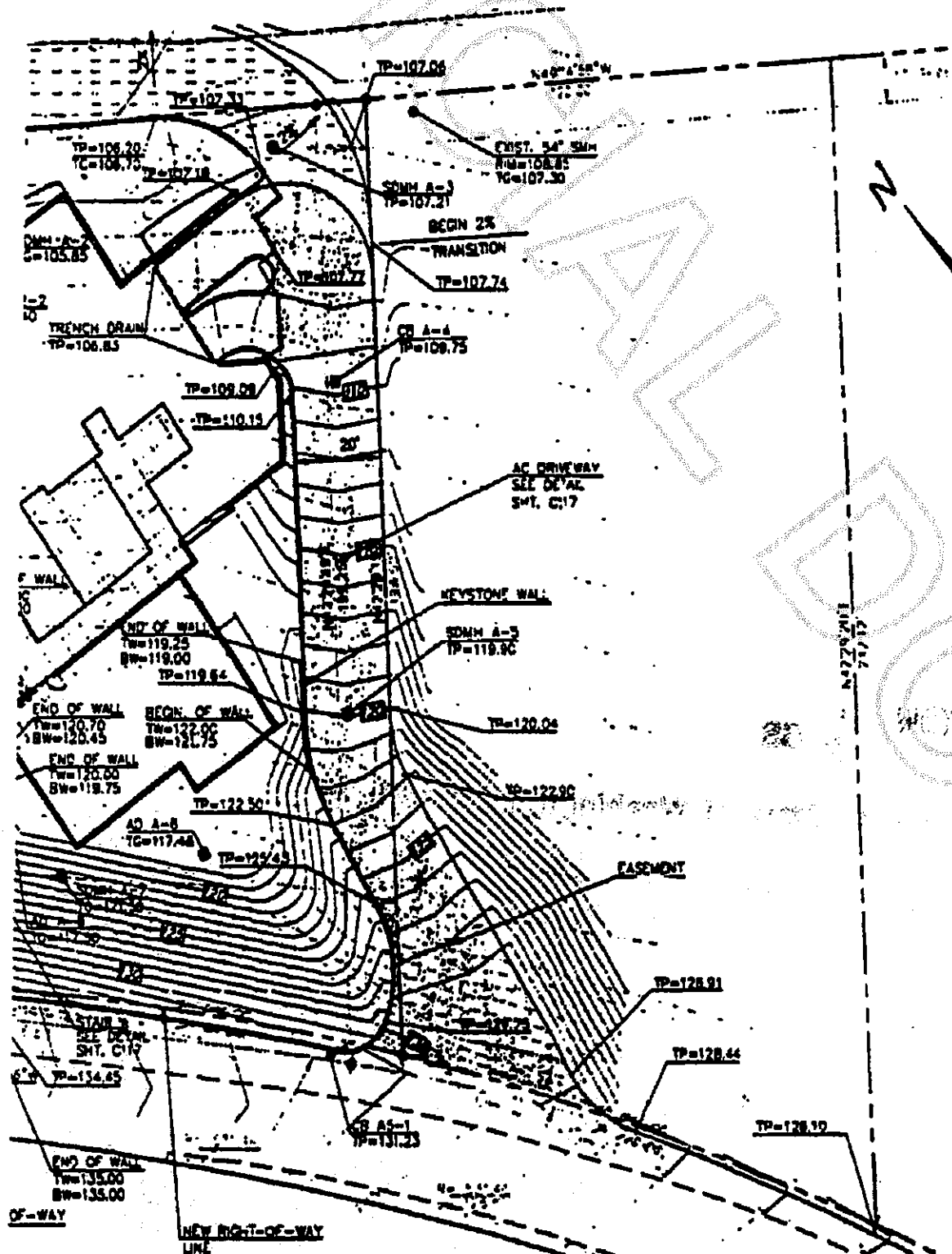
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, Skagit County Auditor



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 , Skagit County Auditor

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UNOFFICIAL

STATE OF WASHINGTON } ss  
COUNTY OF SKAGIT

I, Auditor of Skagit County, State of Washington, do hereby  
certify that the foregoing copy of Easement is a true and  
correct copy from the record, as the same appears in

1852 dr

9808010026

of Page

56

under

Records of Skagit County, Washington.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal of my

Office this

29

day of

November

2000

Norma Brummett

By

Quayle Zavala

Auditor

Deputy



200104030040

, Skagit County Auditor