



200111260264
Skagit County Auditor

11/26/2001 Page 1 of 16 4:02:33PM

Document Title:

Easement Grant

Reference Number:

Grantor(s):

additional grantor names on page ____

1. Michael and Linda E. Nennich - h/w
2. John Peth & Sons, Inc.

Grantee(s):

additional grantee names on page ____

1. John Peth & Sons, Inc.
- 2.

Abbreviated legal description:

full legal on page(s) ____

SW 1/4 of SW 1/4 and NW 1/4 of SW 1/4 of Section 18,
 Township 36N, Range 4E, W.M.
 NE 1/4 of SE 1/4 and SE 1/4 of NE 1/4 and NE 1/4 of NE 1/4
 of Section 13, Township 36N, Range 3E, W.M.

Assessor Parcel / Tax ID Number:

additional tax parcel number(s) on page ____

P 49371, P 49372, P 115716, P 49370,
 P 47859, P 47842

EASEMENT GRANT

This Easement Grant is made between MICHAEL and LINDA E. NEMNICH, husband and wife, and JOHN PETH & SONS, INC. (hereinafter referred to as the "Grantors"), and JOHN PETH & SONS, INC. (herinafter referred to as the "Grantees").

The following recitals of fact are a material part of this instrument:

A. The grantors are the sole owners in fee simple of separate parcels of land which are hereinafter referred to as "Burdened Parcels" and which are legally described as follows :

See attached Exhibit A, which is fully incorporated herein.

B. The Grantees are the sole owners of separate parcels of land which are hereinafter referred to as "Benefited Parcels" and which are legally described as follows :

See attached Exhibit B, which is fully incorporated herein.

C. The Grantors wish to grant and the Grantees wish to receive an easement over, under and across portions of Burdened Parcels. The easement grant herein is hereinafter referred to as the "Road Easement" and which is described as follows:

See attached ExhibitC, which is fully incorporated herein.

Now, therefore, in consideration of One Dollar, mutual easement grants, and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the following grants, agreements, covenants and restrictions are made by the Grantors:

1. GRANT OF EASEMENT.

A. The Grantors hereby grant to Grantees, as for an easement appurtenant to the Benefited Parcels, a perpetual right and an easement to lay, construct, maintain and repair a roadway for ingress and egress and for an easement for the installation, maintenance and operation of utilities upon, over, under and across the Road Easement area, identified in Exhibit C. The easement and right is not exclusive, is intended for use for residential ingress, egress and utilities only.

2. RESTRICTIONS ON USE OF EASEMENT AREA. Use of the Road Easement is intended to be consistent with the needs of lawful residential use of the Benefited Parcels, but is not confined to present uses of the Benefited Parcels, the present buildings thereon, or present means of transportation or of supplying utility services.

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

NOV 26 2001

Amount Paid \$ 0
Skagit Co. Treasurer
By *JP* Deputy



200111260264
, Skagit County Auditor

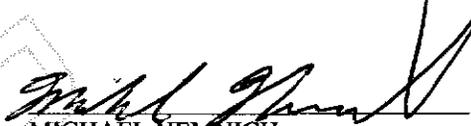
3. ADDITIONS TO DOMINANT ESTATE. The easements contained herein shall also become appurtenant to any land which is contiguous to the Benefited Parcels and that may hereafter come into common ownership with the Benefited Parcels. An area physically separated from the Benefited Parcels but having access thereto by means of public ways or private easements, rights or licenses shall be deemed to be contiguous to the Benefited Parcels.

4. DIVISION OF DOMINANT ESTATE. If the Benefited Parcels are hereafter divided by lawful separation of ownership or by lease, all parts shall enjoy the benefit of the easements hereby created.

5. RUNNING OF BENEFITS AND BURDENS. The grant of easements contained herein, along with any and all benefits and burdens arising therefrom, and all covenants, conditions, restrictions and reservations included herein are intended to become, and by the recordation of this instrument shall be conclusively deemed to be legal and equitable servitudes which shall run with the land of the above-described Parcels owned by Grantors and Grantees, and which shall be binding upon the Parcels, and upon their respective owners and occupiers, and upon the respective heirs, personal representatives, successors and assigns of such parties, through all successive transfers of the Parcels and/or the granting of any security interests therein, without requirement of further specific reference or inclusion in deeds, contracts or security instruments, and regardless of any subsequent forfeiture, foreclosures, or sales under security instruments, or of any forfeiture, foreclosures, or sales instituted for nonpayment of governmental tax, levy or assessment of any kind.

6. CONSTRUCTION. The rule of strict construction does not apply to this grant. This grant shall be given a reasonable construction so that the intention of the parties to confer usable rights of enjoyment in the Grantees are carried out.

IN WITNESS WHEREOF the Grantors have caused this instrument to be executed this 26 day of November, 2001.


MICHAEL NEMNICH


LINDA E. NEMNICH

JOHN PETH & SONS, INC.

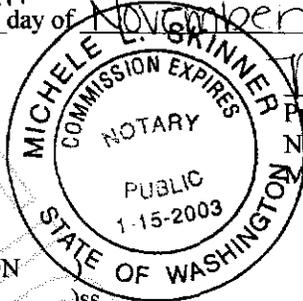

Dan Peth, Secretary

STATE OF WASHINGTON)
)ss.

COUNTY OF Snohomish

I hereby certify that I know or have satisfactory evidence that MICHAEL NEMNICH is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

DATED this 26th day of November, 2001



Michele Skinner
Print Name: Michele Skinner
Notary Public for the State of Washington.
My Commission expires 1-15-2003.

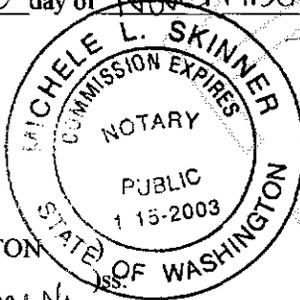
STATE OF WASHINGTON

)ss.

COUNTY OF Snohomish

I hereby certify that I know or have satisfactory evidence that LINDA E. NEMNICH is the person who appeared before me, and said person acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.

DATED this 26th day of November, 2001



Michele Skinner
Print Name: Michele Skinner
Notary Public for the State of Washington.
My Commission expires 1-15-2003.

STATE OF WASHINGTON

)ss.

COUNTY OF Snohomish

I certify that I know or have satisfactory evidence that DAN PETH is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Secretary of JOHN PETH & SONS, INC., to be the free and voluntary act of said party for the purposes therein mentioned in the instrument.

DATED this 26th day of November, 2001



Michele Skinner
Print Name: Michele Skinner
Notary Public for the State of Washington.
My Commission expires 1-15-2003.



200111260264
Skagit County Auditor

Skagit
Surveyors & Engineers LLC

806 Metcalf St., Sedro-Woolley, WA 98284 Phone: (360) 833-2121 FAX: (360) 855-1858

LEGAL DESCRIPTION
FOR
JOHN PETH & SONS, INC.
OF
PARCEL 7 - AFTER BOUNDARY LINE ADJUSTMENT

May 10, 1999

That portion of Government Lot 4 of Section 18, Township 36 North,
Range 4 East, W.M., described as follows:

Beginning at the southwest corner of said Government Lot 4; thence
S86°50'58"E along the south line thereof, a distance of 436.54 feet;
thence N06°29'49"W, a distance of 327.78 feet; thence N81°01'50"E, a
distance of 432.32 feet; thence N60°30'10"E, a distance of 203.23
feet; thence N11°34'42"E, a distance of 276.30 feet; thence
N01°05'51"E, a distance of 504.01 feet to a point on the north line of
said Government Lot 4 which is 143.55 feet west of the southwest
corner of the east 245.84 feet of said Government Lot 4; thence
N87°25'56"W along the north line of said Government Lot 4, a distance
of 592.73 feet; thence S23°32'39"W, a distance of 608.04 feet; thence
N89°07'08"W, a distance of 221.81 feet to a point on the west line of
said Government Lot 4 which is 716.38 feet north of the southwest
corner thereof; thence S00°52'52"W along said west line, a distance of
716.38 feet to the point of beginning of this description.

Containing 20.60 acres.

Situated in Skagit County, Washington.

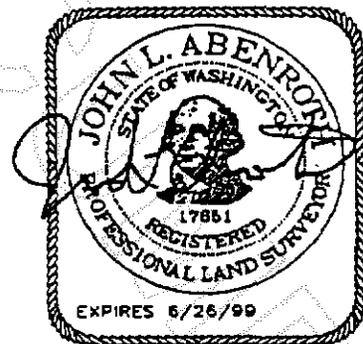


EXHIBIT A-1

5/19/99



200111260264

Skagit County Auditor

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806 Metcalf St., Sedro-Woolley, WA 98284 Phone: (360) 855-2121 FAX: (360) 855-1858

LEGAL DESCRIPTION
FOR
JOHN PETH & SONS, INC.
OF
PARCEL 8 - AFTER BOUNDARY LINE ADJUSTMENT

May 10, 1999

That portion of Government Lot 3 and Government Lot 4 of Section 18, Township 36 North, Range 4 East, W.M., described as follows:

Beginning at the southwest corner of said Government Lot 3; thence N00°52'52"E along the west line thereof, a distance of 1290.91 feet to the northwest corner of said Government Lot 3; thence S88°00'24"E along the north line thereof, a distance of 1197.21 feet to the northwest corner of the east 245.84 feet of said Government Lot 3; thence S01°05'51"W along the west line of said east 245.84 feet, a distance of 1302.78 feet to the south line of said Government Lot 3; thence N87°25'56"W along the south line of said Government Lot 3, a distance of 736.29 feet; thence S23°32'39"W, a distance of 608.04; thence N89°07'08"W, a distance of 221.81 feet to a point on the west line of said Government Lot 4 which is 716.38 feet north of the southwest corner thereof; thence N00°52'52"E along the west line of said Government Lot 4, a distance of 574.53 feet to the point of beginning of this description.

Containing 40.00 acres.

Situated in Skagit County, Washington.

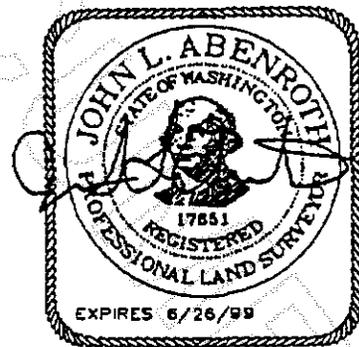


EXHIBIT A-2

5/19/99



200111260264
Skagit County Auditor



806 Melcoff St. Sedro-Woolley, WA 98284 Phone: (360) 855-2121 FAX: (360) 855-1658

LEGAL DESCRIPTION
FOR
JOHN PETH & SONS, INC.
OF
PARCEL 9 - AFTER BOUNDARY LINE ADJUSTMENT

May 10, 1999

The northeast quarter of the southeast quarter and the south 13.5 feet of the southeast quarter of the northeast quarter of Section 13, Township 36 North, Range 3 East, W.M.

Containing 40.00 acres.

Situated in Skagit County, Washington.

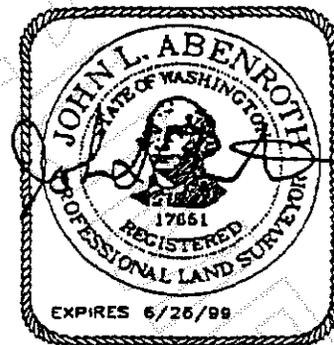


EXHIBIT A-3

5/19/99



200111260264
Skagit County Auditor

skagit
Surveyors & Engineers LLC

805 Metcalf St., Sedro-Woolley, WA 98284 Phone: (360) 855-2121 FAX: (360) 855-1658

LEGAL DESCRIPTION
FOR
JOHN PETH & SONS, INC.
OF
PARCEL 6 - AFTER BOUNDARY LINE ADJUSTMENT

May 10, 1999

That portion of Government Lot 4 of Section 18, Township 36 North, Range 4 East, W.M.; and that portion of the Government Lot 1 and the northeast quarter of the northwest quarter of Section 19, Township 36 North, Range 4 East, W.M.; described as follows:

Beginning a point on the south line of Government Lot 4 of said Section 18 which lies S86°50'58"E, a distance of 436.54 feet from the southwest corner thereof; thence N06°29'49"W, a distance of 327.78 feet; thence N81°01'50"E, a distance of 432.32 feet; thence N60°30'10"E, a distance of 203.23 feet; thence S56°54'25"E, a distance of 518.35 feet to a point on the east line of said Government Lot 4 which is 265 feet north of the southeast corner thereof; thence S01°05'51"W along said east line, a distance of 265.00 feet to the southeast corner of said Government Lot 4; thence S34°25'05"E, a distance of 317.78 feet; thence S09°31'36"W, a distance of 415.02; thence N80°28'24"W, a distance of 371.16 feet; thence N13°28'27"W, a distance of 338.38 feet; N88°59'07"W, a distance of 623.28 feet; thence N06°29'49"W, a distance of 323.51 feet to the point of beginning of this description.

Containing 20.28 acres.

Situated in Skagit County, Washington.

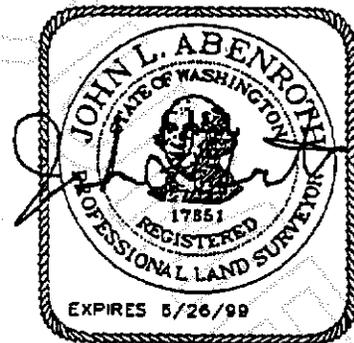


EXHIBIT A-4

5/19/99

skagit
Surveyors & Engineers LLC

806 Metcalf St., Sedro-Wooley, WA 98284 Phone: (360) 835-2121 FAX: (360) 835-1858

LEGAL DESCRIPTION
FOR
JOHN PETH & SONS, INC.
OF
PARCEL 7 - AFTER BOUNDARY LINE ADJUSTMENT

May 10, 1999

That portion of Government Lot 4 of Section 18, Township 36 North, Range 4 East, W.M., described as follows:

Beginning at the southwest corner of said Government Lot 4; thence S86°50'58"E along the south line thereof, a distance of 436.54 feet; thence N06°29'49"W, a distance of 327.78 feet; thence N81°01'50"E, a distance of 432.32 feet; thence N60°30'10"E, a distance of 203.23 feet; thence N11°34'42"E, a distance of 276.30 feet; thence N01°05'51"E, a distance of 504.01 feet to a point on the north line of said Government Lot 4 which is 143.55 feet west of the southwest corner of the east 245.84 feet of said Government Lot 4; thence N87°25'56"W along the north line of said Government Lot 4, a distance of 592.73 feet; thence S23°32'39"W, a distance of 608.04 feet; thence N89°07'08"W, a distance of 221.81 feet to a point on the west line of said Government Lot 4 which is 716.38 feet north of the southwest corner thereof; thence S00°52'52"W along said west line, a distance of 716.38 feet to the point of beginning of this description.

Containing 20.60 acres.

Situated in Skagit County, Washington.

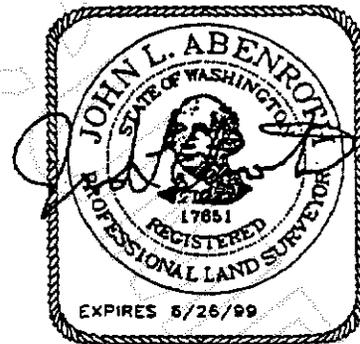


EXHIBIT B-1

5/19/99



200111260264
Skagit County Auditor

Skagit
Surveyors & Engineers LLC

808 Metcalf St., Sedro-Woolley, WA 98284 Phone: (360) 855-2121 FAX: (360) 855-1858

LEGAL DESCRIPTION
FOR
JOHN PETH & SONS, INC.
OF
PARCEL 8 - AFTER BOUNDARY LINE ADJUSTMENT

May 10, 1999

That portion of Government Lot 3 and Government Lot 4 of Section 18, Township 36 North, Range 4 East, W.M., described as follows:

Beginning at the southwest corner of said Government Lot 3; thence N00°52'52"E along the west line thereof, a distance of 1290.91 feet to the northwest corner of said Government Lot 3; thence S88°00'24"E along the north line thereof, a distance of 1197.21 feet to the northwest corner of the east 245.84 feet of said Government Lot 3; thence S01°05'51"W along the west line of said east 245.84 feet, a distance of 1302.78 feet to the south line of said Government Lot 3; thence N87°25'56"W along the south line of said Government Lot 3, a distance of 736.29 feet; thence S23°32'39"W, a distance of 608.04; thence N89°07'08"W, a distance of 221.81 feet to a point on the west line of said Government Lot 4 which is 716.38 feet north of the southwest corner thereof; thence N00°52'52"E along the west line of said Government Lot 4, a distance of 574.53 feet to the point of beginning of this description.

Containing 40.00 acres.

Situated in Skagit County, Washington.

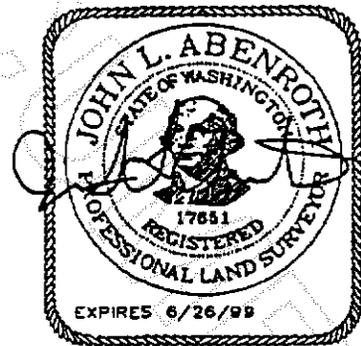


EXHIBIT B-2

5/19/99



200111260264
Skagit County Auditor

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806 Metcalf St., Sedro-Woolley, WA 98284 Phone: (360) 855-2121 FAX: (360) 855-1858

LEGAL DESCRIPTION
FOR
JOHN PETH & SONS, INC.
OF
PARCEL 9 - AFTER BOUNDARY LINE ADJUSTMENT

May 10, 1999

The northeast quarter of the southeast quarter and the south 13.5 feet of the southeast quarter of the northeast quarter of Section 13, Township 36 North, Range 3 East, W.M.

Containing 40.00 acres.

Situated in Skagit County, Washington.

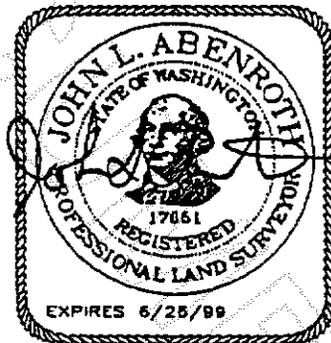


EXHIBIT B-3

5/19/99



200111260264

Skagit County Auditor

Skagit
Surveyors & Engineers LLC

806 Melcol St., Sedro-Woolley, WA 98284 Phone: (360) 855-2121 FAX: (360) 855-1658

LEGAL DESCRIPTION
FOR
JOHN PETH & SONS, INC.
OF
PARCEL 10 - AFTER BOUNDARY LINE ADJUSTMENT

May 10, 1999

The southeast quarter of the northeast quarter and the south 22.06 feet of the northeast quarter of the northeast quarter of Section 13, Township 36 North, Range 3 East, W.M.; EXCEPT the south 13.5 feet of said southeast quarter of the northeast quarter.

Containing 40.00 acres.

Situated in Skagit County, Washington.

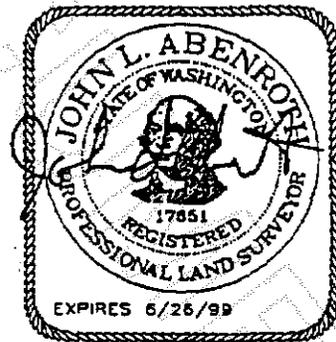


EXHIBIT B-4

5/19/99



200111260264
Skagit County Auditor
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806 Melcalf St., Sedro-Woolley, WA 98284 Phone: (360) 855-2121 FAX: (360) 855-1658

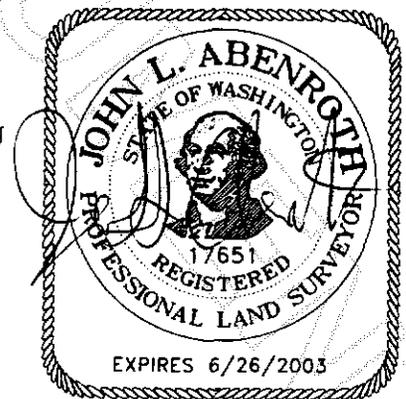
LEGAL DESCRIPTION
FOR
DAN AND JAY PETH
OF
ACCESS AND UTILITY EASEMENT
THROUGH PARCEL 6 AND PARCEL 7

EXHIBIT C-1

October 17, 2001

A non-exclusive easement 60 feet wide for ingress, egress, and utilities, over, under, and through a portion of PARCEL 6 described in Statutory Warranty Deed recorded under Auditor's File Number 199910060074 records of Skagit County, Washington and over, under and through a portion of PARCEL 7 described in Statutory Warranty Deed recorded under Auditor's File Number 199907280171, records of Skagit County, Washington, all lying in Government Lot 4, Section 18, Township 36 North, Range 4 East, W.M.; the centerline of said easement is described as follows:

Commencing at the northwest corner of Section 19, Township 36 North, Range 4 East, W.M.; thence S01°10'49"E along the west line thereof, a distance of 213.52 feet to Point A described in the ACCESS AND UTILITY EASEMENT recorded with PARCEL 6 described above; thence N38°44'16"E, a distance of 240.44 feet to the point of curvature of a curve to the right having a radius of 150.00 feet; thence northeasterly and easterly along said curve through a central angle of 85°16'03" and an arc length of 223.23 feet to the Initial Point of this centerline description; thence N33°48'19"E, a distance of 77.49 feet to a point 30 feet westerly, when measured at right angles, from the west line of said PARCEL 6; thence N06°29'49"W parallel with the west line of said PARCEL 6, a distance of 124.23 feet; thence N09°18'52"E, a distance of 110.10 feet to the northwest corner of said PARCEL 6 and the point of curvature of a curve to the right having a radius of 139.68 feet; thence northeasterly along said curve through a central angle of 29°57'06" and an arc length of 73.02 feet; thence N39°15'58"E, a distance of 88.17 feet to the point of curvature of a curve to the left having a radius of 60.00 feet; thence northeasterly, northerly, and northwesterly along said curve through a central angle of 80°48'26" and an arc length of 84.62 feet; thence N41°32'28"W, a



11/8/01



200111260264

Skagit County Auditor



806 Metcalf St., Sedro-Woolley, WA 98284 Phone: (360) 855-2121 FAX: (360) 855-1658

LEGAL DESCRIPTION
FOR
DAN AND JAY PETH
OF
ACCESS AND UTILITY EASEMENT
THROUGH PARCEL 9

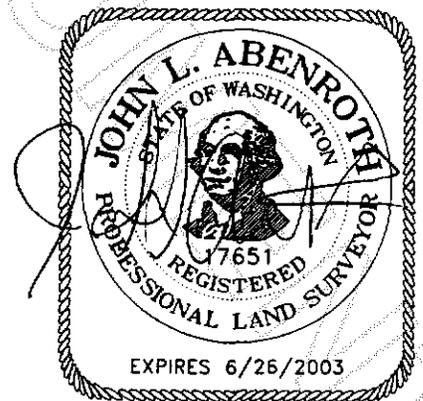
EXHIBIT C-2

October 17, 2001

A non-exclusive easement 60 feet wide for ingress, egress, and utilities, over, under, and through a portion of PARCEL 9 described in Statutory Warranty Deed recorded under Auditor's File Number 199907280168, records of Skagit County, Washington, lying in the northeast quarter of the southeast quarter of Section 13, Township 36 North, Range 3 East, W.M. the centerline of which is described as follows:

Commencing at the southeast corner of said Section 13; thence N00°52'52"E along the east line of said Section 13, a distance of 1483.44 feet to the Initial Point of this centerline description; thence N51°31'19"W, a distance of 68.83 feet the point of curvature of a curve to the right having a radius of 30.00 feet; thence northwesterly, northerly, northeasterly and easterly along said curve through a central angle of 149°20'48" and an arc length of 78.20 feet; thence S82°10'31"E, a distance of 32.84 feet to the terminal point of this centerline description, which point lies on the east line of said Section 13, N00°52'52"W, a distance of 1575.01 feet from the southeast corner of said Section 13.

Situate in Skagit County, Washington.



11/8/01



200111260264

, Skagit County Auditor



806 Metcalf St., Sedro-Woolley, WA 98284 Phone: (360) 855-2121 FAX: (360) 855-1658

LEGAL DESCRIPTION
FOR
DAN AND JAY PETH
OF

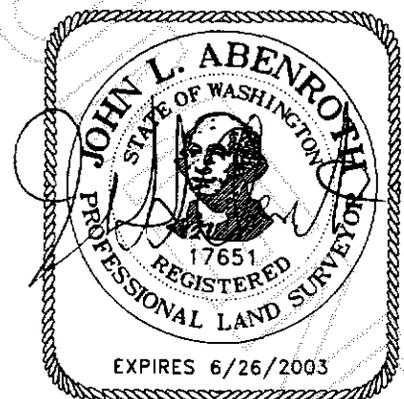
EXHIBIT C-3

ACCESS AND UTILITY EASEMENT
THROUGH THE SOUTHWESTERLY PORTION OF PARCEL 8

October 17, 2001

A non-exclusive easement 60 feet wide for ingress, egress, and utilities, over, under, and through a portion of PARCEL 8 described in Statutory Warranty Deed recorded under Auditor's File Number 199907280169, records of Skagit County, Washington, lying in Government Lot 3 and Government Lot 4 of Section 18, Township 36 North, Range 4 East, W.M. the centerline of which is described as follows:

Commencing on the north line of said Government Lot 4 at the angle point in the south line of said PARCEL 8 described above; thence S87°25'56"E along said south line, a distance of 17.69 feet to the Initial Point of this centerline description and point of curvature of a curve to the left having a radius of 50.00 feet and a chord bearing of N66°30'58"W; thence northwesterly, westerly, and southwesterly along said curve through a central angle of 93°57'59" and an arc length of 82.00 feet; thence S66°30'02"W, a distance of 316.44 feet to the point of curvature of a curve to the right having a radius of 53.95 feet; thence westerly, northwesterly, and northerly along said curve through a central angle of 108°07'51" and an arc length of 101.82 feet to the point of compound curvature of a curve to the right having a radius of 118.71 feet; thence northerly along said curve through a central angle of 43°17'01" and an arc length of 89.68 feet; thence N37°54'55"E, a distance of 40.24 feet to the point of curvature of a curve to the left having a radius 64.16 feet; thence northeasterly, northerly and northwesterly along said curve through a central angle of 89°26'13" and an arc length of 100.15 feet; thence N51°31'19"W, a distance of 97.89 feet to a point on the west line of said Section 18, the terminal point of this centerline description, which point lies N00°52'52"E, a distance of 1483.44 feet from the southwest corner of said Section 18.



11/8/01

Situate in Skagit

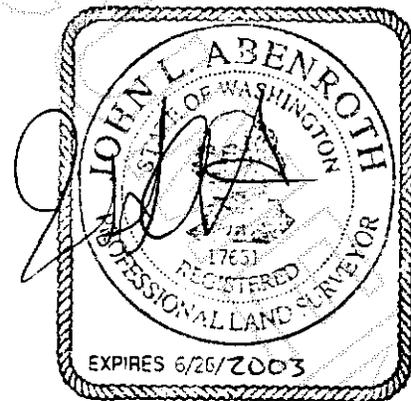


200111260264
, Skagit County Auditor

EXHIBIT C-4

distance of 29.68 feet to the point of curvature of a curve to the left having a radius of 86.35 feet; thence westerly along said curve through a central angle of $37^{\circ}32'51''$ and an arc length of 56.59 feet; thence $N79^{\circ}05'19''W$, a distance of 47.29 feet to the point of curvature of a curve to the right having a radius of 94.29 feet; thence northwesterly along said curve through a central angle of $55^{\circ}05'26''$ and an arc length of 90.66 feet; thence $N23^{\circ}59'52''W$, a distance of 40.37 feet to the point of curvature of a curve to the right having a radius of 112.00 feet; thence northerly and northeasterly along said curve through a central angle of $47^{\circ}32'32''$ and an arc length of 92.93 feet to a point 30 feet easterly, when measured at right angles, from the west line of said PARCEL 7; thence $N23^{\circ}32'39''E$ parallel with said west line, a distance of 522.73 feet to the point of curvature of a curve to the left having a radius of 50.00 feet; thence northerly along said curve through a central angle of $43^{\circ}04'38''$ and an arc length of 37.59 feet to a point on the north line of said Government Lot 4 and the north line of said PARCEL 7 which lies $S87^{\circ}25'56''E$, a distance of 17.69 feet from the northwest corner of said PARCEL 7 and the terminus of this centerline description.

Situate in Skagit County, Washington.



11/08/01

