


After recording return document to:

City of Anacortes
PO Box 547
Anacortes, WA 98221


200109060130
Skagit County Auditor
9/6/2001 Page 1 of 7 4:26:23PM

Document Title: **EASEMENT**

Reference Number of Related Document: **199707220058**

Grantor(s): **MARVIN C. SHELBY AND CAROL A. SHELBY, HUSBAND AND WIFE; MARINE HEIGHTS LLC**

Additional Grantor(s) on page N/A of document. SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax

Grantee(s): **CITY OF ANACORTES**

SEP 06 2001

Additional Grantee(s) on page N/A of document. Amount Paid \$
Skagit Co. Treasurer
Deputy

Abbreviated legal description: **LOT 27, PLAT OF MARINE HEIGHTS**

Additional legal description(s) on page(s) N/A of document.

Assessor's tax/parcel numbers: **4695-000-027-0000/R111765**

CONFIRMATION AND DEFINITION OF EASEMENT

This confirmation and definition of easement is made this 6th day of September, 2001 by Marvin C. and Carol A. Shelby, and by Marine Heights LLC, ("Grantors") to the City of Anacortes, Washington. ("Grantee").

RECITALS

1. The Plat of Marine Heights, as recorded in Skagit County, Washington on 22 July 1997 under Auditor's File Number 199707220058 reserved and showed a drainage easement along the northwest property line of lot 27 of the plat. The Easement, shown on the face of plat on sheet 3 of 3, overlaid parts of lots 28, 29 and 11, as well as part of lot 27.

CONFIRMATION AND DEFINITION OF EASEMENT

Page 2 of 6

2. As to lot 27, the Easement had a width of ten (10) feet and extended from the northwest corner of said lot along the westerly line of lot 27 for a length of forty-seven (47) feet, more or less.
3. Grantor herein Marine Heights LLC herein is the successor to the original Grantor of the Easement, Charger, Inc.
4. Grantors herein Marvin C. and Carol S. Shelby, husband and wife, are the owners of lot 27.
5. Grantee herein (City of Anacortes) is the owner of the Easement.
6. Grantors and Grantee recognize that the length of the Easement on lot 27 unnecessarily restricts improvement of the lot
7. Grantors and Grantee have agreed that the length of the Easement on lot 27 May be shortened to thirty feet.
8. The parties have further agreed that all other terms of the Easement are satisfactory.

THEREFORE,

Grantors, in consideration of the mutual benefits derived from the Easement and the consideration therefore, and for no additional consideration, the adequacy of which is hereby acknowledged, hereby confirm, give, grant, bargain, sell, convey and forever quitclaim to Grantee that interest in real property shown and identified as a drainage easement which was reserved and granted by Charger, Inc. 22 July 1997, as recorded in Skagit County, Washington under Auditor's File Number 199707220058, except that legal description of such easement as it affects lot 27 of the Plat of Marine Heights shall be defined as follows:

Beginning at the northwest corner of lot 27,

thence southerly and easterly along the west line of said lot for a distance of thirty (30) feet,

thence northerly and easterly along a line perpendicular to the westerly line of said lot for a distance of ten (10) feet,



200109060130
, Skagit County Auditor

CONFIRMATION AND DEFINITION OF EASEMENT

Page 3 of 6

thence northerly and westerly along a line ten feet distant from and parallel to the westerly line of lot 27 for a distance of thirty (30) feet,

thence south and west to the point of beginning.

WHEREFORE the parties have hereunto set their hands.

Date: September 4, 2001 Marvin C. Shelby
Marvin C. Shelby, Grantor

Date: September 4, 2001 Carol A. Shelby
Carol S. Shelby, Grantor

Date: _____
Marine Heights LLC, Grantor
By Barry F. Owen, Member

Date: 9/6/01 H. Dean Maxwell
City of Anacortes, Grantee
By: H. Dean Maxwell



200109060130
Skagit County Auditor
9/6/2001 Page 3 of 7 4:26:23PM

CONFIRMATION AND DEFINITION OF EASEMENT

Page 3 of 6

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thence south and west to the point of beginning.

WHEREFORE the parties have hereunto set their hands.

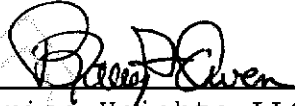
Date: _____

Marvin C. Shelby, Grantor

Date: _____

Carol S. Shelby, Grantor

Date: September 4, 2001


Marine Heights LLC, Grantor
By Barry F. Owen, Member

Date: _____

City of Anacortes, Grantee
By: _____



200109060130
Skagit County Auditor
9/6/2001 Page 4 of 7 4:26:23PM

CONFIRMATION AND DEFINITION OF EASEMENT

Page 4 of 6

STATE OF WASHINGTON)
) ss:
COUNTY OF SKAGIT)

On this 4th day of September, 2001, before me, the undersigned Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Marvin C. Shelby and Carol S. Shelby, to me known or satisfactorily identified to be the persons named in the within and foregoing instrument, who executed said instrument in my presence and acknowledged the instrument as their free and voluntary act and deed, for the uses and purposes therein mentioned.

SUBSCRIBED AND SWORN to before me this 4th day of September, 2001.



Darcy A. Owings Martin
(Signature)

Darcy A. Owings Martin
(Print Name)

Notary Public in and for the State of
Washington, residing at Burlington
My Commission expires: 11-10-01



200109060130
Skagit County Auditor
9/6/2001 Page 5 of 7 4:26:23PM

CONFIRMATION AND DEFINITION OF EASEMENT

Page 5 of 6

STATE OF WASHINGTON)
) ss:
COUNTY OF SKAGIT)

On this 4th day of September, 2001, before me, the undersigned Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Barry F. Owen, who identified himself to me as a Member of Marine Heights LLC, a Washington limited liability company, the company that executed the foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said company for the purposes therein mentioned, and on oath stated that he was duly authorized to execute the same on the company's behalf.

SUBSCRIBED AND SWORN to before me this 4th day of September, 2001.



Alan R. Souders
(Signature)

Alan R. Souders
(Print Name)

Notary Public in and for the State of
Washington, residing at Five Island
My Commission expires: 28 Feb 2002



200109060130
Skagit County Auditor

CONFIRMATION AND DEFINITION OF EASEMENT

Page 6 of 6

STATE OF WASHINGTON)
) ss:
COUNTY OF SKAGIT)

On this 6th day of September, 2001, before me, the undersigned Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared H. Dean Maxwell, Mayor, who identified himself ~~herself~~ to me as the Mayor of the City of Anacortes, a Washington municipal corporation that executed the foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said City, for the purposes therein mentioned, and on oath stated that ~~she~~ was duly authorized to execute the same on the City's behalf.

SUBSCRIBED AND SWORN to before me this 6th day of September, 2001.



Cheri L. Kahns

(Signature)

Cheri L. Kahns

(Print Name)

Notary Public in and for the State of Washington, residing at Mount Vernon
My Commission expires: 10-19-02

200109060130
Skagit County Auditor
9/6/2001 Page 7 of 7 4:26:23PM