

WHEN RECORDED RETURN TO:

Garnet Leroy Eckardt
16535 Jungquist Road
Mount Vernon, WA 98273



200310170024
Skagit County Auditor

10/17/2003 Page 1 of 11 8:47AM

LAND TITLE COMPANY OF SKAGIT COUNTY

109401-PE

Grantor. Skagit State Bank
Grantee. Eckardt, Garnet and Eckardt, Katherine
Abbrev. Leg. Ptn of Tract C, Revised Short Plat No. 46-81, AFN 81008250001,
Ptn of Sec 26, T34N R3E, WM
Tax Acct No. 340326-1-004-0200/ P109057

**SPECIAL WARRANTY DEED
WITH RESERVATION OF EASEMENT**

THE GRANTOR, Skagit State Bank, for and in consideration of Twenty-Seven Thousand Five Hundred Dollars (\$27,500.00), in hand paid, grants, bargains, sells, conveys and confirms to

THE GRANTEE, Garner Leroy Eckardt and Katherine L. Eckardt, husband and wife, the following described real estate, situated in the County of Skagit, State of Washington:

For Legal Description see EXHIBIT A, attached hereto and incorporated by this reference

RESERVING TO THE GRANTOR AN EASEMENT for water line, as more fully described below.

The Grantor for itself and for its successors in interest does by these presents expressly limit the covenants of the deed to those herein expressed, and excludes all covenants arising or to arise by statutory or other implication, and does hereby covenant that against all persons whomsoever lawfully claiming or to claim by, through or under said Grantor and not otherwise, the Grantor will forever warrant and defend the said described real estate.

RESERVATION OF EASEMENT

The grantor reserves to itself and its successors in interest an easement for the continued use, maintenance and replacement of an existing water line across a portion of

the property conveyed herein, hereafter referred to as the "Eckardt property," as described below.

The easement is reserved in a 10 foot strip of land lying 5 feet each side of the center line of the existing water line, together with rights of access across the Eckardt property for purposes of maintenance, repair and replacement. The existing water line is located along the west line of the property conveyed herein. A sketch showing the approximate location of the existing water line and the easement is attached hereto as EXHIBIT B.

The easement is reserved for the benefit of adjoining property owned by the grantor. The property benefited by the easement is described on EXHIBIT C, attached hereto and incorporated herein.

The easement is reserved subject to the following terms and conditions:

1. The owners of the benefited property, being the users and beneficiaries of the water line, shall be responsible for all repairs and maintenance of the water line.
2. Prior to performing any repairs or maintenance on the water line, the benefited owners shall give reasonable prior written notice to the owners of the Eckardt property of the time and general nature of the work to be performed.
3. Following any digging or other activities in connection with the installation, maintenance or replacement of a water line within the easement area, the benefited owners will, at their expense, restore the area to a like condition as existed prior to maintenance/repair activities.
4. The easement is limited to the existing water line and replacements thereof. The easement does not include the right to construct or install additional lines.
5. The owners of the Eckardt property will not place any buildings or other structures in the easement area, with the exception of fencing.
6. The covenants herein shall run with the land and shall be binding on the parties hereto, their heirs, successors or assigns, and all subsequent owners thereof. The owners of the benefited property described herein, and their heirs, successors and assigns shall take said property together with the easement for water line. The owners of the Eckardt property, described herein shall take said property subject to the water line easement described above.

DATED October 15, _____, 2003.

Skagit State Bank,

By [Signature]
Gary Medcalf, Vice President

BOUNDARY ADJUSTMENT

Reviewed and approved
in accordance with S.C. ~~Code~~ **Chapter 14.18**

[Signature]
SKAGIT CO. PLANNING & PERMIT CENTER

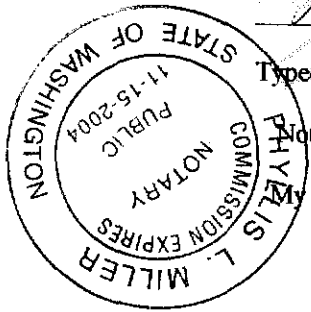
Date: 9/17/2003



STATE OF WASHINGTON)
)
) ss.
COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that Gary Medcalf
is the person who appeared before me, and said person acknowledged that HE/SHE signed this instrument,
on oath stated that HE/SHE was authorized to execute the instrument and acknowledged it
as Vice President of SKAGIT STATE BANK to be the free and voluntary act of such
party for the uses and purposes mentioned in the instrument.

Witness my hand and official seal hereto affixed this 15th day of October, 2003



Phyllis L Miller
Typed/Printed Notary Name Phyllis L Miller
Notary Public in and for the State of Washington, residing at Sedro Woolley
My appointment expires 11-15-04

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX
5395

OCT 17 2003

Amount Paid \$ 420.75
Skagit Co. Treasurer
By [Signature] Deputy



EXHIBIT A
Legal Description of Property Conveyed to Eckardt

That portion of Tract C of Revised Short Plat No. 46-81, approved August 18, 1981 and recorded August 25, 1981 in Book 5 of Short Plats, at page 119 under Auditor's File No. 8108250001, records of Skagit County, Washington, being a portion of Section 26, Township 34 North, Range 3 East, W.M., being more particularly described as follows:


Beginning at the Southwest corner of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 26; thence N $0^{\circ}25'41''$ E along the West line of said subdivision, said line being also the division line between Tract B and Tract C of said Short Plat No. 46-81, a distance of 600.80 feet; thence S $89^{\circ}27'09''$ E parallel to the South line of said subdivision, a distance of 375.00 feet; thence S $0^{\circ}25'41''$ W parallel to the West line of said subdivision, a distance of 600.80 feet to the South line of said subdivision; thence N $89^{\circ}27'09''$ W along the South line of said subdivision, a distance of 375.00 feet to the Point Of Beginning.

EXCEPT that portion of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 26, described as follows:

Beginning at the Southwest corner of said Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$; thence East along the South line of said subdivision, a distance of 125 feet to the True Point Of Beginning; thence continue East along the South line of said subdivision, a distance of 172 feet; thence North parallel to the West line of said subdivision to a point measured along said line 270 feet North of the centerline of the road along the South line of said subdivision; thence West parallel to the centerline of said road a distance of 172 feet; thence South to the True Point Of Beginning.

AND EXCEPT road.

Situate in the County of Skagit, State of Washington; and containing 4.01 acres, more or less.


DENNY D. LEGRO
Registered Professional
Land Surveyor
License No. 37532
Date: May 21, 2003

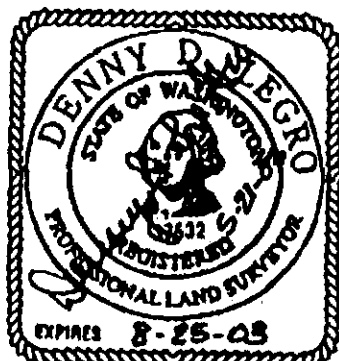


EXHIBIT B
Sketch of Easement Area

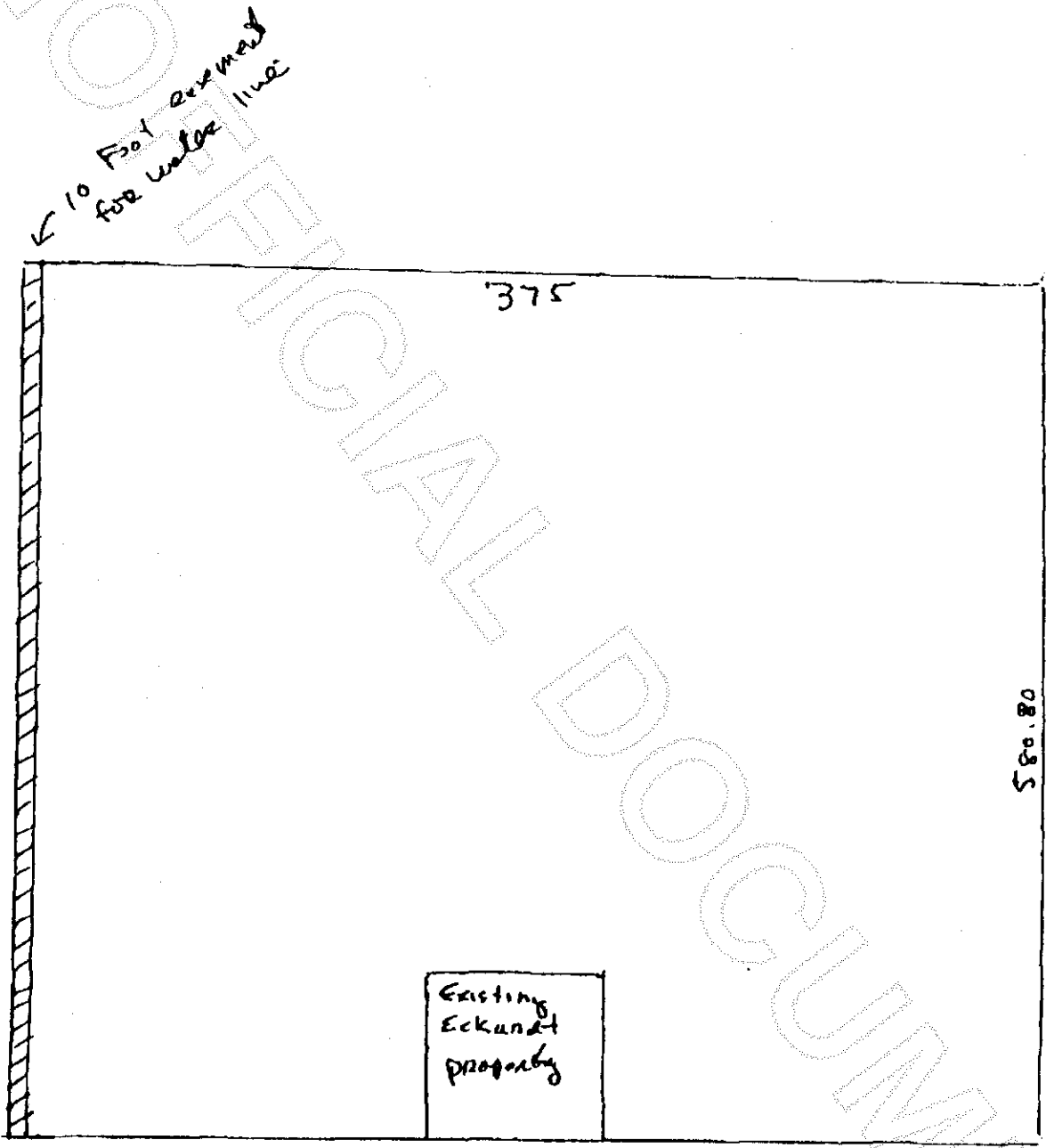


EXHIBIT C
Description of Property Benefited by Water Line Easement

PARCEL "A":

The Northwest ¼ of the Southeast ¼ of Section 26, Township 34 North, Range 3 East, W.M., EXCEPT County road, dike and drainage ditch rights-of-way, AND EXCEPT the East 330 feet of that portion of said Northwest ¼ of the Southeast ¼, lying West of the County road running North and South along the East line of said subdivision.

Situate in the County of Skagit, State of Washington.

PARCEL "B":

That portion of Tract "C", REVISED SKAGIT COUNTY SHORT PLAT NO. 46-81, approved August 18, 1981, and recorded August 25, 1981, in Volume 5 of Short Plats, page 119, under Auditor's File No. 8108250001, records of Skagit County, Washington; being a portion of the North ¼ of Section 26, Township 34 North, Range 3 East W.M., being more particularly described as follows:

Beginning at the Northeast corner of Tract B of said Short Plat No. 46-81;
thence North 00°25'41" East a distance of 1,970.75 feet to the North line of said Tract C;
thence South 89°48'10" East along the North line of said Tract C a distance of 1,320.63 feet to the Northeast corner of said Tract C;
thence South 00°41'31" West along the East line of said Tract C a distance of 1,086.68 feet to the Northeast corner of Tract A of said Short Plat No. 46-81;
thence North 89°37'43" West a distance of 243.16 feet to the Northwest corner of Tract A of said Short Plat;
thence South 00°41'31" West along the West boundary of said tract a distance of 232.56 feet to the Southwest corner of said Tract A;
thence South 89°37'43" East along the South line of said Tract A a distance of 93.16 feet;
thence South 00°41'31" West a distance of 125.00 feet;
thence South 89°37'43" East a distance of 150.00 feet;
thence South 00°41'31" West a distance of 1,174.24 feet to the Southeast corner of said Tract C;
thence North 89°22'54" West along the South line of said Tract C a distance of 1,011.56 feet;
thence North 00°25'41" East a distance of 250.00 feet;
thence North 89°27'09" West a distance of 172.00 feet;
thence South 00°25'41" West a distance of 250.00 feet;
thence North 89°27'09" West a distance of 125.00 feet to the intersection of the Southerly projection on the East line of said Tract B;
thence North 00°25'41" East along the East line of said Tract B a distance of 639.65 feet to the point of beginning.

EXCEPT for that portion conveyed for right of way by deed recorded on November 2, 1981, under Auditor's File No. 8111020017, records of Skagit County, Washington.

Situate in the County of Skagit, State of Washington.

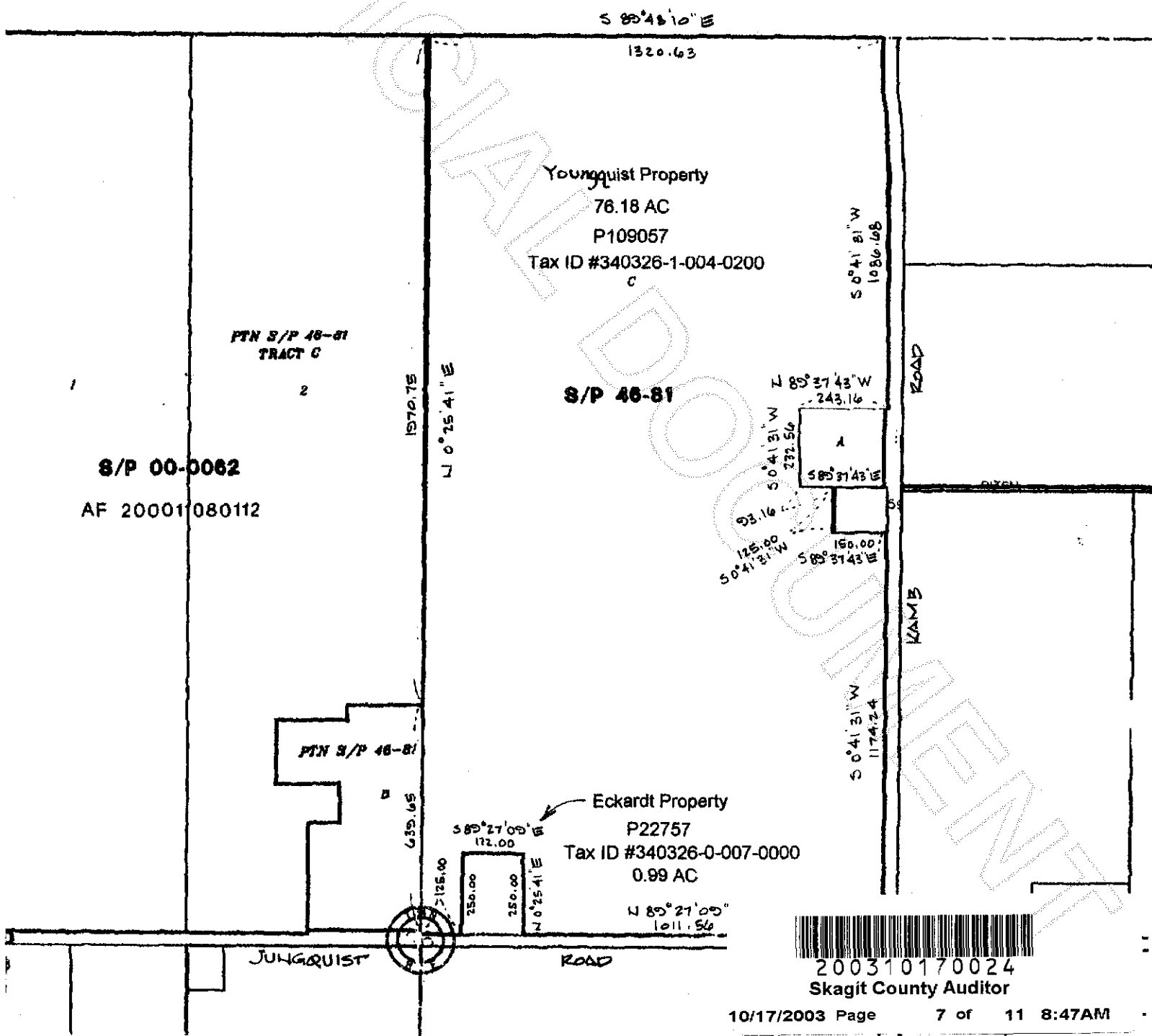


LeRoy Eckardt Before Boundary Line Adjustment Map

PTN. SW 1/4 NE 1/4 Sec. 26, T. 34 N., R. 3 E.W.M.

Skagit County, Washington

May 21, 2003



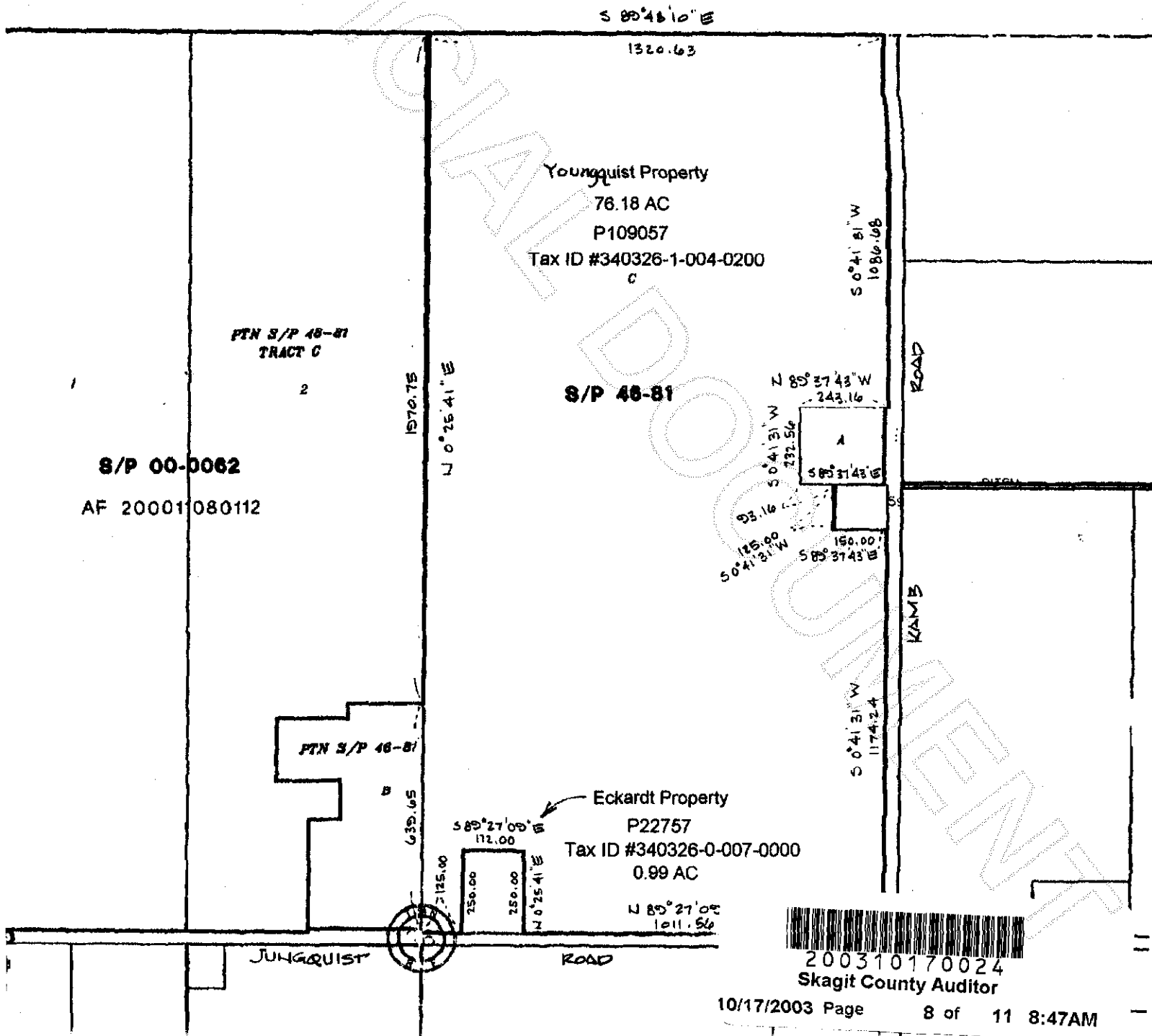
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LeRoy Eckardt Before Boundary Line Adjustment Map

PTN. SW 1/4 NE 1/4 Sec. 26, T. 34 N., R. 3 E.W.M.

Skagit County, Washington

May 21, 2003



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Leroy Eckardt Property After Boundary Line Adjustment

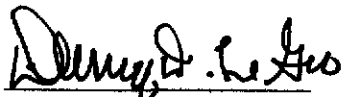
LEGAL DESCRIPTION

That portion of Tract C of Revised Short Plat No. 46-81, approved August 18, 1981 and recorded August 25, 1981 in Book 5 of Short Plats, at page 119 under Auditor's File No. 8108250001, records of Skagit County, Washington, and that portion of the Southwest ¼ of the Northeast ¼ of Section 26, Township 34 North, Range 3 East, W.M., described as follows:

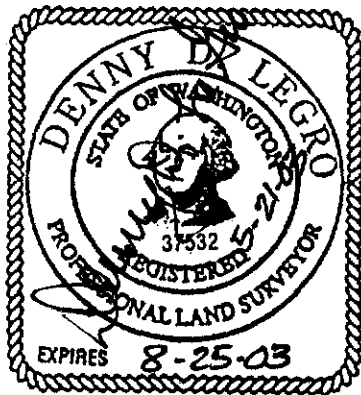
Beginning at the Southwest corner of the Southwest ¼ of the Northeast ¼ of said Section 26; thence N 0°25'41" E along the West line of said subdivision, said line being also the division line between Tract B and Tract C of said Short Plat No. 46-81, a distance of 600.80 feet; thence S 89°27'09" E parallel to the South line of said subdivision, a distance of 375.00 feet; thence S 0°25'41" W parallel to the West line of said subdivision, a distance of 600.80 feet to the South line of said subdivision; thence N 89°27'09" W along the South line of said subdivision, a distance of 375.00 feet to the Point Of Beginning.

EXCEPT road.

Situate in the County of Skagit, State of Washington; and containing 5.00 acres, more or less.



DENNY D. LEGRO
Registered Professional
Land Surveyor
License No. 37532
Date: May 21, 2003



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Exhibit "A"

Parcel Being Conveyed to Leroy Eckardt, Grantee
by Boundary Line Adjustment

LEGAL DESCRIPTION

That portion of Tract C of Revised Short Plat No. 46-81, approved August 18, 1981 and recorded August 25, 1981 in Book 5 of Short Plats, at page 119 under Auditor's File No. 8108250001, records of Skagit County, Washington, being a portion of Section 26, Township 34 North, Range 3 East, W.M., being more particularly described as follows:

Beginning at the Southwest corner of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 26; thence N $0^{\circ}25'41''$ E along the West line of said subdivision, said line being also the division line between Tract B and Tract C of said Short Plat No. 46-81, a distance of 600.80 feet; thence S $89^{\circ}27'09''$ E parallel to the South line of said subdivision, a distance of 375.00 feet; thence S $0^{\circ}25'41''$ W parallel to the West line of said subdivision, a distance of 600.80 feet to the South line of said subdivision; thence N $89^{\circ}27'09''$ W along the South line of said subdivision, a distance of 375.00 feet to the Point Of Beginning.

EXCEPT that portion of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 26, described as follows:

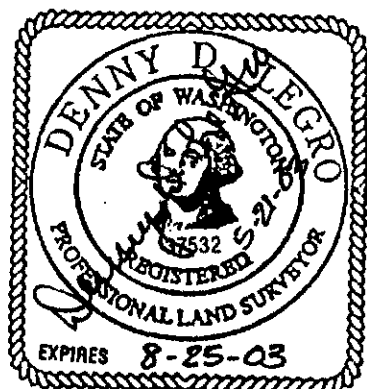
Beginning at the Southwest corner of said Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$; thence East along the South line of said subdivision, a distance of 125 feet to the True Point Of Beginning; thence continue East along the South line of said subdivision, a distance of 172 feet; thence North parallel to the West line of said subdivision to a point measured along said line 270 feet North of the centerline of the road along the South line of said subdivision; thence West parallel to the centerline of said road a distance of 172 feet; thence South to the True Point Of Beginning.

AND EXCEPT road.

Situate in the County of Skagit, State of Washington; and containing 4.01 acres, more or less.



DENNY D. LEGRO
Registered Professional
Land Surveyor
License No. 37532
Date: May 21, 2003



200310170024
Skagit County Auditor

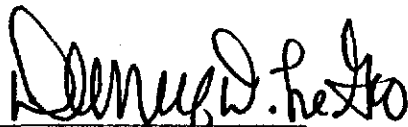
Skagit State Bank Property After Boundary Line Adjustment

LEGAL DESCRIPTION

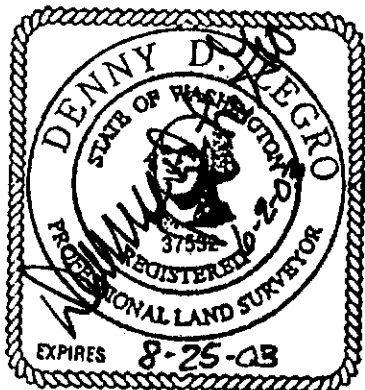
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Beginning at the Northeast corner of Tract B of said Short Plat 46-81; thence N 0°25'41" E, a distance of 1970.75 feet to the North line of said Tract C; thence S 89°48'10" E, along the North line of said Tract C, a distance of 1320.63 feet to the Northeast corner of said Tract C; thence S 0°41'31" W along the East line of said Tract C, a distance of 1086.68 feet; thence N 89°37'43" W, a distance of 243.16 feet to the Northwest corner of attract A of said Short plat; thence S 0°41'31" W, 232.56 feet to the Southwest corner of said Tract A; thence S 89°37'43" E, along the South line of said Tract A, a distance of 93.16 feet; thence S 0°41'31" W, a distance of 125.00 feet; thence S 89°37'43" E, a distance of 150.00 feet; thence S 0°41'31" W, a distance of 1174.24 feet to the Southeast corner of said Tract C; thence N 89°27'09" W along the South line of said Tract C, a distance of 933.56 feet; thence N 0°25'41" E, a distance of 580.80 feet; thence N 89°27'09" W, a distance of 375.00 feet to the East line of said Tract B; thence N 0°25'41" E along the East line of said Tract B, a distance of 58.85 feet to the Point Of Beginning.

Situate in the County of Skagit, State of Washington; and containing 72.17 acres, more or less.



DENNY D. LEGRO
Registered Professional
Land Surveyor
License No. 37532
Date: June 2, 2003



200310170024
Skagit County Auditor