

After recording, return to:  
Adelstein, Sharpe & Serka  
400 North Commercial Street  
Bellingham, WA 98225

200207310069  
Skagit County Auditor  
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GRANTOR: SKAGIT TRANSIT, A WASHINGTON MUNICIPAL CORPORATION;  
WHATCOM-SKAGIT MINI-STORAGE, LLC; JAMES A. EVANS and  
WANDA J. EVANS; ALGER TEXACO REAL ESTATE, LLC  
GRANTEE: SKAGIT TRANSIT, A WASHINGTON MUNICIPAL CORPORATION;  
WHATCOM-SKAGIT MINI-STORAGE, LLC; JAMES A. EVANS and  
WANDA J. EVANS; ALGER TEXACO REAL ESTATE, LLC  
LEGAL DESC.: Ptn of SW¼ of Section 7, T36N, R4E of W.M. Skagit County  
TAX PARCEL ID#: P48989; P101560; P48997; P48992; P48996  
REFERENCE NOS: 200106200101; 199909030067; 199912290126; 200107250112

LAND TITLE COMPANY OF SKAGIT COUNTY  
**AGREEMENT MODIFYING PREVIOUSLY CONVEYED EASEMENT FOR  
INGRESS/EGRESS AND UTILITIES AND REAFFIRMATION OF THE SAME**

THIS EASEMENT AGREEMENT is made and entered into by and between **ALGER TEXACO REAL ESTATE, LLC, a Washington Limited Liability Company**, SKAGIT TRANSIT, A WASHINGTON MUNICIPAL CORPORATION; WHATCOM-SKAGIT MINI-STORAGE, LLC, a Washington Limited Liability Company; JAMES A. EVANS and WANDA J. EVANS, husband and wife (collectively referred to as the "Parties").

**WITNESSETH:**

WHEREAS, the Parties' properties benefit from an easement for ingress/egress and utilities ("Easement") over, under and across a 60-foot easement road called "Patrick Lane;" and

WHEREAS, the Parties wish to modify the legal description of the Easement and reaffirm the existence of the easement.

1. **BENEFITED PARTIES.** The legal description of the Parties' properties are as follows:
  - A. JAMES A. EVANS and WANDA J. EVANS, husband and wife, property benefited by the easement is attached hereto as Exhibit "A".
  - B. WHATCOM-SKAGIT MINI-STORAGE LLC, a Washington Limited Liability Company, property benefited by the easement is attached hereto as Exhibit "B".
  - C. SKAGIT TRANSIT, a Washington municipal corporation, property benefited by the easement is attached hereto as Exhibit "C".

- D. ALGER TEXACO REAL ESTATE, LLC, a Washington Limited Liability Company, property benefited by the easement is attached hereto as Exhibit "D".
2. **EASEMENT for INGRESS/EGRESS AND UTILITIES.** The Parties described herein hereby convey, grant and assign a perpetual easement, 60' in width, for ingress/egress and utilities over, under and across the Real Property legally described in Exhibit "E" and depicted in Exhibit "F" which are attached hereto and incorporated by reference herein. This easement benefits the real properties owned by the Parties described in Exhibit "A" through "D" herein.
3. **MODIFICATION.** The legal description of the easement described herein is intended to modify the legal description of the easement previously conveyed to each of the Parties.
4. **SUCCESSORS AND ASSIGNS.** This easement is intended to be perpetual, run with the land and be binding on the Parties and their heirs, successors and assigns.
5. **COUNTERPARTS.** This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

**ALGER TEXACO REAL ESTATE, LLC**

By: [Signature]  
JAMES A. EVANS, Member

By: [Signature]  
PAUL A. GIVEN, Member

**PARSONS TRAVEL, INC.**

By: [Signature]  
Theodore D. Parsons, Member

**SKAGIT TRANSIT, a Washington Municipal Corporation**

By: [Signature]  
Dale S. O'Brien, Executive Director

**WHATCOM-SKAGIT MINI-STORAGE, LLC**

By: [Signature]  
Tom W. Buggia, Manager

[Signature]  
JAMES A. EVANS

[Signature]  
WANDA J. EVANS



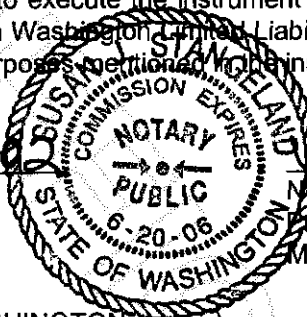
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STATE OF WASHINGTON )  
 )ss.  
COUNTY OF WHATCOM )

I certify that I know or have satisfactory evidence that JAMES A. EVANS 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 a Member of ALGER TEXACO REAL ESTATE, LLC, a Washington Limited Liability Company, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 7-17-06



Susan J. Stangeland  
NOTARY PUBLIC, in and for the State of Washington  
Printed Name: Susan J. Stangeland  
My Commission expires: 6-20-08

STATE OF WASHINGTON )  
 )ss.  
COUNTY OF WHATCOM )

I certify that I know or have satisfactory evidence that PAUL A. GIVEN 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 a Member of ALGER TEXACO REAL ESTATE, LLC, a Washington Limited Liability Company, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 5-12-05



Jacqueline White  
NOTARY PUBLIC, in and for the State of Washington  
Printed Name: JACQUELINE WHITE  
My Commission expires: 05-12-08

STATE OF WASHINGTON )  
 )ss.  
COUNTY OF WHATCOM )

I certify that I know or have satisfactory evidence that THEODORE D. PARSONS 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 President of Parsons Travel, Inc., a Washington corporation, as a Member of ALGER TEXACO REAL ESTATE, LLC, a Washington Limited Liability Company, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 6-2-04



Marissa McCauley  
NOTARY PUBLIC, in and for the State of Washington  
Printed Name: MARISSA MCCAULEY  
My Commission expires: 2-12-04

AGREEMENT MODIFYING PREVIOUSLY CONVEYED EASEMENTS  
AND UTILITIES REAFF

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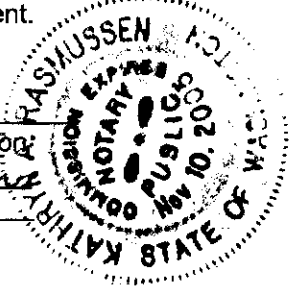
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STATE OF WASHINGTON )  
 )ss.  
COUNTY OF WHATCOM )

I certify that I know or have satisfactory evidence that Dale O'Brien  
is the person who appeared before me, and said person acknowledged that he/she signed this instrument,  
on oath stated that he/she was authorized to execute the instrument and acknowledged it as the  
Executive Director of SKAGIT TRANSIT, a Washington Municipal Corporation, to be  
the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 5-14-02

Kathryn A. Rasmussen  
NOTARY PUBLIC, in and for the State of Washington  
Printed Name: Kathryn A. Rasmussen  
My Commission expires: 11-10-05



STATE OF WASHINGTON )  
 )ss.  
COUNTY OF WHATCOM )

I certify that I know or have satisfactory evidence that TOM W. BUGGIA 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 ~~himself~~ the Manager of **WHATCOM-SKAGIT MINI-STORAGE, LLC**, a  
Washington Limited Liability Company, to be the free and voluntary act of such party for  
the uses and purposes mentioned in the instrument.

Dated: 5-14-02

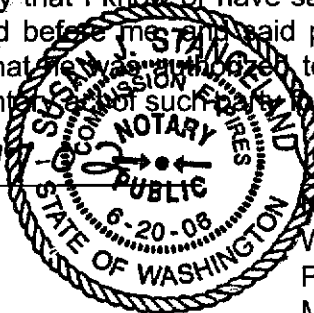


Jacqueline White  
NOTARY PUBLIC, in and for the State of Washington  
Printed Name: JACQUELINE WHITE  
My Commission expires: 05-12-05

STATE OF WASHINGTON )  
 )ss.  
COUNTY OF WHATCOM )

I certify that I know or have satisfactory evidence that JAMES A. EVANS 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 to be the  
free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 7-17-02



Susan J. Stangeland  
NOTARY PUBLIC, in and for the State of  
Washington, residing at: Bellingham  
Printed Name: Susan J. Stangeland  
My Commission expires: 6-20-08

AGREEMENT MODIFYING PREVIOUSLY CONVEYED EASEMENT FOR INGRESS/EGRESS  
AND UTILITIES REAFFIRMATION OF THE SAME



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I certify that I know or have satisfactory evidence that WANDA J. EVANS is the person who appeared before me, and said person acknowledged that she signed this instrument, on oath stated that she was authorized to execute the instrument and acknowledged it to be the free and voluntary act of such party, for the uses and purposes mentioned in the instrument.

Dated: 7-18-08 Susan J. Stangeland  
 Notary Public in and for the State of  
 Washington, residing at: Bellingham  
 Printed Name: Susan J. Stangeland  
 My Commission expires: 6-20-08

Thurgood/Legett transparent modify prev conveyed easement for ingress/egress and utilities 4-3-02



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## Exhibit "A"

### PARCEL "C":

That portion of Government Lot 4, Section 7, Township 36 North, Range 4 East, W.M., Skagit County, Washington, described as follows:

Beginning at the Southwest corner of said Government Lot 4;

thence South 89°01'34" East 1,451.78 feet to the Southeast corner of said Government Lot 4, being the Southeast corner of Skagit County S.P. No. 11-85, as filed under Auditor's File No. 8603110018;

thence North 00°18'56" West along the East line of said Government Lot and said Short Plat a distance of 1,201.82 feet to the Southerly line of Alger-Lake Samish Road;

thence North 70°55'30" West along said Southerly line a distance of 261.41 feet to the centerline of Patrick Lane as shown upon said Short Plat;

thence South 03°20'47" East along said centerline a distance of 22.10 feet;

thence South 25°41'33" West along said centerline a distance of 215.99 feet;

thence South 03°03'26" West along said centerline a distance of 123.31 feet;

thence North 89°01'34" West 290.00 feet to the TRUE POINT OF BEGINNING;

thence North 17°57'08" East a distance of 81.49 feet;

thence North 84°01'02" West a distance of 269.38 feet to the Easterly line of Interstate Highway No. 5;

thence Southerly along said Easterly line the following courses;

South 05°44'23" East 166.38 feet;

South 19°21'36" East 216.27 feet;

South 23°56'55" East 70.00 feet;

thence departing from said Easterly line of Interstate Highway No. 5 North 15°50'30" East 104.59 feet;

thence North 13°00'00" East 100.00 feet;

thence North 30°00'00" East 150.00 feet to the TRUE POINT OF BEGINNING.

Situate in the County of Skagit, State of Washington



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M

## Exhibit "B"

That portion of Government Lot 4 of Section 7, Township 36 North, Range 4 East, W.M., Skagit County, Washington, described as follows:

Commencing at the Southwest corner of said Government Lot 4; thence South 89 degrees 01'34" East 1451.78 feet to the Southeast corner of said Government Lot 4, being the Southeast corner of Skagit County Short Plat. No. 11-85, as filed under Auditor's File No. 8603110018 and the Point of Beginning; thence North 00 degrees 18'56" West along the East line of said Government Lot and said Short Plat a distance of 1201.82 feet to the Southerly line of Alger-Lake Samish Road; thence North 70 degrees 55'30" West along said Southerly line a distance of 261.41 feet to the centerline of Patrick Lane as shown on said Short Plat; thence South 03 degrees 20'47" East along said centerline a distance of 22.10 feet; thence South 25 degrees 41'33" West along said centerline a distance of 215.99 feet; thence South 03 degrees 03'26" West along said centerline a distance of 123.31 feet; thence North 89 degrees 01'34" West 290.00 feet; thence South 30 degrees 00'00" West 150.00 feet; thence South 13 degrees 00'00" West 100.00 feet; thence South 15 degrees 50'30" West 104.59 feet to the Easterly line of Interstate Hwy. No. 5; thence Southerly along said Easterly line the following courses: South 23 degrees 56'55" East 301.93 feet; thence South 27 degrees 24'52" East 146.80 feet; thence South 27 degrees 56'00" East 237.89 feet to the South line of said Government Lot 4; thence South 89 degrees 01'34" East along said South line a distance of 467.09 feet to the true point of beginning.



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## Exhibit "C"

### DESCRIPTION:

That portion of Government Lots 3 and 4 of Section 7, Township 36 North, Range 4 East, W.M., Skagit County, Washington, described as follows:

Beginning at the Southwest corner of said Government Lot 4;  
thence South 89°01'34" East 1,451.78 feet to the Southeast corner of said Government Lot 4; being the Southeast corner of Skagit County Short Plat No. 11-85, as filed under Auditor's File No. 8603110018;  
thence North 00°18'56" West along the East line of said Government Lot and said Short Plat a distance of 1,201.82 feet to the Southerly line of Alger-Lake Samish Road;  
thence North 70°55'30" West along said Southerly line a distance of 261.41 feet to the centerline of Patrick Lane as shown upon said Short Plat and the point of beginning;  
thence South 03°20'47" East along said centerline a distance of 22.10 feet;  
thence South 25°41'33" West along said centerline a distance of 215.99 feet;  
thence South 03°03'26" West along said centerline a distance of 123.31 feet;  
thence North 89°01'34" West 290.00 feet;  
thence North 17°57'08" East 104.49 feet;  
thence North 43°30'13" East 130.86 feet;  
thence North 06°09'34" West 165.90 feet;  
thence North 39°24'04" East 95.90 feet to the said Southerly line of Alger-Lake Samish Road;  
thence South 70°55'30" East along said Southerly line 259.95 feet;  
thence North 87°58'25" West along said Southerly line 68.22 feet;  
thence South 70°55'30" East along said Southerly line 48.70 feet to the point of beginning.



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Skagit County Auditor



## Exhibit "D"

That portion of Government Lots 1 and 4, Section 7, Township 36 North, Range 4 East, W.M., Skagit County, Washington, described as follows:

Beginning at the Southwest corner of said Government Lot 4;  
thence South 89 degrees 01'34" East 1,451.78 feet to the Southeast corner of said Government Lot 4, being the Southeast corner of Skagit County S.P. No. 11-85, as filed under Auditor's File No. 8603110018;  
thence North 00 degrees 18'36" West along the East line of said Government Lot and said Short Plat a distance of 1,201.82 feet to the Southerly line of Alger-Lake Samish Road;  
thence North 70 degrees 55'30" West along said Southerly line a distance of 261.41 feet to the centerline of Patrick Lane as shown upon said Short Plat;  
thence South 03 degrees 20'47" East along said centerline a distance of 22.10 feet;  
thence South 25 degrees 41'33" West along said centerline a distance of 215.99 feet;  
thence South 03 degrees 03'26" West along said centerline a distance of 123.31 feet;  
thence North 89 degrees 01'34" West 290.00 feet;  
thence North 17 degrees 57'08" East 104.49 feet;  
thence North 43 degrees 30'13" East 68.00 feet to the point of beginning;  
thence continuing North 43 degrees 30'13" East 62.86 feet;  
thence North 04 degrees 09'34" West 165.90 feet;  
thence North 39 degrees 24'04" East 95.90 feet to the said Southerly line of Alger-Lake Samish Road;  
thence North 70 degrees 55'30" West along said Southerly line a distance of 26.01 feet;  
thence South 19 degrees 04'30" West along said Southerly line a distance of 15.00 feet;  
thence North 70 degrees 55'30" West along said Southerly line a distance of 299.97 feet to the Easterly line of Interstate Hwy. No. 5;  
thence South 19 degrees 04'31" West along said Easterly line a distance of 95.97 feet;  
thence South 12 degrees 27'14" West along said Easterly line a distance of 235.83 feet;  
thence departing therefrom South 79 degrees 43'15" East 313.91 feet to the point of beginning.

That portion of Government Lot 4 of Section 7, Township 36 North, Range 4 East W.M., Skagit County, Wa., described as follows:

Beginning at the Southwest corner of said Government Lot 4;  
thence South 89 degrees 01'34" East 1451.78 feet to the Southeast corner of said Government Lot 4, being the Southeast corner of Skagit County Short Plat No. 11-85, as filed under Auditor's File No. 8603110018;  
thence North 00 degrees 18'36" West along the East line of said Government Lot and said Short Plat a distance of 1201.82 feet to the Southerly line of Alger-Lake Samish Road;  
thence North 70 degrees 55'30" West along said Southerly line a distance of 261.41 feet to the centerline of Patrick Lane as shown upon said Short Plat;  
thence South 03 degrees 20'47" East, along said centerline a distance of 22.10 feet;  
thence South 25 degrees 41'33" West along said centerline a distance of 215.99 feet;  
thence South 03 degrees 03'26" West along said centerline a distance of 123.31 feet;  
thence North 89 degrees 01'34" West 290.00 feet;  
thence North 17 degrees 57'08" East 104.49 feet to the point of beginning;  
thence continuing North 17 degrees 57'08" East 23.00 feet;  
thence North 43 degrees 30'13" East 68.00 feet;  
thence North 79 degrees 43'15" East 313.91 feet to the Easterly line of Interstate Highway No. 5;  
thence South 12 degrees 27'14" West along said Easterly line a distance of 73.00 feet;  
thence South 35'44'23" East along said Easterly line a distance of 26.00 feet;  
thence departing therefrom South 84 degrees 01'02" East 269.38 feet to the point of beginning.



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# Construction Surveyors Northwest, Inc.

Phone (360) 733-3383  
FAX (360) 733-3384

April 17, 2002  
Job No. 90110

1500 "I" Street  
Bellingham, Washington 98225

Exhibit "E"

Tom Buggia, et. al.  
Bellingham, Wa

Re: Description of Realignment of Patrick Lane - Alger, Wa.

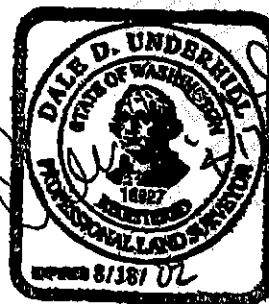
## LEGAL DESCRIPTION

A private road easement, 60-feet in width, over a portion of the West Half of the Southwest Quarter of Section 7, Township 36 North, Range 4 East of W.M., Skagit County, Wa., the centerline of which is described as follows:

Commencing at the Northeast corner of Lot A, Skagit County Short Plat No. 11-85, as filed under Skagit Co. Auditor's File No. 8603110018; thence North  $70^{\circ} 55' 30''$  West along the North line of said lot and the South line of Alger-Lake Samish Road a distance of 276.98 feet; thence departing therefrom North  $24^{\circ} 37' 48''$  East 20.09 feet to the South line of that portion of said road lying within the Northwest Quarter of said Southwest Quarter (Government Lot 3) of Section 7 and the POINT OF BEGINNING; thence departing therefrom South  $24^{\circ} 37' 48''$  West 134.16 feet; thence South  $15^{\circ} 13' 33''$  West 226.68 feet; thence South  $10^{\circ} 50' 31''$  East 100.00 feet to the intersection of the above-described centerline with the centerline of Patrick Lane as shown on Skagit Co. Short Plat No. 11-85; thence South  $03^{\circ} 03' 26''$  West along said centerline 177.47 feet; thence South  $08^{\circ} 12' 01''$  East along said centerline 285.49 feet; thence South  $18^{\circ} 53' 56''$  East along said centerline 68.37 feet to the radius point of the cul-de-sac at the South end of Patrick Lane as shown on said short plat and the POINT OF ENDING.

ALSO a private road easement having a radius of 45 feet, the center point of which being the above-described POINT OF ENDING.

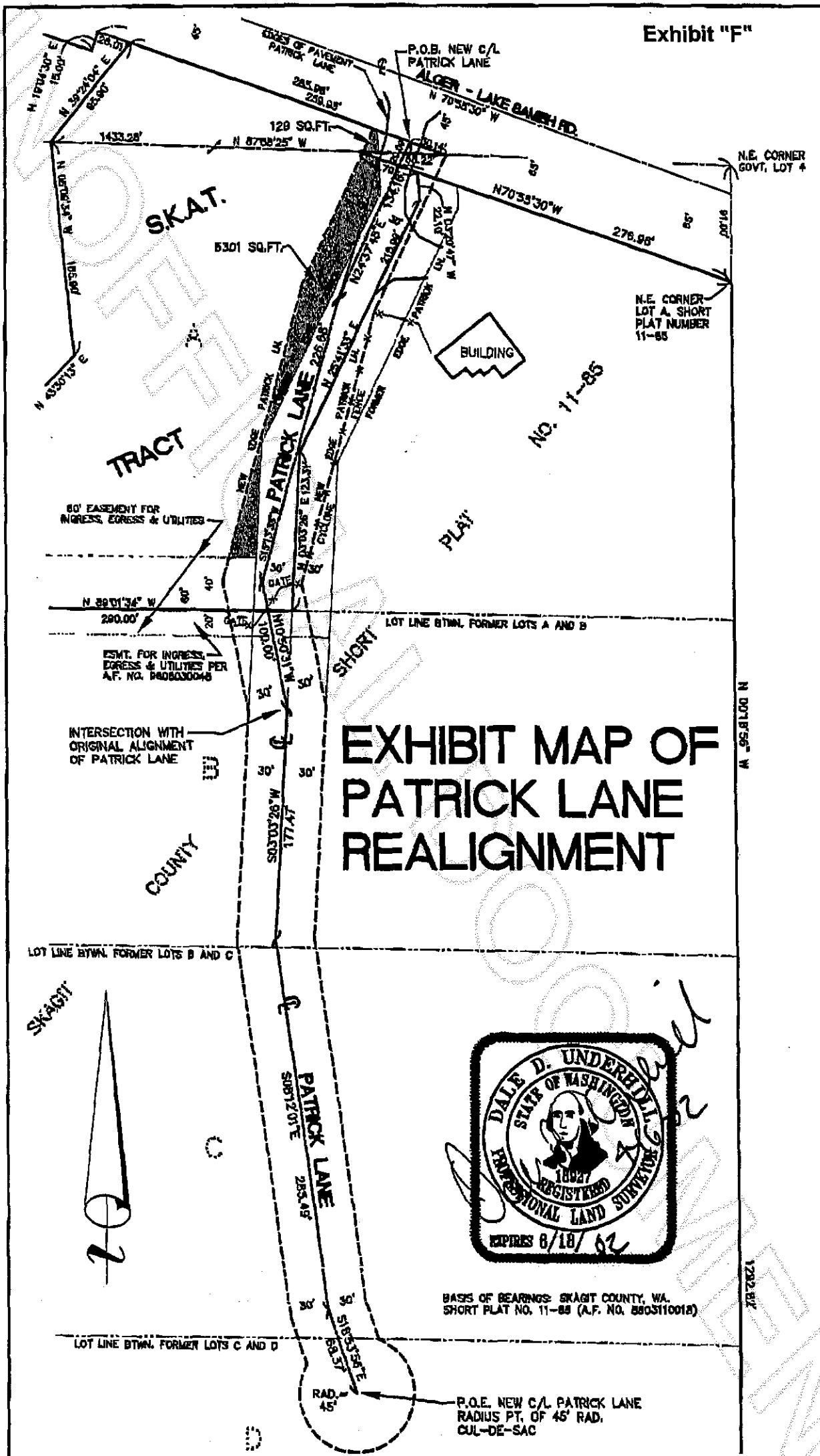
LESS road.



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## Exhibit "F"



JOB # 90110ESMTR14

DATE: 4-16-2002

SCALE: 1"=100'



**CONSTRUCTION SURVEYORS N.W. INC.**  
1500 I STREET, BELLINGHAM, WA 98225  
(360) 733-3383 FAX (360) 733-3384

TOM BUGGIA ET. AL

MAP OF PATRICK LANE REALIGNMENT-SKAGIT CO., WA.  
4 E. W.M.



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