



200308130090

Skagit County Auditor

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RETURN TO:

**LAW OFFICE**  
of

BRADFORD E. FURLONG, P.S.  
825 CLEVELAND AVENUE  
MOUNT VERNON, WASHINGTON 98273  
(360) 336-6508

Document Title: Agreement as to Easement Legal Description

Reference number of documents assigned or released: N/A

Grantors: Northwest Educational Service District 189  
Anacortes Concept, LLC

Grantee: Northwest Educational Service District 189  
Anacortes Concept, LLC

Partial Legal Description: (Full legals attached as Exhibits C & D.)

Lot 2B and ptns of 2A AN SP 98-003 Revised in 19-35-2 E.W.M.

Assessor's Parcel/Tax I.D. Number: 350219-0-040-0100/P118625; 350219-0-040-0008/P32948

## AGREEMENT AS TO EASEMENT LEGAL DESCRIPTIONS

1. The parties to this agreement are Northwest Educational Service District 189 ("NWESD 189"), a Washington educational service district existing and organized under Chapter 28A.310 RCW, and Anacortes Concept, LLC, a Washington limited liability company ("Anacortes Concept").

2. NWESD 189 owns real property described in Exhibit A attached hereto.

3. Anacortes Concept owns the real property described in Exhibit B attached.

4. NWESD 189 was the Grantee named in that certain Statutory Warranty Deed (Shared Healthcare Systems, Inc. to NWESD 189) dated June 25, 2003 and recorded on June 26, 2003 under Skagit County Auditor's File No. 200306260137, which deed: (a) reserved an easement over property now owned by Anacortes Concept ("NWESD 189 Easement"); and (b) was subject to an easement in favor of the property now owned by Anacortes Concept ("Anacortes Concept Easement");

5. Anacortes Concept was the Grantee named in that certain Statutory Warranty Deed (Shared Healthcare Systems, Inc. to Anacortes Concept) dated June 25, 2003 and recorded on June 30, 2003 under Skagit County Auditor's File No. 200306300409 which deed: (a) reserved an easement over property now owned by the NWESD 189 ("Anacortes Concept Easement"); and (b) was subject to an easement in favor of property now owned by the NWESD 189 ("NWESD 189 Easement").

6. The Statutory Warranty Deeds referred to in paragraph 5 above contemplated that the legal descriptions of the Anacortes Concept Easement and the NWESD 189 Easement would be described by metes and bounds legal descriptions that would be created after recording of the deeds. Since the time that the above-referenced statutory warranty deeds were recorded, the easement routes have been surveyed by a licensed professional surveyor.

7. The parties, for themselves, their successors and assigns, hereby agree that Exhibit C attached hereto is a full and accurate legal description of the NWESD 189 Easement.

8. The parties, for themselves, their successors and assigns, hereby agree that Exhibit D attached hereto is a full and accurate legal description of the Anacortes Concept Easement.

NORTHWEST EDUCATIONAL SERVICE ANACORTES CONCEPT, LLC  
DISTRICT 189

By: Gerald W. Jenkins  
Dr. Gerald W. Jenkins  
Its: Superintendent Date: 7/15/03

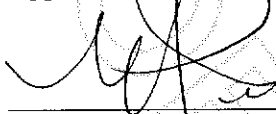
By: MARC  
Marcus J. Youngberg  
Its: PRESIDENT Date: 7/15/03




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Approved as to Content and Form:

  
Mark A. Hood, Attorney for  
NWESD 189

  
Elliott W. Johnson, Attorney for  
Anacortes Concept

*Easement*  
SKAGIT COUNTY WASHINGTON  
Real Estate Excise Tax  
2003

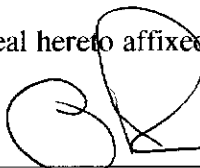
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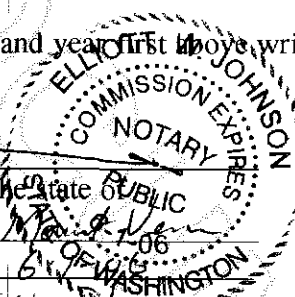
Amount Paid \$6  
Skagit County Treasurer  
By: *MLM* Deputy

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF SKAGIT )

On this 15<sup>th</sup> day of July 2003 before me, the undersigned, a Notary Public in and for the state of Washington, duly commissioned and sworn, personally appeared Dr. Gerald W. Jenkins to me known to be the Superintendent of the entity that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said entity, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument.

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

  
Notary Public in and for the state of Washington, residing at 1111 1st Ave  
My commission expires: 6-1-06  
Printed Name: ELLIOTT W JOHNSON



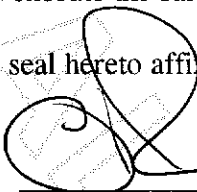


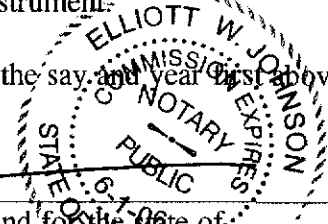
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STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF SKAGIT )

On this 15<sup>th</sup> day of July 2003 before me, the undersigned, a Notary Public in and for the state of Washington, duly commissioned and sworn, personally appeared Marcus J. Youngberg to me known to be the Manager of the Washington limited liability company that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said company, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument.

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

  
Notary Public in and for the State of  
Washington, residing at: Washington  
My commission expires: 6-7-06  
Printed Name: ELLIOTT W. JOHNSON



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EXHIBIT A

Lot 2A of that certain Boundary Line Adjustment Survey recorded June 6, 2003, under Auditor's File No. 200306060196, being a revision of Lots 2A, 2B, 2C and 2D, "Seafarer's View," as recorded under Auditor's File No. 200112030101, and that certain Boundary Line Adjustment Survey recorded April 29, 2003, under Auditor's File No. 200304290104, records of Skagit County, Washington (the "BLA Surveys"); being in portions of Government Lots 1 and 2, Section 19, Township 35 North, Range 2 East, W.M., and of "Plate No. 10 Tide and Shore Lands of Section 19, Township 35 North, Range 2 East, W.M., Anacortes Harbor," according to the official map thereof on file with the State Land Commissioner at Olympia, Washington,

Situate in the City of Anacortes, County of Skagit, State of Washington.

SUBJECT TO: a non-exclusive, perpetual easement for ingress and egress over and across the existing as built roadway immediately North of Lot 2B of the Boundary Line Adjustment ("BLA") Survey beginning at R Avenue and continuing Easterly along the North line of said Lot 2B of the BLA Survey and thereafter continuing Southeasterly and then Westerly to the point where said roadway connects with the existing as built entry driveway across the Southerly portion of Lot 2B of the BLA Survey, said easement for the benefit of said Lot 2B of the BLA Surveys.

TOGETHER WITH: a non-exclusive, perpetual easement for ingress and egress over and across the existing as built driveway across the Southerly portion of Lot 2B of the BLA Surveys and on the existing interior driveways through said Lot 2B to parking lots along the Westerly boundary of Lot 2A of the BLA Survey.

Grantor, on behalf of itself and its successors and assigns, and Grantee covenant and agree that the legal descriptions for the easement conveyed to Grantee herein and the easement reserved to Grantor herein shall be amended by subsequent recorded document(s) containing metes and bounds descriptions for each easement, pursuant to a separate agreement between Grantor and Grantee executed concurrently with this Deed.

SUBJECT TO: Easements and Covenants, Conditions & Restrictions of record.



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EXHIBIT B

Lot 2B of that certain Boundary Line Adjustment Survey recorded June 6, 2003, under Auditor's File No. 200306060196, being a revision of Lots 2A, 2B, 2C and 2D, "Seafarer's View," as recorded under Auditor's File No. 200112030101, and that certain Boundary Line Adjustment Survey recorded April 29, 2003, under Auditor's File No. 200304290104, records of Skagit County, Washington; being in portions of Government Lots 1 and 2, Section 19, Township 35 North, Range 2 East, W.M., "Anacortes Harbor," according to the official map thereof on file with the State Land Commissioner at Olympia, Washington,

TOGETHER WITH: a non-exclusive, perpetual easement for ingress and egress over and across the existing as built roadway immediately North of Lot 2B of the BLA Surveys beginning at R Avenue and continuing East and thereafter continuing Southwesterly to the point where said roadway connects with the existing as built entry driveway across the Southerly portion of the above described property, said easement for the benefit of said Lot 2B of the BLA Surveys.

SUBJECT TO: a non-exclusive, perpetual easement for ingress and egress over and across the existing as built roadway across the Southerly portion of Lot 2B of the BLA Surveys and on the existing interior driveways through said Lot 2B to parking lots along the Westerly boundary of Lot 2A of the BLA Surveys.

Situate in the City of Anacortes, County of Skagit, State of Washington.

SUBJECT TO: Easements and Covenants, Conditions & Restrictions of record.



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## EXHIBIT C

### Easements in Favor of Northwest Educational Service District 189

#### Parcel "A":

All that portion of Lot 2B, "Seafarer's View", as recorded under Auditor's File No. 200112030101, records of Skagit County, Washington, being in portions of Government Lots 1 and 2, Section 19, Township 35 North, Range 2 East, W.M., and of "Plate No. 10 Tide and Shore Lands of Section 19, Township 35 North, Range 2 East, W.M., Anacortes Harbor", according to the official map thereof on file with the State Land Commissioner at Olympia, Washington, as said Lot 2B is shown on Boundary Line Adjustment Survey recorded under Auditor's File No. 200306060196, records of said County and State, lying within a 24 foot wide strip of land, said strip lying 12.00 feet on each side of the following described center line:

Commencing at the Southeast corner of said Lot 2B, as said Lot is shown on said Boundary Line Adjustment Survey; **thence** North 00° 53' 55" East along the East line of said Lot 2B, 48.62 feet to the **TRUE POINT OF BEGINNING** of said described center line; **thence** North 89° 56' 28" West, 194.76 feet to the West line of said Lot 2B, said point lying North 00° 00' 25" East, 48.81 feet from the Southwest corner of said Lot 2B, said point being the end of said described center line.

Situate in the City of Anacortes, County of Skagit, State of Washington.

The left and right margins of the above described strip of land shall extend to the beginning and ending lot lines of said Lot 2B to form a continuous strip from lot line to lot line.

#### Parcel "B":

All that portion of Lot 2B, "Seafarer's View", as recorded under Auditor's File No. 200112030101, records of Skagit County, Washington, being in portions of Government Lots 1 and 2, Section 19, Township 35 North, Range 2 East, W.M., and of "Plate No. 10 Tide and Shore Lands of Section 19, Township 35 North, Range 2 East, W.M., Anacortes Harbor", according to the official map thereof on file with the State Land Commissioner at Olympia, Washington, as said Lot 2B is shown on Boundary Line Adjustment Survey recorded under Auditor's File No. 200306060196, records of said County and State, lying within a 23 foot wide strip of land, said strip lying 11.50 feet on each side of the following described center line:

Commencing at the Southeast corner of said Lot 2B, as said Lot is shown on said Boundary Line Adjustment Survey; **thence** North 00° 53' 55" East along the East line of said Lot 2B, 48.62 feet; **thence** North 89° 56' 28" West,



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EXHIBIT C (continued)

11.50 feet a point lying 11.50 feet West of, as measured at right angles to, the East line of said Lot 2B; **thence** North 00° 53' 55" East, parallel with said East line; 12.00 feet to the North line of the above described Parcel "A" and the **TRUE POINT OF BEGINNING** of said described center line; **thence** continuing North 00° 53' 55" East, 143.96 feet to the end of said described line.

Situate in the City of Anacortes, County of Skagit, State of Washington.

The left and right margins of the above described strip of land shall extend to the North line of the above described Parcel "A".



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## EXHIBIT D

### Easement in Favor of Anacortes Concept

All that portion of Lot 2A, "Seafarer's View", as recorded under Auditor's File No. 200112030101, records of Skagit County, Washington, being in portions of Government Lots 1 and 2, Section 19, Township 35 North, Range 2 East, W.M., and of "Plate No. 10 Tide and Shore Lands of Section 19, Township 35 North, Range 2 East, W.M., Anacortes Harbor", according to the official map thereof on file with the State Land Commissioner at Olympia, Washington, as said Lot 2A is shown on Boundary Line Adjustment Survey recorded under Auditor's File No. 200306060196, records of said County and State, lying within a 24 foot wide strip of land, said strip lying 12.00 feet on each side of the following described center line:

Commencing at the Northwest corner of Lot 2B, said "Seafarer's View", as said Lot 2B is shown on said Boundary Line Adjustment Survey; **thence** North 00° 00' 25" East along the West line of said Lot 2A, 12.22 feet to a point lying 12.00 feet Northerly of, as measured at right angles to, the North line of said Lot 2B, said point being the **TRUE POINT OF BEGINNING** of said described center line; **thence** South 79° 00' 24" East, parallel with said North line, 218.65 feet to the beginning of a curve to the right, said curve having a radius of 27.00 feet; **thence** Easterly and Southerly, following said curve to the right through a central angle of 64° 04' 26", an arc distance of 30.19 feet to the end of said curve; **thence** South 14° 55' 58" East, 144.66 feet to the beginning of a curve to the right, said curve having a radius of 27.00 feet; **thence** Southerly and Westerly, following said curve to the right through a central angle of 104° 59' 30", an arc distance of 49.48 feet to the end of said curve; **thence** North 89° 56' 28" West, 52.00 feet to the East line of said Lot 2B, said point lying North 00° 53' 55" East, 48.62 feet from the Southeast corner of said Lot 2B, said point being the end of said described center line.

Situate in the City of Anacortes, County of Skagit, State of Washington.

The left and right margins of the above described strip of land shall extend to the beginning and ending lot lines of said Lot 2A to form a continuous strip from lot line to lot line.

