



200208260123

Skagit County Auditor

8/26/2002 Page 1 of 7 1:24PM

When Recorded Return to:

Olympic V Associates

1101 McGilvra Blvd. E.

Seattle, WA 98112

ACCESS EASEMENT

Grantor: The Cove at Fidalgo Bay, L.L.C.

Grantee: Olympic V Associates

Abbreviated Legal: 30-35-02 Gov Lt 5, 31-35-02 Gov Lt 6

Additional Legal: Exhibits A, B and C

Assessors Tax Parcel Numbers; 350230-0-012-0007, 350230-0-016-0408

The Grantor, The Cove at Fidalgo Bay L.L.C. are the owners of the following described property, situate in the County of Skagit, State of Washington, to-wit:

SEE EXHIBIT "A"

Do hereby grant and covey unto Olympic V Associates, their heirs, successors and/or assigns, owners of the following described property:

SEE EXHIBIT "C"

An easement for ingress and egress over the following described property:

SEE EXHIBIT B

Said easement shall be a covenant running the lands above described and shall be binding upon the parties hereto, their heirs, successors and/or assigns.

Dated this 1st day of August, 2002

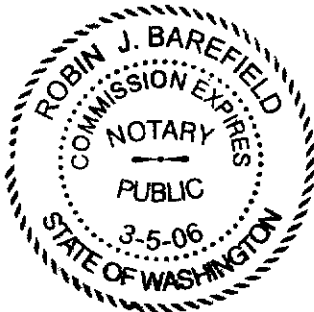
The Cove at Fidalgo Bay, L.L.C.

By [Signature], Partner

STATE OF WASHINGTON
COUNTY OF ~~SNOHOMISH~~
SKAGIT

I, Robin J. Barefield, Notary Public in and for the State of Washington do hereby certify that on the 1st day of August, 2002, personally appeared before me, Kenneth E. Knight, to me known to be the individual(s) described in and who executed the above document and acknowledged that he / she / they signed and sealed the same as his / her / their free and voluntary act and deed for the uses and purposes herein mentioned. As Managing Member of The Cove at Fidalgo Bay, LLC

GIVEN UNDER MY HAND AND OFFICIAL SEAL, this 1 day of August, 2002.



Robin J. Barefield
Notary Public in and for the State of Washington residing at Ana Cortes

My Commission Expires: 3-5-06

Access Easement
SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax
PAID

AUG 26 2002

Amount Paid \$6
Skagit County Treasurer
By: mem Deputy



200208260123
Skagit County Auditor

EXHIBIT "A"

SCHEDULE "C"

File Number: A54042

Policy Number: CW-3957401

The land referred to in this report/policy is situated in the State of Washington, County of Skagit, and is described as follows:

Parcel "B":

Tract "B", as shown on Surveys recorded August 26, 1976, and December 14, 1976, as Auditor's File Nos. 841569 and 847463, in Volume 2 of Surveys, Pages 1 and 18, respectively, EXCEPT that portion, if any, lying within that certain tract conveyed to Seattle and Northern Railway Company by Deed recorded January 10, 1890, in Volume 9 of Deeds, Page 278, ALSO EXCEPT that portion, if any, lying within that certain tract of land conveyed by Great Northern Railway Company by Deed recorded November 13, 1953, under Auditor's File No. 495092.

TOGETHER WITH a non-exclusive easement for ingress and egress by a motor vehicle and other vehicles and by persons on foot over, across and upon the Southeasterly 98 feet of the 35 foot utility easement of Tract "A", as designated in the Surveys referred to above.

All of the above being a portion of Government Lot 5, of Section 30, Township 35 North, Range 2 East, W.M., and of Tract 13, Plate No. 11 of Anacortes Tidelands.

Parcel "C":

Tract "C", as shown on Surveys recorded August 26, 1976, and December 14, 1976, as Auditor's File Nos. 841569 and 847463, in Volume 2 of Surveys, Pages 1 and 18, respectively, EXCEPT that portion, if any, lying within that certain tract conveyed to Seattle and Northern Railway Company, by Deed recorded January 10, 1890, in Volume 9 of Deeds, Page 278, ALSO EXCEPT that portion, if any, lying within that certain tract of land conveyed to Great Northern Railway Company, by Deed recorded November 13, 1953, under Auditor's File No. 495092.

TOGETHER WITH a non-exclusive easement for ingress and egress by a motor vehicle and other vehicles and by persons on foot over, across and upon both the Southeasterly 98 feet of the 35 foot utility easement of Tract "A", and the 35 foot utility easement on Tract "B", all as designated in the Surveys referred to above.

All of the above being a portion of Government Lot 5, of Section 30, Township 35 North, Range 2 East, W.M., and of Tract 13, Plate No. 11 of Anacortes Tidelands.

Parcel "D":

Tract "D", as shown on Survey recorded December 14, 1976, as Auditor's File No. 847463, in Volume 2 of Surveys, Page 18, EXCEPT that portion, if any, lying within that certain tract conveyed to Seattle and Northern Railway Company, by Deed recorded January 10, 1890, in Volume 9 of Deeds, Page 278, ALSO EXCEPT that portion, if any, lying within that certain tract of land conveyed to Great Northern Railway Company, by Deed recorded November 13, 1953, under Auditor's File No. 495092.

TOGETHER WITH a non-exclusive easement for ingress and egress by motor vehicles and other vehicles and by persons on foot over, across and upon the Southeasterly 98 feet of the 35 foot utility easement of Tract "A", designated in the Survey referred to above, and over and across and upon the 35 foot utility easement of Tracts "B" and "C", designated in the Survey referred to above.

All of the above being a portion of Government Lot 5, of Section 30, and of Government Lot 6, of Section 31, Township 35 North, Range 2 East, W.M., and a portion of Tract 13, Plate No. 11 of Anacortes Tidelands.



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Parcel "X":

The Northwestery 12 feet of that portion of the following described tract, lying Southwestery of the Burlington Northern right-of-way:

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, Plate 11 of Anacortes Tidelands in said Section 30, which are described as follows:

Beginning at the Section corner common to Sections 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 Southeastery 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.

Parcel "Y":

A non-exclusive easement for the construction, use, maintenance and repair of an entry to be constructed pursuant to Auditor's File No. 9808070026, over and across those portions of Government Lot 5 in Section 30, Township 35 North, Range 2 East, W.M., and Government Lot 6 in Section 31, Township 35 North, Range 2 East, W.M., described as follows:

Commencing at the Southwest corner of the above mentioned Tract "D"; thence 12.27 feet Southeastery along a curve, said curve being the Northeastery margin of Fidalgo Bay Road, having a radius of 531.44 feet through a central angle of 01 degree 19'21" to the Southwest corner of said Northwestery 12 feet and the true point of beginning;

Thence North 42 degrees 29'19" East, along the Southeastery line of said Northwestery 12 feet, 75.96 feet; thence South 10 degrees 59'17" West 107.74 feet to the Northeastery margin of Fidalgo Bay Road; thence Northwestery along a curve, said curve being the Northeastery 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.



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June 3, 2002

EXHIBIT "B"

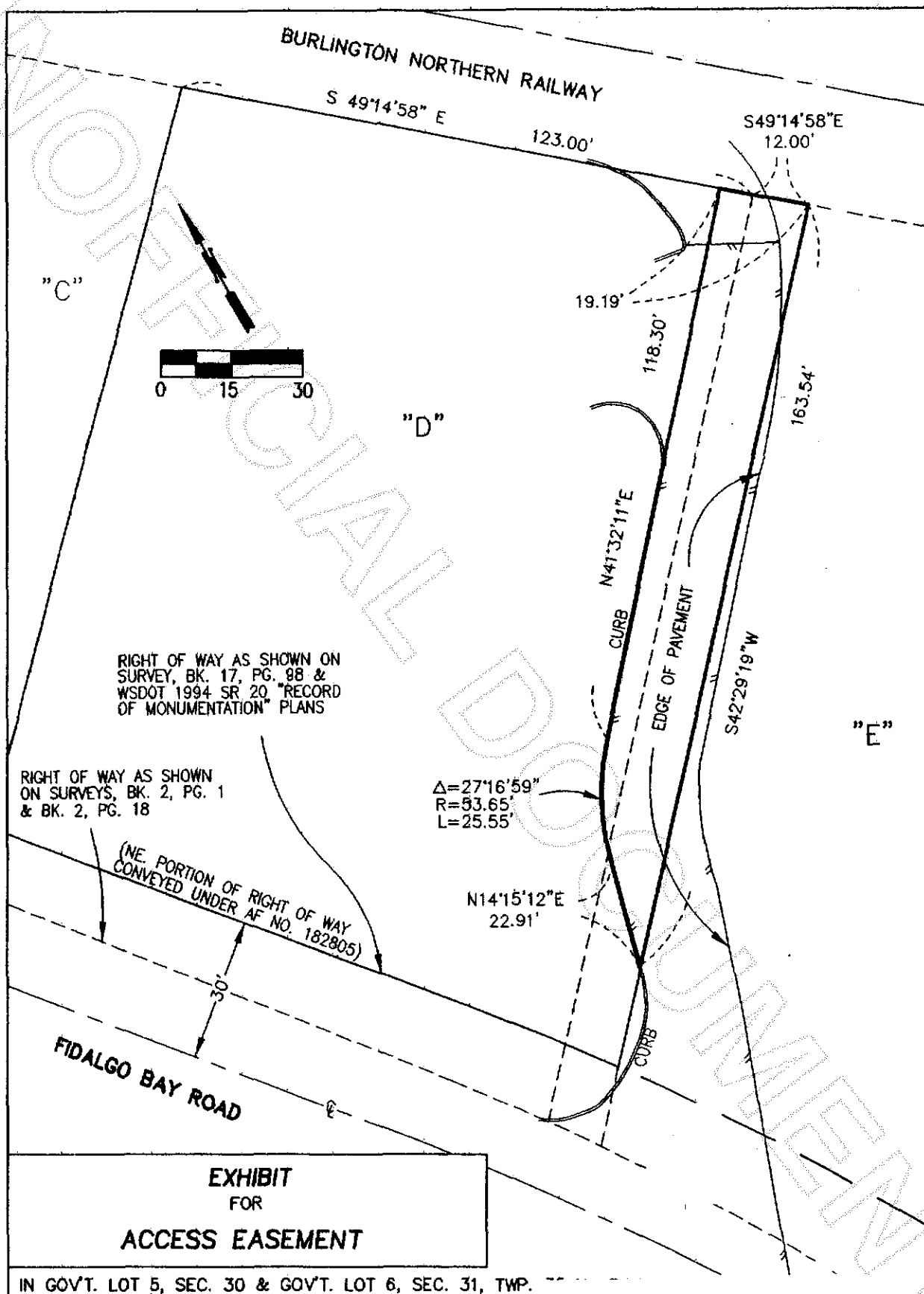
LEGAL DESCRIPTION: Access Road Easement.

Those portions of Tracts "D" and "E", as shown on Survey recorded in Volume 2 of Surveys, page 18 under Auditor's File No. 847463, records of Skagit County, Washington, in portions of Government Lot 5, Section 30 and Government Lot 6, Section 31, all of Township 35 North, Range 2 East, W.M., described as follows:

Commencing at the Northerly most corner of Tract "D" lying Southerly of the Burlington Northern Railway Right-of-Way as shown on said survey; **thence** South 49°14'58" East, along the Northeasterly line of said Tract "D", also being the Southwesterly line of said Railway Right-of-Way, 123.00 feet to the Easterly most corner of said Tract "D", also being the Northerly most corner of said Tract "E"; **thence** South 49°14'58" East, along the Northeasterly line of said Tract "E" and said Southwesterly line of said Right-of-Way, 12.00 feet; to the **TRUE POINT OF BEGINNING**; **thence** South 42°29'19" West, parallel with and 12.00 feet Southeast of the line common to said Tracts "D" and "E", 163.54 feet to the face of an existing curb line; **thence** North 14°15'12" East, along said curb line, 22.91 feet to the beginning of a curve to the right, having a radius of 53.65 feet; **thence** Northerly, along said curb line and the arc of said curve to the right, through a central angle of 27°16'59", an arc distance of 25.55 feet; **thence** North 41°32'11" East, along said curb line and its Northerly extension, 118.30 feet to a point said Northeasterly line of Tract "D"; **thence** South 42°14'58" East, along said Northeasterly lines of Tracts "D" and "E", 19.19 feet to the **TRUE POINT OF BEGINNING**.

Situate in the County of Skagit, State of Washington.





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EXHIBIT "C"

Tract "E" as shown on survey recorded on December 14, 1976, As Auditors file NO. 847463, in volume 2 of surveys, page 18, Except that portion, if any, lying within that certain tract conveyed to Seattle and Northern Railway Company, by deed recorded January 10, 1890, in volume 9 of deeds, page 278, Also except that portion, if any, lying within that certain tract of land conveyed to Great Northern Railway Company, by deed recorded November 13, 1953, under auditors file NO. 495092.

Except the Northwesterly 12 feet of that portion of the following described parcel "X" lying Southwesterly of the Burlington Northern right-of-way

Parcel "X"

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, plat 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 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 Auditors 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 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 Auditors File NO. 495092, records of Skagit County, Washington.



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