



200303310282

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Return Address:  
Martin Lind  
127 East Fairhaven  
Burlington, WA 98233

LAND TITLE COMPANY OF SKAGIT COUNTY

104/272

<b>Document Title(s) (for transactions contained therein):</b> 1. Easement Agreement 2. 3. 4.	
<b>Reference Number(s) of Documents assigned or released:</b> (on page of documents(s))	
<b>Grantor(s)</b> 1. Jerry Lomsdalen 2. Joline Lomsdalen 3. 4.	
<b>Additional Names on page</b>	<b>of document.</b>
<b>Grantee(s)</b> 1. Chuckanut Valley Store & Café, Inc. 2. 3. 4.	
<b>Additional Names on page</b>	<b>of document.</b>
<b>Legal Description (abbreviated i.e. lot, block, plat or section, township, range)</b>	
<b>Additional legal is on page</b>	
<b>of document.</b>	
<b>Assessor's Property Tax Parcel/Account Number</b>	
360334-3-018-0005/P48623, P48623, P3127	
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.	

After Recording Return To:  
MARTIN LIND  
127 East Fairhaven  
Burlington, WA 98233

E A S E M E N T   A G R E E M E N T

THIS INSTRUMENT made this 21<sup>st</sup> day of January, 2002,  
by and between JERRY LOMSDALEN and JOLINE LOMSDALEN, husband  
and wife, herein referred to as GRANTOR, and CHUCKANUT ~~NALLEN~~  
INVESTMENTS, L.L.C. mo J. L. J. J.  
~~STORE / & / CAFE / / INC / / / WASHINGTON CORPORATION~~, herein referred  
to as GRANTEE, as follows:

**WITNESSETH:**

GRANTOR, for and in consideration of the sum of good and  
valuable consideration, receipt of which is hereby  
acknowledged, does by these presents grant, convey and confirm  
unto the said GRANTEE, an easement for septic drain field and  
maintenance thereof, over, under and across the west 35 feet  
(extending to 55 feet as depicted on Exhibit "A" hereof) of the  
following described parcels:

**See Attached Exhibits "B" and "C"**

GRANTEE shall have the right, at such times as may be  
necessary, to enter upon said above-described property for the  
purpose of repairing said septic drain field and transmission  
lines, provided that such repairs shall be accomplished in such  
a manner that the private improvements existing in this  
easement shall not be disturbed or destroyed or, in the event  
they are disturbed or destroyed, they will be replaced in as  
good a condition as they were immediately before the property  
was entered upon by the GRANTEE.



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Said easement is intended to benefit the real property described in Exhibit "D".

The GRANTOR shall retain the right to use the surface of said easement, so long as said use does not interfere with the use and operation of the septic drain field and so long as no buildings or structures are erected on said easement.

This easement shall be a covenant running with the land and shall be binding on the successors, heirs and assigns of both parties hereto.

DATED this 31<sup>st</sup> day of March, 2003.

Grantor:

*Jerry LomSDalen*  
JERRY LOMSDALEN

*JoLine LomSDalen*  
JOLINE LOMSDALEN

Grantee:

INVESTMENTS, L.L.C.  
CHUCKANUT ~~MAVEN/STOR~~  
~~MS/CAFE/INQ/~~

*Mindy Osetek*  
By: MINDY OSETEK  
Its: Manager

Lienholder:

~~Chase Manhattan Mortgage Corporation~~  
Flagstar Bank, FSB  
By: *George Banks*

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

MAR 31 2003

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



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## ACKNOWLEDGMENT

ATTACHED TO and made a part  
of Easement Agreement

STATE OF FLORIDA }  
County of CHADWORTH } SS:

I certify that I know or have satisfactory evidence that ROBYNE PARKS  
Vice-President the person who appeared before  
me, and said person acknowledged that she signed this instrument, on oath stated that she  
authorized to execute the instrument and acknowledge it as the Vice-President  
of Flagstar Bank, FSB  
to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.  
Dated: March 14, 2003

Debra Wrinkle  
DEBRA WRINKLE  
Notary Public in and for the State of FLORIDA LOUISIANA  
Residing at \_\_\_\_\_  
My appointment expires: LIFETIME



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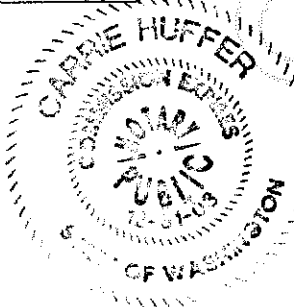
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STATE OF WASHINGTON )  
 ) ss.  
County of Skagit )

On this day personally appeared before me JERRY LOMSDALEN and JOLINE LOMSDALEN, to me known to be the individuals described in and who executed the within and foregoing instrument and acknowledged that they signed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 21<sup>st</sup> day of March, 2003.



Carrie Huffer  
Print Name: Carrie Huffer  
Notary Public in and for the State of  
Washington, residing at Burlington  
My commission expires: 12/31/2003

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF SKAGIT )

On this 28<sup>th</sup> day of March, 2003, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared MINDY OSETEK to me known to be the Manager of CHUCKANUT INVESTMENTS ~~VALLEY STORE & CAFE, INC.~~ the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument and that the seal affixed is the corporate seal of said corporation.

Witness my hand and official seal hereto affixed the day and year first above written.



Carrie Huffer  
Printed Name: Carrie Huffer  
Notary Public in and for the State of  
Washington, residing at Burlington  
My commission expires: 12/31/2003



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EXHIBIT "A"

NAME ON PERMIT: LAMAR, L. A.

Site Address: Draining at 1305 Bow Hill Rd.  
 Site & terms at 555 Chukaral Dr Bow  
 Mailing Address: 826 Bayview-Edison Rd  
 Bow, WA 98232  
 Date System Finished: 11/11/86

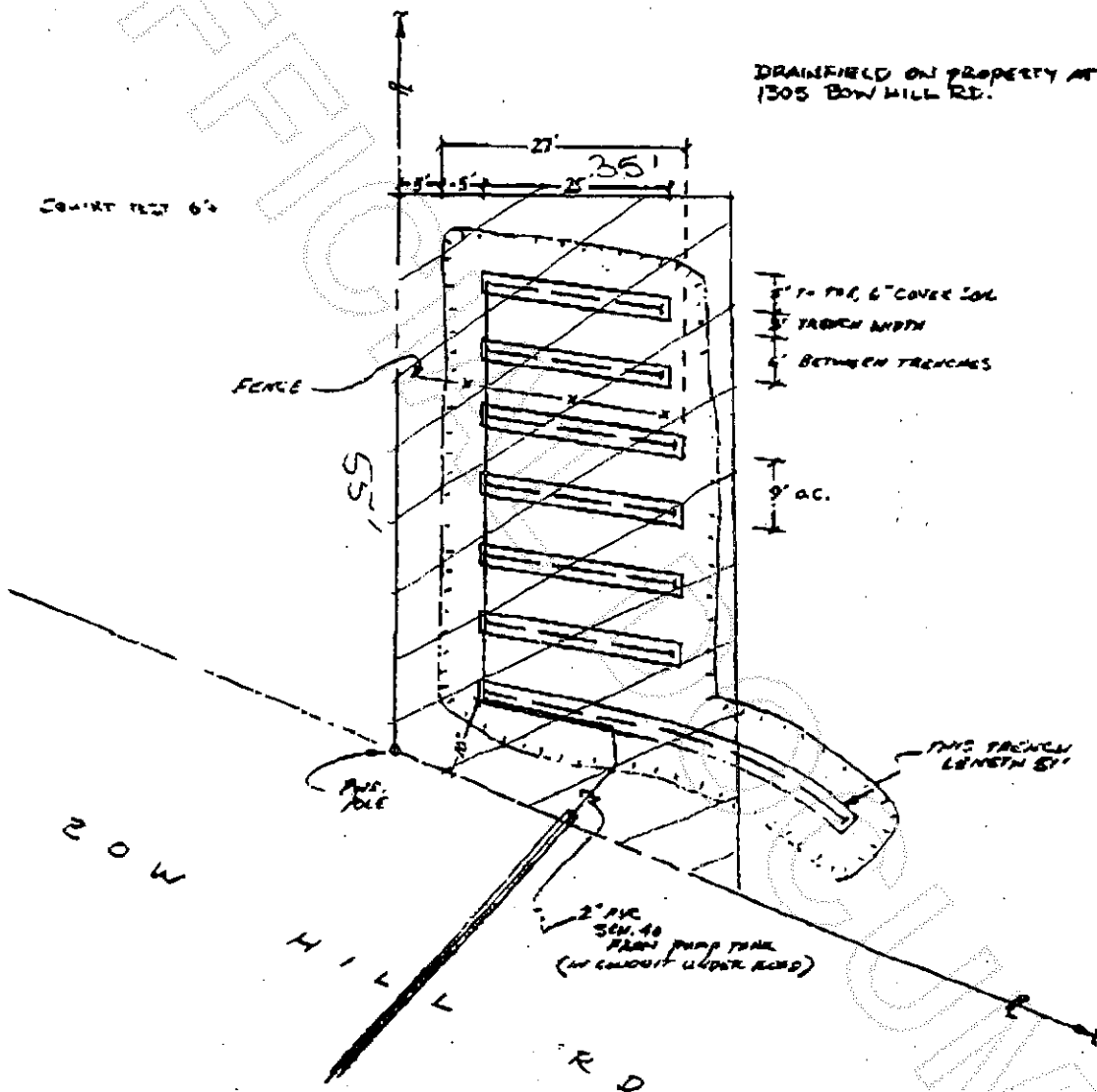
Owner: BRECKENRIDGE  
 Exp. No. 48820  
 Acct. No. 943603-0-012-0001

Designer: *A.R. Smith*

OSR Permit No. #396-0626

AS-BUILT

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EXHIBIT "B"

That portion of the Northwest 1/4 of the Southwest 1/4 of Section 34, Township 36 North, Range 3 East, W.M., described as follows:

Beginning at the Northwest corner of the Northwest 1/4 of the Southwest 1/4; thence running North 89 degrees 55' East along the quarter section line of said Section 34, a distance of 240 feet; thence due South 244.8 feet to the true point of beginning; thence East, 150 feet; thence South 129 feet, more or less, to the North line of the County Road; thence Westerly along the North line of the County Road, 161.2 feet, more or less, to a point due South of the point of beginning; thence North 70.8 feet, more or less, to the true point of beginning.



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EXHIBIT "C"

That portion of the Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  and of the Northwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 34, Township 36 North, Range 3 East W.M., described as follows:

Beginning at a point on the East line of the Pacific Highway, 202.44 feet Northerly of the point of intersection of said East line with the Northerly line of the County road known as Road XCVI (said point being 78 feet South and 41.3 feet East of the Northwest corner of the Southwest  $\frac{1}{4}$  of said Section 34); thence East at right angles to the West line of said Section, 198.7 feet; thence North parallel with said West line, 100 feet to the true point of beginning of this description; thence South parallel with said West line to a point 244.8 feet South of the North line of the Southwest  $\frac{1}{4}$  of said Section 34; thence due East, 150 feet; thence running due South, 129 feet, more or less, to the North line of the County road; thence Southeasterly along said road to a point intersecting a line drawn parallel to and 8 feet East of the last described line (as measured at right angles thereto); thence North parallel with the West line of said Section 34 to a point East of the true point of beginning; thence West to the true point of beginning.

Situate in the County of Skagit, State of Washington.



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EXHIBIT "D"

That portion of the Northwest 1/4 of the Southwest 1/4 of Section 34, Township 36 North, Range 3 East, W.M., described as follows: Beginning at a point on the East right of way line of the Pacific Highway, which point is 388.73 feet South and 51.10 feet East of the Quarter corner between Sections 33 and 34, Township 36 North, Range 3 East, W.M., (in this description the West line of the Southwest 1/4 of Section 34, Township 36 North, Range 3 East, W.M. is considered as bearing due North and South); thence from this point of beginning South 85 degrees 54'15" East along the centerline of a certain slough known as the North Fork of the Samish River, 189.38 feet to a point which is 402.26 feet South and 240.0 feet East of the said quarter corner between Sections 33 and 34; thence North 42.84 feet to the South right of way line of Skagit County Road No. XCVI; thence westerly along the South right of way line of said County Road XCVI to the East right of way line of Pacific Highway; thence Southerly 67.53 feet along the East right of way line of the Pacific Highway to the point of beginning.

Situate in the County of Skagit, State of Washington.



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