



200307250235  
Skagit County Auditor

7/25/2003 Page 1 of 4 4:09PM

Document Title:

Maintenance Agreement

Reference Number:

\_\_\_\_\_

Grantor(s):

additional grantor names on page \_\_\_\_

1. Finlan, Edward J.

2.

Grantee(s):

additional grantee names on page \_\_\_\_

1. Public

2.

Abbreviated legal description:

full legal on page(s) \_\_\_\_

S/P 98-0005

Sec 6, Fwn 33, Prg 5. W.M

Assessor Parcel / Tax ID Number:

additional tax parcel number(s) on page \_\_\_\_

P 17923

350506-0-001-0603

P 74712

4135-055-900-0302

**NON-EXCLUSIVE EASEMENT  
AND  
MAINTENANCE DECLARATION**

THIS DECLARATION made and entered into this 25<sup>th</sup> day of July  
2003, by Edward J. Finlan (hereinafter "Declarant"), as owner of the following  
described land, situated in Skagit County, Washington:

A portion of the South 1/2 of Government Lot 6 of Section 6, Township 33 North, Range 5  
East, W.M., described as follows:

Beginning at Point "A" as hereinafter described; thence Northerly along the centerline of the  
abandoned Seattle Lakeshore and Eastern Railroad on a curve to the left having a radius of  
1,146.28 feet, and a central angle of 12°25'17" an arc length of 248.51 feet to the North line  
of the South 1/2 of said Government Lot 6; thence S88°24'24"E, a distance of 292.41 feet to  
a point on the West right of way line curve of State Highway SR9 which is a curve to the right  
having a radius of 770 feet; thence Southerly along said curve through a central angle of  
4°56'28" and an arc distance of 60.40 feet to the point of tangency; thence S11°15'36"E  
along the West right of way of State Highway SR9, a distance of 196.21 feet; thence  
S59°40'25"W, a distance of 159.37 feet to Point "B", (used in easement description  
following); thence S69°41'26"W, a distance of 165.24 feet to the ordinary high water line of  
Big Lake; thence Northerly along the ordinary high water line of Big Lake, a distance of 146  
feet, more or less, to the North line of that certain tract of land purchased by Helmer G. Loy  
from Wallace M. Wilson under land contract dated July 31, 1966, filed under Auditor's File  
No. 686662; thence N67°49'06"E along the North line of said Loy Tract, a distance of 98  
feet, more or less, to Point "A".

Point "A" Description:

Beginning at the Northeasterly corner of Lot 1, Block 43, "Plat Of The Town Of Montborne,  
Skagit County, Washington", as per plat recorded in Volume 2 of Plats, page 80, records of  
Skagit County, Washington; thence N47°25'45"E along a projection of the North line of said  
Lot 1, a distance of 50.22 feet to the original centerline of the Northern Pacific Railroad, (the  
successor in interest to the Seattle Lakeshore and Eastern Railroad); thence S37°10'E  
along said centerline and parallel with the Easterly line of said Block 43, a distance of 369.99  
feet to the point of curvature in said centerline; thence along the arc of said curve to the right



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having a radius of 1,146.28 feet through a central angle of 21°42'55" and an arc distance of 43.45 feet to Point "A".

TOGETHER WITH a 16 foot wide non-exclusive easement for boat launching purposes, the centerline of which is described as follows: Beginning at Point "B" as described in the main tract description above; thence S69°41'26"W, a distance of 165.24 feet, more or less, to the ordinary high water line of Big Lake and the terminal point of this centerline description, EXCEPT from said easement, that portion thereof lying within the boundaries of the main tract herein above.

THE DECLARANTS under this declaration do hereby establish of record a non-exclusive easement for ingress, egress and utilities over, under and through a sixty-foot (60') wide strip of land, for the benefit of the owners and future owners of Lots 1 through 4, situated within Skagit County Short Plat Number 98-0005 recorded under Skagit County Auditor's file \_\_\_\_\_

200307250237 Declarants further provide that this property access is perpetual and SUBJECT TO the right of Declarants to dedicate the roadway to Skagit County as a public County road, all at the exclusive option of Declarants or their successors owning a majority of the Lots.

SAID AND DESCRIBED roadway easement is more specifically described as follows:

60-foot easement and 30-foot by 60-foot easement for emergency vehicle turnaround for access and utilities as shown on Short Plat Number 98-0005 recorded under Skagit County Auditor's file 2003072500235

MAINTENANCE OF THE ABOVE-DESCRIBED EASEMENT (including labor and expenses) shall be shared equally among the owners of Lots 1 through 4.

"MAINTENANCE" as used herein shall mean the equal requirement of said Lot owners and their successors in ownership to share the labor and cost to maintain the roadway easement in

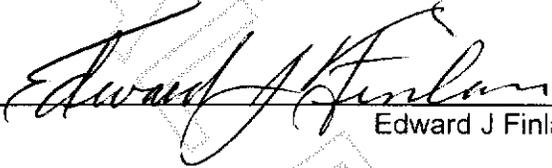


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a good and workmanlike manner and, so long as Declarants own one or more of the Lots, to the pleasure of the Declarants herein.

FURTHER, THE DECLARANTS under this declaration acknowledge and grant a perpetual easement for installation of utilities and for all reasonable utility maintenance and servicing requirements, including the right to enter in, cross under, through and over the described easement roadway to provide utility services, and Declarants specifically grant these rights to, but not limited to, Puget Sound Energy, Verizon, AT&T Broadband, and any successors and assigns of said companies.

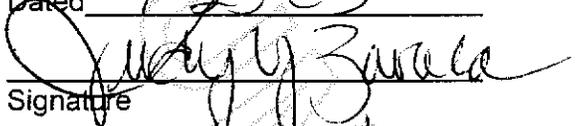
DATED the 25 day of July, 2003

  
Edward J Finlan

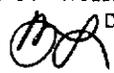
State of Washington  
County of Skagit

I certify that I know or have satisfactory evidence that Edward J. Finlan is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentions in the instrument.

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

Dated 7-25-03  
  
Signature  
Deputy Auditor  
Title  
My appointment expires 10-1-05



(Seal or Stamp)  
JUL 25 2003  
Amount Paid \$  
Skagit Co. Treasurer  
By  Deputy



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