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GRANT OF EASEMENT - RIGHT OF WAY

Grantor(s) David Nakanishi and Kim Nakanishi, husband and wife

Grantee(s) Ted Tsuchida and Judi Tsuchida, husband and wife

Abbreviated legal description grantor: POTTER'S TO FIDALGO CITY LOT 24, 25 & 26
BLK290

Abbreviated legal description Grantee: PTN LOTS 2, 3, 4, AND 5, BLK 290

Assessor's Parcel/Tax ID No./Grantor - P73416/4106-290-002-0000

Assessor's Parcel/Tax ID No./Grantee - P73418/4106-290-005-0007/P73417/4106-290-003-
0009;P20555/340219-0-070-0002

1. THE GRANTORS, David Nakanishi and Kim Nakanishi, husband and wife, are owners of the following property, herein referred to as the subservient property:

Full legal description attached as "A"

2. THE GRANTEES, Ted Tsuchida and Judi Tsuchida, husband and wife, are the owners of the following property, hereby referred to as the dominant property:

Full legal description attached as "B"

3. In consideration of the mutual benefits to be derived the Grantors hereby grant and convey to the Grantees a easement for ingress and egress and utilities over the subservient property to serve residential use for residence lawfully situated on the dominate property and to serve subsequent lawful development or construction on the dominate property. Said easement is described herein as follows:

Attached as "C"

4. No improvements to the easement shall touch or interfere with the remaining portion of the subservient property. Nor shall the grantees conduct any activity on the easement that constitutes a nuisance or that interferes with unreasonable with the grantor's use of the remaining portion of the subservient property. Grantors reserve the right to use the easement for their own purposes provided they do not damage the improvements made by the grantees or do not interfere with the

grantees' use of the easement.


5. Said easement shall be for the benefit of the property owned by the Grantees as described above and shall be a burden on the property owned by the Grantors. This easement is superior and paramount to the rights of the parties to any subservient estate created herein, and said easement shall be binding upon the heirs, successors, and assigns of the parties thereto.

6. Indemnity: By accepting and recording this easement, Grantee agrees to indemnify and hold harmless Grantor from and all claims for injuries and/or damages suffered by any person which may be caused by the Grantee's exercise of the rights herein granted; provided that Grantee shall not be responsible to Grantor for any injuries and/or damages to any person caused by acts or omissions of Grantor.


7. Entire Agreement: This Agreement constitutes the entire agreement of the parties with respect to the matters described herein, and supercedes all prior discussions, negotiations, understandings, or agreements relating to the matters described in this Agreement. No alteration or variations of this Agreement shall be valid or binding unless contained in an amendment signed by the Grantor and Grantee or their respective successors.

SIGNED THIS 1 DAY OF April, 2003.


David Nakanishi - Grantor


Kim Nakanishi - Grantor


Ted Tsuchida - Grantee


Judi Tsuchida - Grantee



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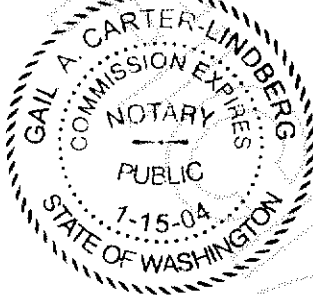
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STATE OF WASHINGTON)
)ss
COUNTY OF SKAGIT)

On this day personally appeared before me Ted Tsuchida and Judi Tsuchida 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 the date above written.

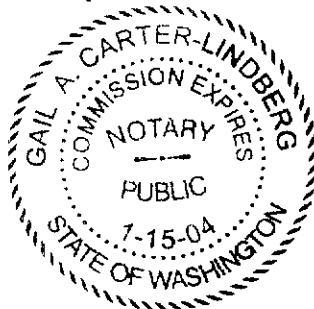


Gail A. Carter-Lindberg
Print Name GAIL A. CARTER-LINDBERG
NOTARY PUBLIC in and for the State
of Washington residing at Redmond, WA
My commission expires: 1-15-04

STATE OF WASHINGTON)
)ss
COUNTY OF SKAGIT)

On this day personally appeared before me David Nakanishi and Kim Nakanishi, 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 the date above written.



Gail A. Carter-Lindberg
Print Name GAIL A. CARTER-LINDBERG
NOTARY PUBLIC in and for the State
of Washington residing at Redmond WA
My commission expires: 1-15-04



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Exhibit "A"

Lots 24, 25, and 26, Block 290, JULIUS S. POTTER'S PLAT OF FIDALGO CITY, according to the plat thereof recorded in Volume 2 of Plats, page 77, records of Skagit County, Washington; TOGETHER WITH vacated portions of Grand Avenue, Cullum Street and the alley of Block 290 adjacent and abutting upon, as would attach by operation by law.

All or a portion of said property is further identified as Tax Parcel Nos. 4106-290-026-0002 (R73424) and 4106-290-026-0101 (R73425).



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EXHIBIT "B"

The South 7 feet of the North 12 1/2 feet of Lot 2, and the South Half of Lot 2, all of Lots 3, 4, and 5, all in Block 290, JULIUS S. POTTER'S PLAT OF FIDALGO CITY, according to the plat thereof recorded in Volume 2 of Plats, page 77, records of Skagit County, Washington;

TOGETHER WITH that portion of vacated Lexington Avenue and those portions of the vacated alley located within Block 290 of said plat, which attached thereto by operation of law;

ALSO TOGETHER WITH Tidelands of the Second Class adjacent to and abutting upon Lots 2 through 5, inclusive, of said Block 290.

Situate in Skagit County, Washington.

- END OF EXHIBIT

"B"



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Exhibit "C"

An easement for ingress, egress and utilities, described as follows:

Commencing at the Southeast corner of Lot 24, Block 290, JULIUS S. POTTER'S PLAT OF FIDALGO CITY, according to the plat thereof recorded in Volume 2 of Plats, page 77; And Running thence Easterly along the Easterly extension of the South line of said Lot 24 to the center of the vacated alley in Block 290, and the true point of beginning; Thence North along the centerline of vacated alley, a distance of 110 feet, more or less, to the North line of that portion of vacated Cullum Street by Vacation Ordinance No. 1364; Thence Westerly along said North line, a distance of 24 feet; Thence Southerly and parallel with the center line of the vacated alley in Block 290, a distance of 110 feet, more or less, to the South line of Lot 24; Thence Easterly along said South line, a distance of 24 feet to the true point of beginning.

Situated in Skagit County, Washington

- END OF EXHIBIT

"C"



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