

After Recording, Mail to:
Law Office of Paul W. Taylor, Inc., P.S.
20388 Eric Street
Mount Vernon, WA 98274
(360) 416-8800



200305160143
Skagit County Auditor

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Reference No.: 19911120080
Section, Township and Range: Sec. 9, T 36N, R 1E
Tax Parcel No./Account No: P67189/3944000080005

Grantor(s): Gordon Shaw/Kami Shaw
Grantee(s): Public

RESTRICTIVE COVENANT

This Restrictive Covenant is being executed by the Grantors, Gordon Shaw and Kami Shaw, pursuant to an agreed Stipulation and Order of Dismissal entered among the Grantors, the State of Washington Department of Ecology, and Skagit County under Shoreline Hearing Board Case No. 02-003 on April 3, 2003.

This Covenant imposes a restriction on the property legally described as follows:

Tract 8 of Leadbetter Sinclair Tract in Government Lot #6, Section 9, Township 36 North, Range 1E, W.M., Sinclair Island, Skagit County, Washington.

Situate in the County of Skagit, State of Washington.

Grantors, their heirs, successors, and assigns are prohibited from constructing any future structural shore defense or flood protection device except if the shoreline is eroding and the residential structure is threatened, then the following is required:

1. That the use of vegetation or beach nourishment shall be the only acceptable method of protection (no hardened structures shall be constructed);
2. That a geologic study shall be required to analyze the site conditions, document the rate of erosion and propose the least-impacting design;
3. That the work shall not be considered exempt, but shall require review as a shoreline substantial development and variance permit;

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Grantors, their heirs, successors, and assigns also shall comply with the following restrictions:


1. That the area fifty (50) feet landward of the Ordinary High Water Mark (OHWM) along the entire property described herein is designated as a Protected Critical Area (PCA) per Skagit County code Title 14, Chapter 14.24.170;
2. That the replacement footprint set forth in the Stipulation and Order of Dismissal or future additions shall not be expanded into the fifty (50) foot shoreline setback area; and
3. That enclosure of the remaining breezeway and underlying deck area shall be prohibited.

Dated this 5 day of May, 2003.

GRANTORS:



GORDON SHAW



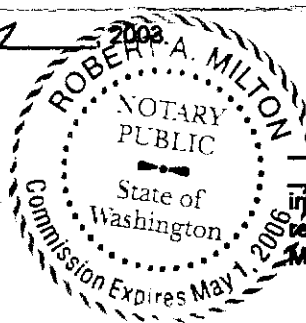
KAMI SHAW


STATE OF WASHINGTON)

COUNTY OF KING)

I certify that I know or have satisfactory evidence that GORDON SHAW and KAMI SHAW, husband and wife, are the persons who personally appeared before me, and said persons acknowledged that they signed this instrument and acknowledged it to be their free and voluntary act for uses and purposes mentioned in the instrument.

Dated this 5th day of May 2003.





ROBERT A. MILTON, NOTARY PUBLIC
in and for the State of Washington
residing at WOODINVILLE
My Appointment Expires: 5-1-06

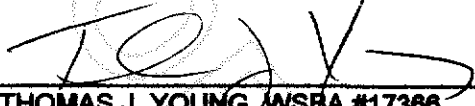
RESTRICTIVE COVENANT - 2

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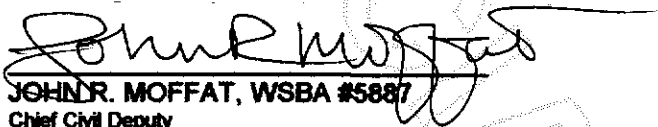
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Approved By:
CHRISTINE O. GREGOIRE
Attorney General



THOMAS J. YOUNG, WSBA #17366
Assistant Attorney General
Attorneys for Respondent
State of Washington
Department of Ecology
(360) 586-4608

SKAGIT COUNTY PROSECUTING ATTORNEY



JOHN R. MOFFAT, WSBA #5887
Chief Civil Deputy
Attorney for appellant
Skagit County

RESTRICTIVE COVENANT - 3
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