

After recording return to:
JACKSON SCHMIDT
Pepple Johnson Cantu & Schmidt
1218 Third Avenue #1900
Seattle, WA 98101



200204030059
Skagit County Auditor
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NAME OF GRANTOR: Timmers, Henri
NAME OF GRANTEE: Wheeler, Mark F.
Johnson, Cynthia B.

ABBREVIATED LEGAL DESCRIPTION: Ptn. Of Gov. Lot 2, S33, T36N, R3E
Complete legal description is on Exhibits A and B of document.

ASSESSOR'S PROPERTY TAX PARCEL ACCOUNT NUMBERS: Ptn. of 360333-0-003-0003

GRANT OF EASEMENT

This Grant of Easement is made and executed as of Feb. 8, 200², by and between HENRI TIMMERS, a single man ("Grantor") and MARK WHEELER and CYNTHIA JOHNSON, husband and wife ("Grantee").

RECITALS

1. Grantor and Grantee, as well as others, have been involved in litigation arising from disputed claims of ownership of certain property located in Skagit County, Washington and have entered into a Settlement Agreement and Mutual Release whereby the parties have agreed to resolve all disputes; and
2. Consistent with the terms of the Settlement Agreement and Mutual Release, Grantor desires to convey, and Grantee desires to obtain, a perpetual access easement to Grantee's property.

NOW, THEREFORE, the parties agree as follows:

For and in consideration of the mutual promises contained in the Settlement Agreement and Mutual Release, Grantor hereby grants and conveys to Grantee a permanent, non-exclusive, appurtenant easement for ingress and egress over under and across the following described property situate in Skagit County, Washington, to wit:

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN
BY THIS REFERENCE

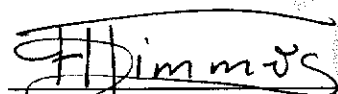
To benefit that certain real property owned by Grantee, situate in Skagit County, Washington,
and more particularly described as follows:

SEE EXHIBIT B ATTACHED HERETO AND INCORPORATED HEREIN
BY THIS REFERENCE.


This Easement shall run with the land and shall be binding upon and inure to the benefit of the
heirs, successors, executors, administrators, and assigns of the parties hereto.

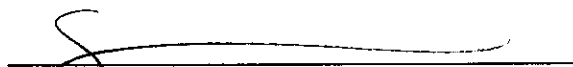
IN WITNESS WHEREOF, Grantor and Grantee have executed this Grant of Easement as of
the date first written above.

"Grantor"


Henri Timmers



"Grantee"


Mark Wheeler


Cynthia Johnson

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

FEB 08 2002

Amount Paid \$ 
Skagit Co. Treasurer
By  Deputy



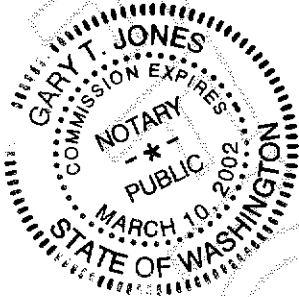
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STATE OF WASHINGTON
COUNTY OF SKAGIT) ss.

On this day personally appeared before me, HENRI TIMMERS, 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 19th day of December, 2001.



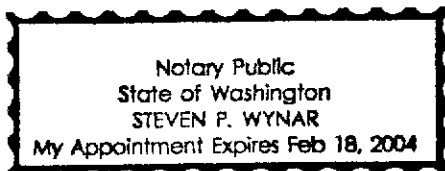
Signature: Gary T. Jones

Name (Print): GARY T. JONES
NOTARY PUBLIC in and for the State
of WA, residing at Mount Vernon
My appointment expires: 3/10/2002

STATE OF WASHINGTON)
COUNTY OF KING) ss.

On this day personally appeared before me MARK F. WHEELER, 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 29 day of JUNE, 2001.



Signature: Steven P. Wynar

Name (Print): STEVEN P. WYNAR
NOTARY PUBLIC in and for the State
of WASHINGTON, residing at SEATTLE
My appointment expires: 2-18-04



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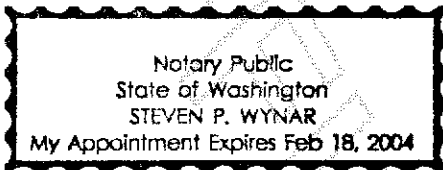
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STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

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

Given under my hand and official seal this 29 day of JUNE, 2001.



Signature: Steven P. Wynar

Name (Print): STEVEN P. WYNAR
NOTARY PUBLIC in and for the State
of WASHINGTON, residing at SEATTLE
My appointment expires: 2-18-04



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EXHIBIT A

EASEMENT

An easement for ingress and egress over a portion of Government Lot 2, Section 33, Township 36 North, Range 3 East, W.M., Skagit County, Washington, described as follows:

A 12.00-foot wide parcel of land lying 6.00 feet on each side of the following described line:

Commencing at the west quarter corner of said Section 33; thence along the north line of said Government Lot 2, North $89^{\circ}36'36''$ East a distance of 33.43 feet to the point of beginning; thence along a curve to the left, having a radius of 73.18 feet through a central angle of $68^{\circ}45'19''$ an arc length of 87.82 feet and a radius point which bears North $75^{\circ}31'22''$ East from the last described point; thence South $83^{\circ}13'58''$ East a distance of 106.10 feet to a curve to the right, having a radius of 37.50 feet through a central angle of $82^{\circ}39'59''$ an arc length of 54.11 feet and a tangent which bears the last course; thence South $00^{\circ}33'59''$ East a distance of 162 feet more or less to the north bank of the Samish River and the point of ending. The sidelines of the above described description to be shortened or lengthened to terminate at the said north line of Government Lot 2, and the said north bank of the Samish River.



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EXHIBIT B

Wheeler Property

Parcel A:

Government Lots 4 and 5 and all of the South $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of Section 28, Township 36 North, Range 3 East, W.M.,

EXCEPT roads,

AND EXCEPT ditch rights of way along the South line of the Southeast $\frac{1}{4}$ and along the North Line thereof.

Situate in the County of Skagit, State of Washington.

Parcel B:

Government Lot 1 and Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 33, Township 36 North, Range 3 East, W.M.,

EXCEPT roads, private or public, and rights of way therefor, and ditch rights of way,

ALSO that portion of Government Lot 2 and of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 33, Township 36 North, Range 3 East, W.M., described as follows:

Beginning on the North line of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ 188.2 feet East of the Northwest corner; thence South 54 degrees 05' West 167 feet to a point 53 feet East of the West line of said Section 33; thence South 1,145.3 feet; thence South 87 degrees 03' East 195.9 feet; thence South 0 degrees 34' East 220 feet, more or less, to the North Samish River; thence Westerly along the Samish River to the Southeast corner of a tract in Lot 2, deeded to Margaret A. Durand, dated May 18, 1912 and recorded in Volume 89 of Deeds, page 193; thence North along the East line 2.94 chains; thence West to a point 33 feet East of the West line of Section 33; thence North to base of Dike District No. 4; thence Northeasterly along base of Dike to the North line of said Southwest $\frac{1}{4}$ of the



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Northwest ¼; thence East 69 feet to the point of beginning.

EXCEPT that portion of said premises, if any, lying within the dike right of way, and within road rights of way, public or private, other than that conveyed to Henry J. Roehl, et al, by deeds recorded in Volume 187 of Deeds, pages 88 and 90.

Situate in the County of Skagit, State of Washington.

SUBJECT TO Easement for transmission line recorded December 29, 1958 under Auditor's File No. 574634; Conditions contained in Contract of sale recorded under Auditor's File No. 603406 and any prohibition of or limitation of use, occupancy or improvement of land resulting from the rights of the public.

ALSO SUBJECT TO farms and agricultural tax classification disclosed by notice recorded February 2, 1973 and December 6, 1974, under Auditor's File Nos. 780181 and 810862, respectively, and are subject to the provisions of RCW 84.34, which tax classification the Grantees herein agree to continue according to the terms and conditions thereof.

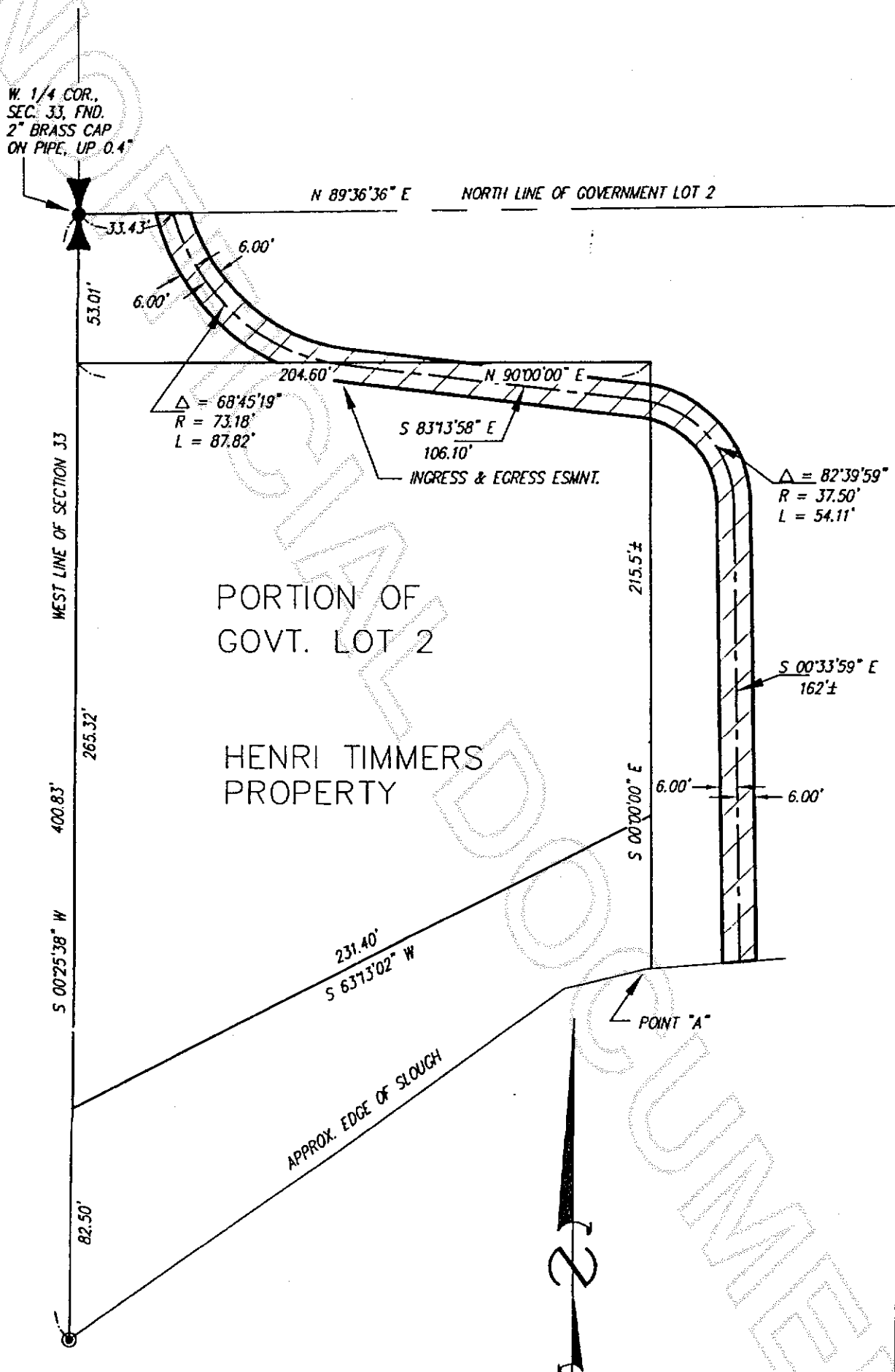


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EASEMENT TIMMERS TO WHEELER



DAVID R. DOWNING & ASSOCIATES
PROFESSIONAL LAND SURVEYORS
4229 76th ST. N.E. SUITE 104
MARYSVILLE, WA., 98270

DATE: 7/24/01

SCALE: 1" = 50'

JOB# 95043

SH 1 OF 1

(360) 653-5385



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