



200211040180

Skagit County Auditor

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After Recording Return To:

Timothy G. Krell
C/o First American Title
2101 4th Avenue, Suite 800
Seattle, WA 98121

FIRST AMERICAN TITLE CO.

A48755

RELEASE & TERMINATION OF EASEMENT FOR BEACH ACCESS

Grantor(s): Puget Western, Inc.

Grantee(s): Jerry Smith and Ellen Kate Smith, David M. Wenning

Abbreviated Legal: Lots 1,2 & 4, S.P. No. 13-86, af# 8704090001

Reference No.: 8801050033

Tax Parcel No.s: 4109-001-900-0100, 4109-001-900-0001, 4109-001-900-0308

RECITALS

1. On April 9th, 1987 Skagit County Short Plat No. 13-86 was recorded under recording no. 8704090001. The owners of the 4 lots created thereby were Dorothy E. Nicholson, as her separate estate as to an undivided $\frac{1}{2}$ interest; and Jo Ann Mancinelli as her separate estate, and Kathi Lee Crabb as her separate estate as to an undivided $\frac{1}{2}$ interest as Joint Tenants with rights of survivorship. These owners will hereafter be referred to collectively as "Nicholson".
2. On June 25th, 1987 Nicholson recorded a Real Property Purchase Option in Favor of Puget Sound Power & Light Company, (hereafter PSPL), under Skagit County recording no. 8706250054. The option was for purchase of Lot 4 of the aforementioned short plat, together with an easement for beach access over the easterly 15 feet of lot 1 and the westerly 15 feet of lot 2. In addition, the sale of lot 4 would carry an appurtenant $\frac{1}{4}$ interest in the tidelands of the second class adjacent to and abutting upon the 3 waterfront parcels of the subject short plat.
3. Nicholson conveyed lot 1 of the short plat to David M. Wenning on December 17, 1987 by Statutory Warranty Deed recorded under recording no. 8712170020. At the date of this document Mr. Wenning remains the owner of lot 1.
4. Nicholson conveyed lot 4 together with the beach access easement and the $\frac{1}{4}$ interest in the tidelands to PSPL by Statutory Warranty Deed under Skagit County recording no. 8801050033.
5. The current owners of lot 2 of the short plat are Jerry Edward Smith and Ellen Kate Smith, who took title on June 13, 1996 by Statutory Warranty Deed under recording no. 9606130032.

6. The entity holding title to the parcel benefiting from the Beach Access Easement that is the subject of this Release and Termination document is Puget Western, Inc. (hereafter Puget Western), having acquired title by Statutory Warranty Deed under Skagit County recording no. 9705090105.

RELEASE AND TERMINATION

As the owner of lot 4 having the appurtenant easement right over lots 1 and 2 Puget Western has been contacted by Mr. Wenning and Mr. and Mrs. Smith for release of that right. Puget Western has agreed to release and terminate the Beach Access Easement upon receipt of agreed upon consideration.

Now Therefore, having received adequate consideration on behalf of Mr. Wenning and Mr. and Mrs. Smith Puget Western hereby Releases and Terminates that certain easement right for Beach Access granted under deed recorded January 5, 1988 under Skagit County recording no. 8801050033. The legal description of the property over which this easement is being terminated is the Easterly 15 feet of lot 1 and the Westerly 15 feet of lot 2 of the Skagit County Short Plat No. 13-86 under Skagit County recording no. 8704090001.

Dated this 30 day of OCTOBER, 2002

Puget Western, Inc.

R.B. Boyd

By R.B. Boyd, President

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

NOV 04 2002

Amount Paid \$0
Skagit Co. Treasurer
By DF Deputy

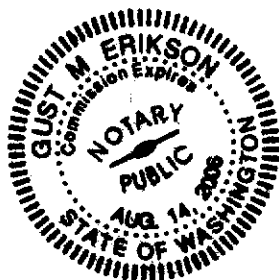
STATE OF WASHINGTON

County of KING

SS.

I certify that I know or have satisfactory evidence that R.B. Boyd is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he is authorized to execute the instrument and acknowledged it as the President of Puget Western, Inc. to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

DATED: OCTOBER 30, 2002



Gust M. Erikson
Name (typed or printed): GUST M. ERIKSON
NOTARY PUBLIC in and for the State of WA
Residing at CLINTON
My appointment expires: AUG. 14, 2006



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