



200407080083

Skagit County Auditor

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AFTER RECORDING RETURN TO:

Name SKAGIT SURVEYORS & ENGINEERSAddress 806 METCALF STREETCity, State, Zip SEDOO - WOODWAY, WA 98284

Abbrev. Leg. Lots 1 and 2 of Skagit County Short Plat PL00-0426, AFN 200311070095
Tax Acct. No. 360109-0-001-0809/P46344; 360109-0-001-1100/P120971

DECLARATION OF EASEMENT WITH PROVISIONS FOR MAINTENANCE

This DECLARATION OF EASEMENT for access and utilities is made by BRIAN ARBOGAST and VALERIE TARICO, husband and wife.

RECITALS

A. BRIAN ARBOGAST and VALERIE TARICO, husband and wife, hereafter referred to as "Declarants" are owners of real property fully described on EXHIBIT A, which is attached hereto and by this reference incorporated herein.

B. The Declarants intend, by this instrument, to create a supplemental easement over, under and through those portions of their property described on EXHIBIT B, attached hereto (the "Easement Area"). A sketch of the easement area is attached hereto as EXHIBIT C

C. The easement is intended to supplement existing easements in the document entitled "Sinclair Easement Agreement," recorded under Auditor's file number 8110010070. The easement is to benefit and the properties described in said easement agreement.

ACCESS AND UTILITY EASEMENT

NOW THEREFORE, in consideration of mutual covenants, benefits and obligations set forth herein, and for no monetary consideration, the Declarants hereto covenant, agree and convey as follows:

BRIAN ARBOGAST and VALERIE TARICO, husband and wife, hereby declare and convey to themselves, to each other, and to the future owners of the real property described on EXHIBIT A, a nonexclusive easement for ingress, egress, and utilities, over,
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under and across the Easement Area described on EXHIBIT B and illustrated on EXHIBIT C, which exhibits are attached hereto and incorporated by this reference. The easement is granted for the benefit of the properties described as benefited properties in that certain easement recorded under Auditor's File Number 8110010070, and referenced above.

MAINTENANCE OF ROADS

The Declarants hereby establish and provide that owners of the parcels benefiting by said easement, and all subsequent owners, successors or assigns, shall take said property, or portion thereof, subject to this road maintenance agreement. The Declarants and each of the subsequent owners, assigns or successors in interest, shall proportionately share in the cost and expense of maintaining and repairing in good condition the road rights of way over and across the above described private roads.

COVENANTS TO RUN WITH THE LAND

The covenants and restrictions contained herein shall run with the land and shall be binding upon property and upon any person, firm, corporation or entity of any kind whatsoever acquiring or owning an interest in the property, or any part thereof, and their lessees, guests, heirs, executors, personal, representatives, heirs and assigns.

ENFORCEMENT

Each lot or tract owner, including the declarant if the declarant is a lot or tract owner, shall have the right to enforce, by any proceeding in law or equity, all covenants and restrictions imposed by this declaration or any amendment thereof. Failure to insist upon strict performance of any covenant or strict adherence to any restriction shall not be deemed a waiver of the right to insist upon enforcement thereafter.

ATTORNEYS' FEES

In any litigation or proceeding to enforce any of the restrictions or covenants contained in this declaration, the substantially prevailing party shall be entitled to recover from the non-prevailing party its costs, including a reasonable attorney's fee.

COVENANTS TO RUN WITH THE LAND

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 properties described herein, and their heirs, successors and assigns shall take said property together with the easement for ingress, egress, and utilities described herein and subject to this easement.



Dated May 8th, 2004.

Brian Arbogast
BRIAN ARBOGAST

Valerie Tarico
VALERIE TARICO

STATE OF WASHINGTON)

: ss.

COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that BRIAN ARBOGAST and VALERIE TARICO are the persons who appeared before me, and said persons acknowledged that they signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in this instrument.

Dated May 8th, 2004.



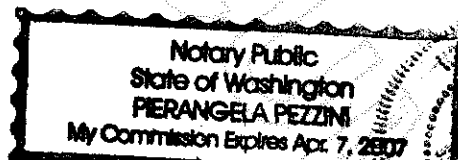
K.G. Crandall
Print Name: K.G. CRANDALL
NOTARY PUBLIC in and for the State of
Washington, residing at SEATTLE

My appointment expires: 06-09-07

SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax

JUL 08 2004

Amount Paid \$ 0
By: [Signature] Skagit County Treasurer
Deputy



Pierangela Pezzini
Pierangela Pezzini
Residing @ Woodinville
4-07-07 expiration

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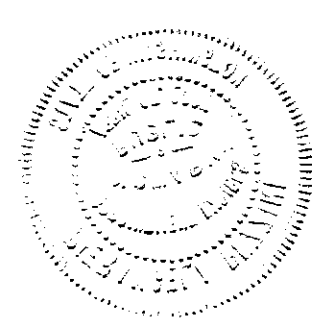
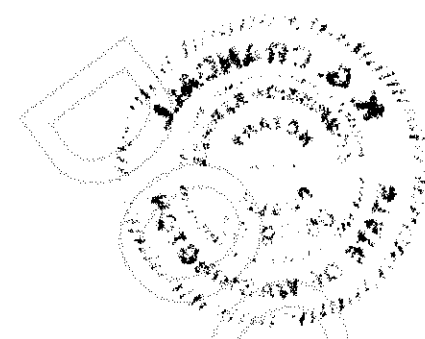
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UNOFFICIAL DOCUMENT

1991

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EXHIBIT A

Lots 1 and 2, Skagit County Short Plat No. PL 00-0426, as approved November 6, 2003, and recorded November 7, 2003, under Auditor's File No. 20031070095, records of Skagit County, Washington, being a portion of the Section 9 and 10, Township 36 North, Range 1 East of the Willamette Meridian.

Situate in Skagit County, Washington.



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EXHIBIT B
Easement Area

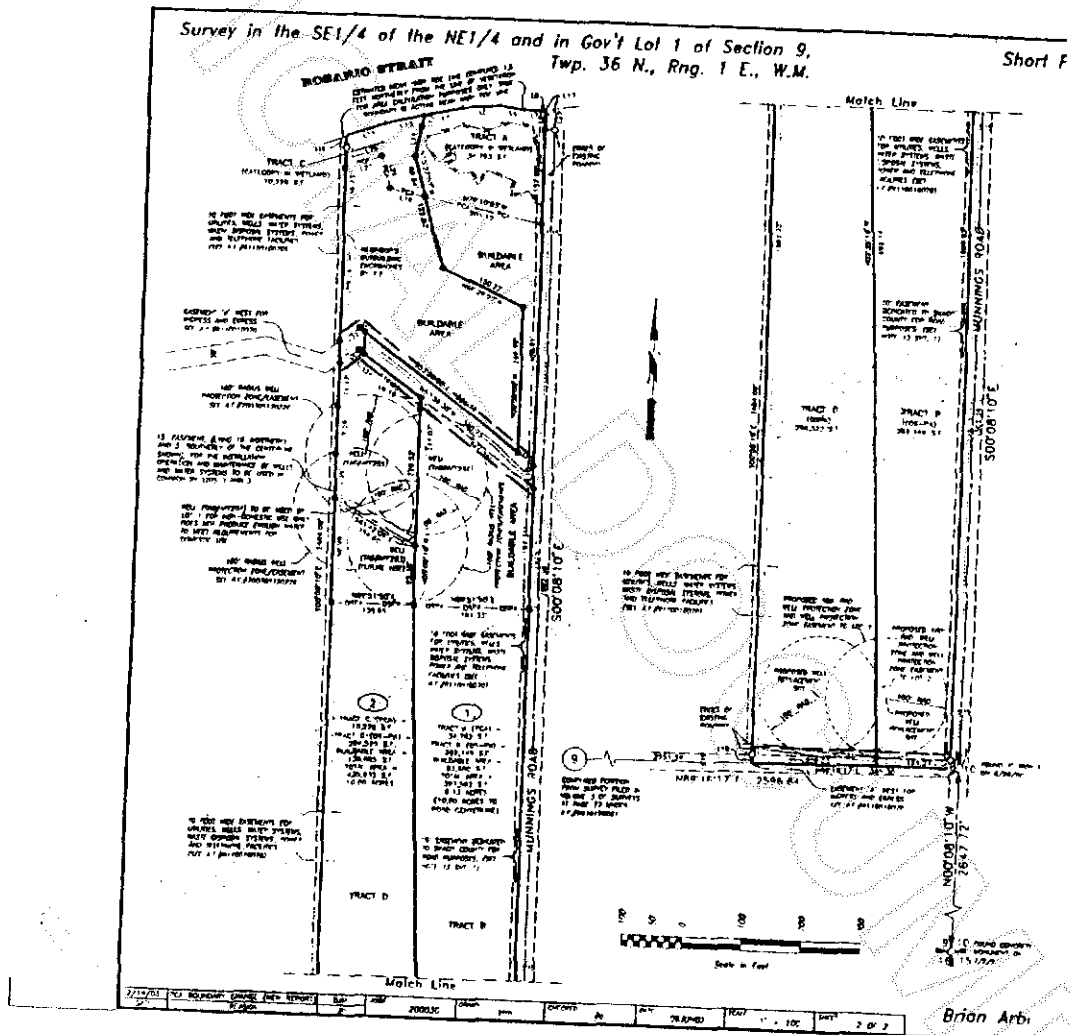
A supplemental easement totaling twenty (20) feet in width, ~~ten~~ (10) feet on the north and ten (10) feet on the south), along those portions of the first two courses of the thirty (30) foot wide easement described as Easement "A" - West, in A.F.#8110010070 which lie within Short Plat No.PL 00-0426, recorded under Auditor's File No.200311070095; this supplemental easement is to be aggregated with the existing thirty foot easement resulting in a fifty (50) foot wide easement;

TOGETHER WITH a supplemental easement ten (10) feet in width, on the north side of and along that portion of the final course of the thirty (30) foot wide easement described as Easement "A" - West, in A.F.#8110010070 which lies within Short Plat No.PL 00-0426, recorded under Auditor's File No.200311070095; this supplemental easement is to be aggregated with the existing thirty foot easement resulting in a forty (40) foot wide easement;

Situate in Skagit County, Washington.



EXHIBIT C Sketch



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