



200310210120
Skagit County Auditor

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PROTECTED CRITICAL AREA EASEMENT (PCA)

In consideration of Skagit County Code (SCC) 14.06.145, requirements for recording of a Protected Critical Area Easement, for areas included under permit number SP92-0014, and mutual benefits herein, Grantors, **PAUL KALLOCK and EUGENIA KALLOCK**, husband and wife, the owners in fee of that certain real property described on the face of this project, do hereby grant, convey and warrant to Skagit County, a political subdivision of the State of Washington, a non-exclusive perpetual easement establishing a PCA over, along and across those portions of the project, denoted as PCA and described on the attached PCA legal description, together with the right of ingress and egress to and from this easement for the purpose of monitoring and enforcing proper operation and maintenance of the PCA described herein.

This easement is granted subject to and conditioned upon the following terms, conditions and covenants:

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

1. The PCA legal description is as follows:

See Exhibit "A" attached hereto and by reference made a part hereof.

OCT 21 2003

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

PCA Easement located on Lots 1 and 2 of Short Plat No. 92-0014 and recorded on Oct 21, 2003, under Auditor's File # 200310210121

2. Grantors shall hereafter be responsible for maintaining and repairing PCA's as described herein and are hereby required to leave PCA's undisturbed in a natural state. No clearing, grading, filling, logging or removal of woody material, building, construction or road construction of any kind or planting of non-native vegetation is allowed within the PCA's except as specifically permitted by Skagit County on a case-by-case basis consistent with SCC 14.06.

3. Grantors and Skagit County agree to the following special conditions requested by the Grantors or required as part of mitigation pursuant to SCC 14.06.

Please see Critical Area Assessment Report on file with the Skagit County Planning & Permit Center.

4. Grantors retain the right to the use and possession of the real property over which the easement is granted to the extent permitted by Skagit County as low impact uses and activities which are consistent with the purpose and function of the PCA and do not detract from its integrity may be permitted within the PCA depending on the sensitivity of the habitat involved. Examples of uses and activities which may be permitted in appropriate cases, with prior County written approval separate from this agreement, include pedestrian trails, viewing platforms, stormwater management facilities and utility easements. Provided further that the Grantors agrees not to interfere with, obstruct or endanger Skagit County's use of the easement.
5. Should any human disturbance of the PCA's occur, the fee owners shall have the obligation to restore and return the affected area to its natural state immediately, under the provisions of a County approved mitigation plan.
6. The parties recognize that this easement is created, granted and accepted for the benefit of the inherent natural functions provided by the PCA's, but shall not be construed to provide open or common space for owners within the project or members of the public. By acceptance of the easement for the purposes described, Skagit County does not accept or assume any liability of acts or omissions of the fee owners, his or her invitees, licensees or other third parties within the easement area. Grantors hold Skagit County harmless from any damage or injury to any property or person by any person entering the easement area not expressly authorized to do so by Skagit County.
7. Grantors agree that this easement shall run with the land and that the rights and obligations of Grantors and Skagit County shall inure to the benefit of each and shall be binding upon their respective heirs, successors and assigns.
8. Grantors covenant that they own the property legally described herein and have lawful right to convey the interest in the property to Skagit County for the benefit of the public forever.
9. Grantors shall install and maintain fencing at the Riparian and wetlands buffer lines to protect the critical areas if livestock are present and can access the buffer area.

DATED THIS 3 day of SEPTEMBER, 2003.

Paul Kallock
Paul Kallock

Eugenia Kallock
Eugenia Kallock

STATE OF WASHINGTON
COUNTY OF SKAGIT

On this day personally appeared before me **PAUL KALLOCK and EUGENIA KALLOCK**, husband and wife, known to be the individuals described in, and who executed the within and foregoing instrument and acknowledged to me that they signed the same as their free and voluntary act and deed for the purposes therein mentioned.

Given under my hand and official seal this 3 day of SEPTEMBER 2003.

Paul Kallock
Notary Public in and for the State of Washington
residing at STANWOOD.



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EXHIBIT "A"

P.C.A. "1-A" - Lot 1 S.P. #92-0014 (Type III Stream P.C.A.)

Commencing at the Northwest corner of the South Half of the Northwest Quarter of the Southeast Quarter of Section 32, Township 36 North, Range 4 East, W.M.; thence South 87 Degrees 50'26" East along the North line of said South Half of the Northwest Quarter of the Southeast Quarter, a distance of 222.60 feet to the **TRUE POINT OF BEGINNING**; thence the following courses and distances:

South 37 Degrees 36'01" West a distance of 119.13 feet; thence
South 20 Degrees 50'32" East a distance of 304.45 feet; thence
South 46 Degrees 30'32" East a distance of 220.69 feet; thence
South 20 Degrees 44'00" East a distance of 176.56 feet; thence
South 04 Degrees 57'05" East a distance of 138.18 feet; thence
South 03 Degrees 51'11" West a distance of 127.66 feet; thence

South 18 Degrees 55'26" East a distance of 211.56 feet, to the North line of Short Plat No. 518-81 recorded under Auditor's File No. 8107070003, records of Skagit County, Washington; thence South 87 Degrees 41'09" East along said North line of said Short Plat No. 518-81 a distance of 99.27 feet; thence North 12 Degrees 02'31" West a distance of 892.97 feet; thence

North 46 Degrees 30'32" West a distance of 43.62 feet; thence
North 20 Degrees 50'32" West a distance of 142.29 feet; thence
North 37 Degrees 36'01" East a distance of 60.96 feet; thence
North 12 Degrees 02'31" West a distance of 75.26 feet to the North

line of said South Half of the Northwest Quarter of the Southeast Quarter; thence North 87 Degrees 50'26" West along said North line of said South Half of the Northwest Quarter of the Southeast Quarter a distance of 182.46 feet.

Containing 3.93 Acres.

P.C.A. "1-B" Lot 1 - S.P. #92-0014 (Category III Wetland P.C.A.)

Commencing at the Northwest corner of the Southwest Quarter of the Southeast Quarter of Section 32, Township 36 North, Range 4 East, W.M.; thence South 1 Degree 16'10" West along the West line of said Southwest Quarter of the Southeast Quarter a distance of 464.56 feet; thence North 83 Degrees 53'55" East a distance of 338.01 feet to the **TRUE POINT OF BEGINNING**; thence

North 82 Degrees 33'52" East a distance of 112.93 feet; thence
South 01 Degrees 20'57" East a distance of 137.87 feet; thence
South 85 Degrees 36'56" West a distance of 143.09 feet; thence
North 11 Degrees 33'38" East a distance of 136.93 feet to the **TRUE**



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POINT OF BEGINNING.

Containing 0.39 Acres

P.C.A. "2-A" Lot 2 - S.P. #92-0014 (Type III Stream P.C.A.)

Commencing at the Northwest corner of the South Half of the Northwest Quarter of the Southeast Quarter of Section 32, Township 36 North, Range 4 East, W.M.; thence South 87 Degrees 50'26" East along the North line of the said South Half of the Northwest Quarter of the Southeast Quarter a distance of 405.06 feet to the **TRUE POINT OF BEGINNING**; thence

South 12 Degrees 02'31" East a distance of 75.26 feet; thence
North 37 Degrees 36'01" East a distance of 63.86 feet; thence
North 81 Degrees 22'17" East a distance of 111.82 feet

to the North line of said South Half of the Northwest Quarter of the Southeast Quarter; thence North 87 Degrees 50'26" West along said North line of the South Half of the Northwest Quarter of the Southeast Quarter a distance of 165.34 feet to the **TRUE POINT OF BEGINNING**.

Containing 0.08 Acres.

P.C.A. "2-B" Lot 2 - S.P.#92-0014 (Type III & V Streams P.C.A.)

Commencing at a point on the North line of the South Half of the Northwest Quarter of the Southeast Quarter of Section 32, Township 36 North, Range 4 East, W.M., lying South 87 Degrees 50'26" East at a distance of 405.05 feet from the Northwest corner of said South Half of the Northwest Quarter of the Southeast Quarter; thence South 12 Degrees 02'31" East a distance of 291.31 feet to the **TRUE POINT OF BEGINNING**; thence the following courses and distances:

South 46 Degrees 30'32" East a distance of 177.28 feet; thence
South 20 Degrees 44'00" East a distance of 252.25 feet; thence
South 04 Degrees 57'05" east a distance of 166.73 feet; thence
North 43 Degrees 24'10" East a distance of 89.02 feet; thence
North 65 Degrees 19'31" East a distance of 92.89 feet; thence
North 13 Degrees 31'08" East a distance of 68.13 feet; thence
North 07 Degrees 22'28" West a distance of 100.88 feet; thence
North 24 Degrees 52'37" east a distance of 169.49 feet; thence
North 31 Degrees 55'39" East a distance of 306.58 feet; thence
North 37 Degrees 10'21" East a distance of 62.35 feet; thence
South 51 Degrees 58'46" East a distance of 100.01 feet; thence
South 37 Degrees 10'21" West a distance of 56.29 feet; thence
South 31 Degrees 55'39" West a distance of 100.00 feet.



to the Westerly margin of a 60-foot access easement described in Agreement recorded on September 14, 1981 under Auditor's File No. #8109140012; thence continuing along said Westerly margin of said easement South 38 Degrees 01'14" West a distance of 160.92 feet to the beginning of a curve to the left having a radius point bearing South 51 Degrees 50'46" East at a distance of 440.00 feet; thence Southwesterly along said easement margin an arc distance of 403.35 feet through a central angle of 52 Degrees 31'25"; thence South 65 Degrees 19'31" West a distance of 123.42 feet; thence South 43 Degrees 24'10" West a distance of 119.94 feet; thence South 81 Degrees 50'42" West a distance of 43.62 feet; thence

South 18 Degrees 23'19" East a distance of 255.83 feet to the North line of Short Plat No. 518-81, recorded under Auditor's File No. 8107070003, records of Skagit County, Washington; thence North 87 Degrees 41'09" West along said North line of Short Plat No. 518-81 a distance of 121.74 feet; thence North 12 Degrees 02'31" West a distance of 892.97 feet to the **TRUE POINT OF BEGINNING**.

Containing 4.07 acres.



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