



200304180120
Skagit County Auditor

4/18/2003 Page 1 of 3 2:05PM

Declaration of Easement and Road Maintenance

GRANT OF EASEMENTS: *Herbert Wiseman*
Nancy Wiseman

Declarants hereby make, grant, convey and reserve unto themselves a roadway easement over and across a private access road delineated on the face of Skagit County Short Plat No. 99-0020 recorded under Auditor's File No. 200111300188, records of Skagit County, Washington; being a portion of the Southwest Quarter of the Northeast Quarter of Section 30, Township 34 North, Range 5 East of the Willamette Meridian, said easement being more fully described on the attached Exhibit 'A'.

Said easement shall be for ingress, egress, road right of way purposes, and shall be for the installation of water, sewer, gas mains, power or telephone lines and storm sewer, or future utility needs, as the case may be, which access and utility easements shall be for the benefit of the real property in the ownership of the respective parties to this agreement, and is now owned by or in the name of the Declarants hereunder.

ROAD MAINTENANCE AGREEMENT:

The Declarant hereby establishes and provides that individuals benefiting by said easement, and all subsequent owners, successors or assigns, shall take said property, or portion thereof, subject to this road maintenance agreement. The Declarants and each of the subsequent owners, assigns or successors in interest, shall proportionately share in the cost and expense of maintaining and repairing in good condition the road rights of way over and across said private road. The proportionate share of said property owner shall be established by dividing the number of benefited individual parcels into the cost of maintenance and repair.

The beneficiaries of said roadway shall determine and pre-approve annually, or more frequently as may be necessary, the extent of repairs and maintenance as shall be required and shall determine the extent of said repairs and maintenance to be accomplished. It is understood that the maintenance and repair of said roads is for the benefit of all property owners and the property of any such owner failing to pay his proportionate share as provided for herein shall be subject to a lien, an assessment for the proportionate share of such costs; and any other property owner paying the share of a benefited property owner, who fails to pay the same, shall be entitled to a lien against his property which may be foreclosed in the manner provided for foreclosure of mechanics liens.

Any individual owner may make such improvement or maintenance to said road, as they so desire. However, such expense will only be proportionately charged to the other owners, if that improvement or maintenance has been approved by a sufficient number of the remaining parcel owners to obtain a majority, and the other owners are using the road.

OWNER DEFINED:

Owner shall mean the fee simple title owner, unless the property is being sold on Real Estate Contract, in which case it shall mean the Contract Purchaser, or if the property is subject to a Deed of Trust, it shall mean the Grantor. Each property shall be entitled to one vote, unless subdivided, and then each segregated property shall have a vote together with a prorated share of the responsibility to pay any obligations owing as set forth in this Declaration.

Owners of Lots 1, 2, 3 and 4

Tax Account Nos.:

- Lot 1 - 340530-1-007-0300
- Lot 2 - 340530-1-007-0400
- Lot 3 - 340530-1-007-0000
- Lot 4 - 340530-1-007-0500

Herbert M. Wiseman

Herbert M. Wiseman

Nancy Jean Wiseman

Nancy Jean Wiseman

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

APR 13 2003

Amount Paid: 0
By Skagit Co. Treasurer
Deputy

STATE OF WASHINGTON
COUNTY OF Skagit

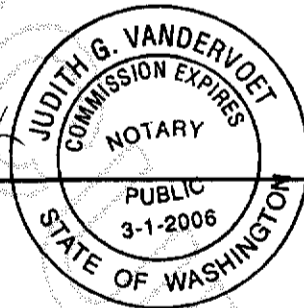
I certify that I know or have satisfactory evidence that Herbert M. Wiseman and Nancy Jean Wiseman

Is the person who appeared before me, and said person acknowledge that they signed this instrument and acknowledge it to be their free and voluntary act for the uses and purposes mentioned in this instrument.

DATED: April 18, 2003

Judith G. Vandervoet

Notary Public



My appointment expires

3-1-2006



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EXHIBIT 'A'

The private road delineated as Wiseman Lane on the face of SKAGIT COUNTY SHORT PLAT NO. 99-0020, recorded under Auditor's File No. 200111300188, records of Skagit County, Washington; being a portion of the Southwest Quarter of the Northeast Quarter of Section 30, Township 34 North, Range 5 East of the Willamette Meridian.

Situated in Skagit County, Washington

-END OF EXHIBIT 'A' -



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