

Return Address:

Schacht & Hicks Law Office
PO Box 1165
Mount Vernon, WA 98273



200208300233

Skagit County Auditor

8/30/2002 Page 1 of 9 3:48PM

AND TITLE COMPANY OF SKAGIT COUNTY

DOCUMENT TITLE(S) (for transactions contained therein): 1. Easement and Reciprocal Parking Agreement 2. 3. 4.	S-101112-E
Reference Number(s) of Documents assigned or released: (on page ___ of document(s))	
Grantor(s) 1. Uptowne Centre, L.L.C. a Washington Limited Liability Company 2. EML Real Estate, L.L.C. 3. M & M Partnership 4.	
Additional Names on page ___ of document.	
Grantee(s) 1. EML REAL ESTATE, LLC, a Washington Limited Liability Company 2. Uptowne Centre, L.L.C. 3. M & M Partnership 4.	
Additional Names on page ___ of document.	
Legal Description (abbreviated i.e. lot, block, plat or section, township, range) Ptn NW SE 20-34-4 aka Lot 2 S/P MV8-91, records of Skagit County, WA	
Additional legal is on page ___ of document.	
Assessor's Property Tax Parcel/Account Number 340420-0-131-0100/340420-0-131-0004/340420-0-131-0200/3734-000-002-0005	
The Auditor/Recorder will rely on information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.	

EASEMENT AND RECIPROCAL PARKING AGREEMENT

THIS AGREEMENT made and entered into August 30TH, 2002 by and between UPTOWNE CENTRE, LLC "UPTOWNE" and EML REAL ESTATE, LLC "EML" and M & M PARTNERSHIP, a General Partnership, "M & M".

W I T N E S S E T H:

WHEREAS, UPTOWNE owns the real property described in Exhibit A, EML owns the real property described in Exhibit B, and M & M owns the real property described in Exhibit C.

WHEREAS, the parties desire to mutually benefit one another by the execution of this agreement.

IT IS THEREFORE AGREED AS FOLLOWS:

1) UPTOWNE grants to EML and M & M an easement for ingress and egress over and across the easterly 20 feet of the real property owned by UPTOWNE legally described in Exhibit A.

2) EML grants to UPTOWNE and M & M an easement for ingress and egress over and across the easterly 20 feet and over the southerly 16 feet of the real property owned by EML legally described in Exhibit B.

3) M & M grants to EML and UPTOWNE an easement for ingress and egress over the northerly 9 feet of the real property owned by M & M legally described in Exhibit C.

4) EML and M & M each grant to the other and their respective invitees, licensees, patients and employees an easement for the purposes of parking upon the areas described in the attached Exhibit D as and for parking upon the real properties owned by each.

5) Each party shall be exclusively responsible for the maintenance of the area subject to an easement which is within the boundaries of the properties owned by each whether such easement area is used for ingress and egress or parking.

6) M & M has previously constructed an enclosure for its garbage dumpster. EML and M & M agree that they will share the



expense of removing the existing enclosure and constructing an enclosure sufficient to service their respective properties.

7) All of the easements and reciprocal parking rights granted pursuant to this document shall be perpetual and appurtenant to the respective properties.

8) In the event the services of an attorney are incurred to enforce any covenant, condition or term of this Agreement, or to procure a non-judicial, an adjudicated, involuntary or voluntary termination of any party's rights hereunder, including an action to collect any payment required hereunder, the parties agree that the non-prevailing party shall pay a reasonable sum as attorney's fees, whether or not suit is commenced, together with all court costs, costs of searching records, and costs of serving any notices required by law. Failure to pay said attorney's fee and costs incurred shall be deemed a substantial breach of this Agreement.

UPTOWNE CENTRE, LLC., A Washington Limited Liability Company:

By: *Lawrence W. Pirkle*
LAWRENCE W. PIRKLE
Managing Member

By: *Richard A. Bertelsen*
RICHARD A. BERTELSEN
Managing Member

EML REAL ESTATE, LLC

By: *Melodie Samcock*
Melodie Samcock
Managing Member

M & M PARTNERSHIP, a General Partnership

By: *Mary Claudia McKee*
MARY CLAUDIA MCKEE Partner

By: *Roger G. McKee*
ROGER G. MCKEE Partner

By: *Darcie L. Morris*
DARCIE L. MORRIS Partner

By: *Ronald L. Wohl*
RONALD L. WOHL Partner

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

AUG 30 2002

Amount Paid
Skagit Co. Treasurer
By: *[Signature]* Deputy

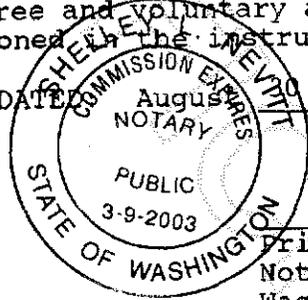


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STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that LAWRENCE W. PIRKLE and RICHARD A. BERTELSEN are the persons who appeared before me, and said persons acknowledged that they signed this instrument, on oath stated that they were authorized to execute the instrument, and acknowledged it as Managing Members of UPTOWNE CENTRE, 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.

DATE August 30, 2002.



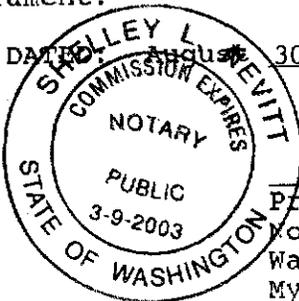
Shelley L. Nevitt

Printed name Shelley L. Nevitt
Notary Public in and for the State of
Washington, residing at Mount Vernon.
My appointment expires 3-9-2003

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that Richard M. Simcock and Melodie Simcock is the persons 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 Managing Member of EML 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.

DATE August 30, 2002.



Shelley L. Nevitt

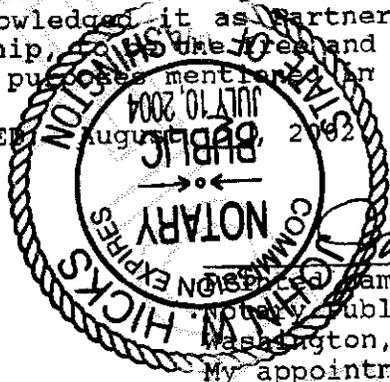
Printed name Shelley L. Nevitt
Notary Public in and for the State of
Washington, residing at Mount Vernon.
My appointment expires 3-9-2003



STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that MARY CLAUDIA MCKEE and ROGER G. MCKEE the persons who appeared before me, and said persons acknowledged that they signed this instrument, on oath stated that they were authorized to execute the instrument, and acknowledged it as partner of M & M PARTNERSHIP, A General Partnership, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATE: August 20, 2002

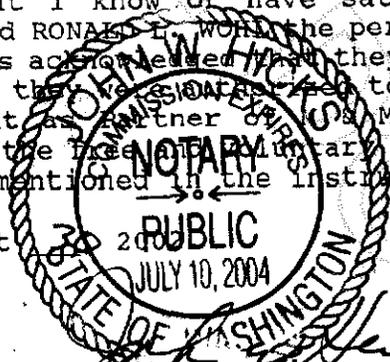


John W. Hicks
Printed name John W. Hicks
Notary Public in and for the State of
Washington, residing at Mount Vernon.
My appointment expires 7-10-04

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that DARCI E L. MORRIS and RONALD E. WOOD the persons who appeared before me, and said persons acknowledged that they signed this instrument, on oath stated that they were authorized to execute the instrument, and acknowledged it as partner of M & M PARTNERSHIP, A General Partnership, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: August 20, 2002



John W. Hicks
Printed name John W. Hicks
Notary Public in and for the State of
Washington, residing at Mount Vernon.
My appointment expires 7-10-04



EXHIBIT "A"

Assessor's Parcel No: R26827 340420-0-131-0004

Lot 1 of Mount Vernon Short Plat No. 8-91 Approved May 2, 1991, recorded May 21, 1991, in Book 9 of Short Plats, pages 362 and 363, as Auditor's File No. 9105210050, records of Skagit County Washington, and being a portion of the Northwest 1/4 of the Southeast 1/4 of Section 20, Township 34 North, Range 4 E.W.M.

Situate in the County of Skagit, State of Washington.



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EXHIBIT "B"

Assessor's Parcel No: 340420-0-131-0100

Lot 2 of Mount Vernon Short Plat No. 8-91 Approved May 2, 1991, recorded May 21, 1991, in Book 9 of Short Plats, pages 362 and 363, as Auditor's File No. 9105210050, records of Skagit County Washington, and being a portion of the Northwest 1/4 of the Southeast 1/4 of Section 20, Township 34 North, Range 4 East, W.M.

Situate in the County of Skagit, State of Washington.



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EXHIBIT "C"

All of Tract "X" of Mount Vernon Short Plat No. MV-8-91, approved May 7, 1991, and recorded May 21, 1991, in Book 9 of Short Plats, pages 362 and 363 under Auditor's File No. 9105210050, and over the northerly 4 feet of Lot 1, "JOHNSON & FOLLMAN'S FIRST ADDITION MOUNT VERNON, WASHINGTON", as per plat recorded in Volume 7 of Plats, pages 87 and 88, records of Skagit County, Washington, both being a portion of Section 20, Township 34 North, Range 4 E. W.M.



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15th STREET

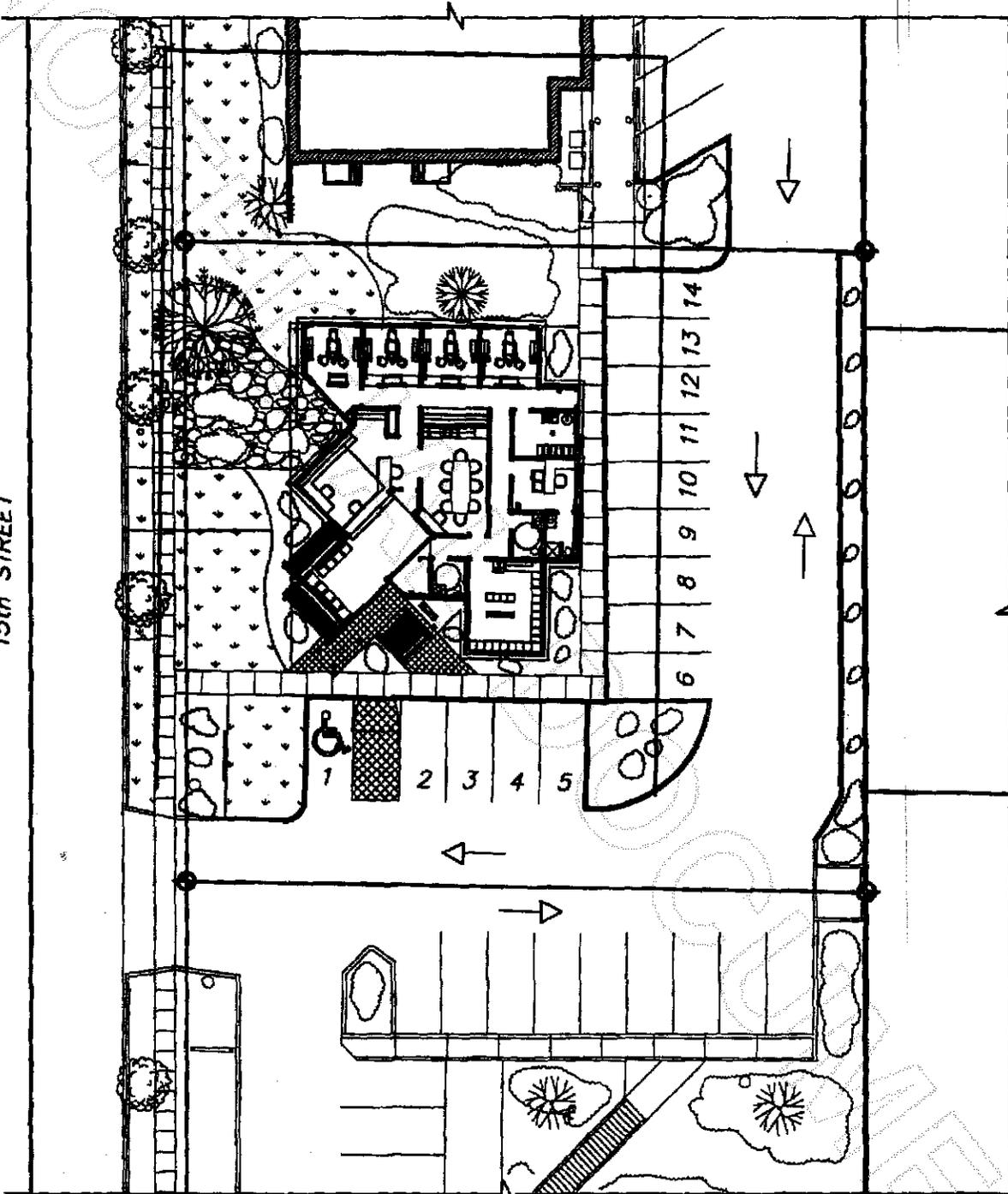


EXHIBIT "D"

PROPOSED SITE PLAN
SCALE: 1"=30'



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Skagit County Auditor