

AFTER RECORDING RETURN TO:

Name Bradford Holdings, LLC

Address 200 West Gate Street

City, State, Zip Mount Vernon, WA 98273



200408120098
Skagit County Auditor

8/12/2004 Page 1 of 10 12:50PM

Abbrev. Leg. Ptn SE1/4 of Sec 5, T36N, R3E, WM
Tax Acct. Nos. 360305-4-001-0100/P96130; 360305-4-001-0100/P115524
Grantor Barthold, John Larry, and Fleming, Carol Ann
Grantee Bradford Holdings, LLC

**AGREEMENT FOR EASEMENTS
AND
RESTRICTIVE COVENANTS**

This Agreement for Easements and Restrictive Covenants ("Agreement") is made by and between John Larry Barthold and Carol Ann Fleming, husband and wife (referred to hereafter collectively as "Grantor" or "Barthold/Fleming") and Bradford Holdings LLC, a Washington limited liability company, (referred to hereafter as "Grantee" or "Bradford") as follows:

RECITALS

A. John Larry Barthold and Carol Ann Fleming, husband and wife are the owners of the property fully described on EXHIBIT A, which is attached hereto and by this reference incorporated herein, hereafter described as the "Barthold/Fleming Property."

B. Bradford Holdings, LLC, a Washington limited liability company, is the owner of property fully described on EXHIBIT B, which is attached hereto and by this reference incorporated herein, hereafter described as the "Bradford Property."

ACCESS AND UTILITY EASEMENT

GRANTORS, John Larry Barthold and Carol Ann Fleming, husband and wife, in consideration of the mutual agreements, covenants and easements herein, the sufficiency of which is acknowledged by Grantor, and for no monetary consideration, hereby grant to Bradford Holdings, LLC, a Washington limited liability company, a nonexclusive

Barthold/Fleming-Bradford Easement -- 1

easement for ingress, egress, and utilities over, under and through that portion of the Barthold/Fleming property described on EXHIBIT C, which is attached hereto and incorporated by this reference, hereafter referred to as the "Access and Utility Easement Area." The easement is granted for the benefit of the Bradford Property, which is described on EXHIBIT B, and to any adjoining real property that may be acquired by the owners of the Bradford Property, their successors or assigns. Notwithstanding the foregoing, Grantor agrees that the physical space within the Access and Utility Easement Area actually occupied by authorized underground improvements (such as buried utility cables), plus an area within three feet on all sides of such improvements, shall be reserved for the exclusive use of the Grantee, its successors and assigns.

Barthold/Fleming and Bradford agree and covenant as follows:

The owners of the properties benefited by, and subject to the access and utility easement, and their respective heirs, successors and assigns shall take said property with the benefit of the easement.

Grantor has requested that the security gate previously installed by Grantee within the easement area be removed. Grantee has committed to remove the security gate within sixty days of the execution of this Agreement. In the event Grantee has not removed the security gate within the 60 days, Grantee agrees that Grantor may do so, at its cost.

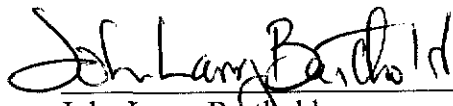
Maintenance of the road easement shall be the responsibility of Bradford, or its successors or assigns as owner of the Bradford Property.

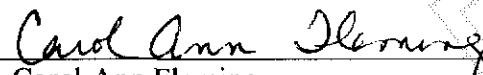
Bradford agrees to indemnify and hold the Grantor harmless from any claims for damages or injuries arising out of use of the easement by the Grantee, the Grantee's guests, invitees, licensees, or agents.

COVENANTS TO RUN WITH THE LAND

The covenants and easements contained herein shall run with the land and shall be binding on, and inure to the benefit of, the parties hereto, their heirs, successors or assigns, and all subsequent owners of the properties described herein.

^{August}
Dated ~~July~~ 3, 2004


John Larry Barthold


Carol Ann Fleming

Barthold/Fleming-Bradford Easement -- 2



200408120098
Skagit County Auditor

Bradford Holdings, LLC, by:

David L. Cavanaugh
David L. Cavanaugh, Manager



STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that DAVID L. CAVANAUGH is the person who appeared before me, and said person acknowledged that HE signed this instrument, on oath stated that HE was authorized to execute the instrument and acknowledged it as MANAGER of BRADFORD HOLDINGS LLC 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 12 day of Aug., 2004

Kim M. Kerr

Typed/Printed Notary Name Kim M. Kerr

Notary Public in and for the State of Washington, residing at Mt. Vernon

My appointment expires 12/15/05

Easement
SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax

AUG 12 2004

Amount Paid \$0
Skagit County Treasurer
By: M. Deputy

Barthold/Fleming-Bradford Easement - 3



200408120098
Skagit County Auditor

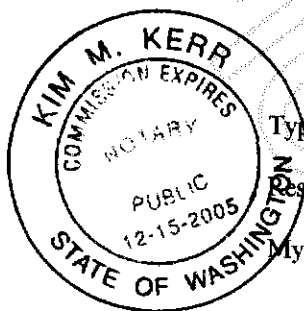
8/12/2004 Page 3 of 10 12:50PM

STATE OF WASHINGTON)

COUNTY OF Skagit) ss

I certify that I know or have satisfactory evidence that JOHN LARRY BARTHOLD 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 mentioned in this instrument.

Dated Aug 6, 2004, 2004



Typed/printed notary name

Kim M. Kerr

Residing at

Mount Vernon

My appointment expires

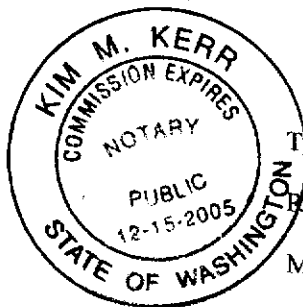
12/15/05

STATE OF WASHINGTON)

COUNTY OF Skagit) ss

I certify that I know or have satisfactory evidence that CAROL ANN FLEMING is the person who appeared before me, and said person acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in this instrument.

Dated August 6, 2004



Typed/printed notary name

Kim M. Kerr

Residing at

Mount Vernon

My appointment expires

12/15/05



EXHIBIT A
Description of Barthold/Fleming Property
(The Servient or Burdened Estate)

All that portion of the Southeast $\frac{1}{4}$ of Section 5, Township 36 North, Range 3 East W.M., being more particularly described as follows:

Beginning at the Southeast corner of said Southeast $\frac{1}{4}$ of Section 5, thence North 2 degrees 15' 57" East along the East line of said Southeast $\frac{1}{4}$, 1664.46 feet, thence leaving said East line North 89 degrees 03' 49" West, 810.22 feet, to the true point of beginning; thence continuing North 89 degrees 03' 49" West, 321.90 feet;
Thence South 2 degrees 15' 57" West, 616.58 feet'
Thence South 45 degrees 0' 00" West 671.47 feet;
Thence North 89 degrees 13' 20" West, 358.68 feet;
Thence North 67 degrees 13' 32" West, 77.50 feet;
Thence North 23 degrees 55' 21" East, 1530.92 feet;
Thence South 80 degrees 03' 49" East, 643.81 feet;
Thence South 2 degrees 15' 57" West, 338.38 feet to the true point of beginning.

TOGETHER WITH all beneficial rights of ingress, egress and utilities contained in the Declaration of Covenants, Conditions, Restrictions, Easement and Road Maintenance as recorded September 27, 1989, under Auditors File No. 8909270044.

Situate in the County of Skagit, State of Washington.



200408120098

Skagit County Auditor

8/12/2004 Page

5 of

10 12:50PM

EXHIBIT B
Description of the Bradford Property
(The Dominant or Benefited Estate)

Parcel "A":

All that portion of the Southeast $\frac{1}{4}$ of Section 5, Township 36 North, Range 3 East, W.M., being more fully described as follows:

Beginning at the Southeast corner of said Southeast $\frac{1}{4}$ of Section 5;
Thence North 2 degrees 15' 57" East along the east line of said Southeast $\frac{1}{4}$
2122.87 feet to the true point of beginning;
thence North 89 degrees 03' 49" West, 1519.19 feet;
thence South 36 degrees 00' 00" West, 753.36 feet;
thence North 89 degrees 03' 49" West 239.01 feet;
thence North 12 degrees 00' 00" West 275 feet;
thence North 36 degrees 00' 00" East 814.61 feet;
thence South 89 degrees 03' 49" East 1791.96 feet to a point on the east line of
said Southeast $\frac{1}{4}$;
thence South 2 degrees 15' 57" West, along said east line, 318.25 feet to the true
point of beginning.

(Also known as "Proposed Parcel 7" of that Survey recorded June 11, 1993 under Skagit
County Auditor's File No. 9306110050)

Parcel "B":

TOGETHER WITH a non-exclusive easement for road purposes over and across an
existing 40 foot road in the East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 8, and the Southwest $\frac{1}{4}$
of the Southwest $\frac{1}{4}$ of Section 9 in said Township 36 North, Range 3 East, W.M., as
more particularly set forth in that document dated August 10, 1973 and recorded
September 14, 1973, under Auditor's File No. 790797.

TOGETHER WITH a non-exclusive easement for road purposes over a 40 foot strip of
land in the West $\frac{1}{2}$ of the West $\frac{1}{2}$ of Section 9, Township 36 North, Range 3 East, W.M.
as more particularly set forth in that document dated June 30, 1984, recorded July 19,
1984 under Auditor's File No. 8407190064.

TOGETHER WITH a non-exclusive easement for ingress, egress and utilities, over and
across a strip of land 60 feet in width, as described in that agreement recorded August 30,
1991 as Auditor's File No. 9108300086, records of Skagit County, Washington.

Barthold/Fleming-Bradford Easement -- 6



200408120098
Skagit County Auditor

UNOFFICIAL DOCUMENT

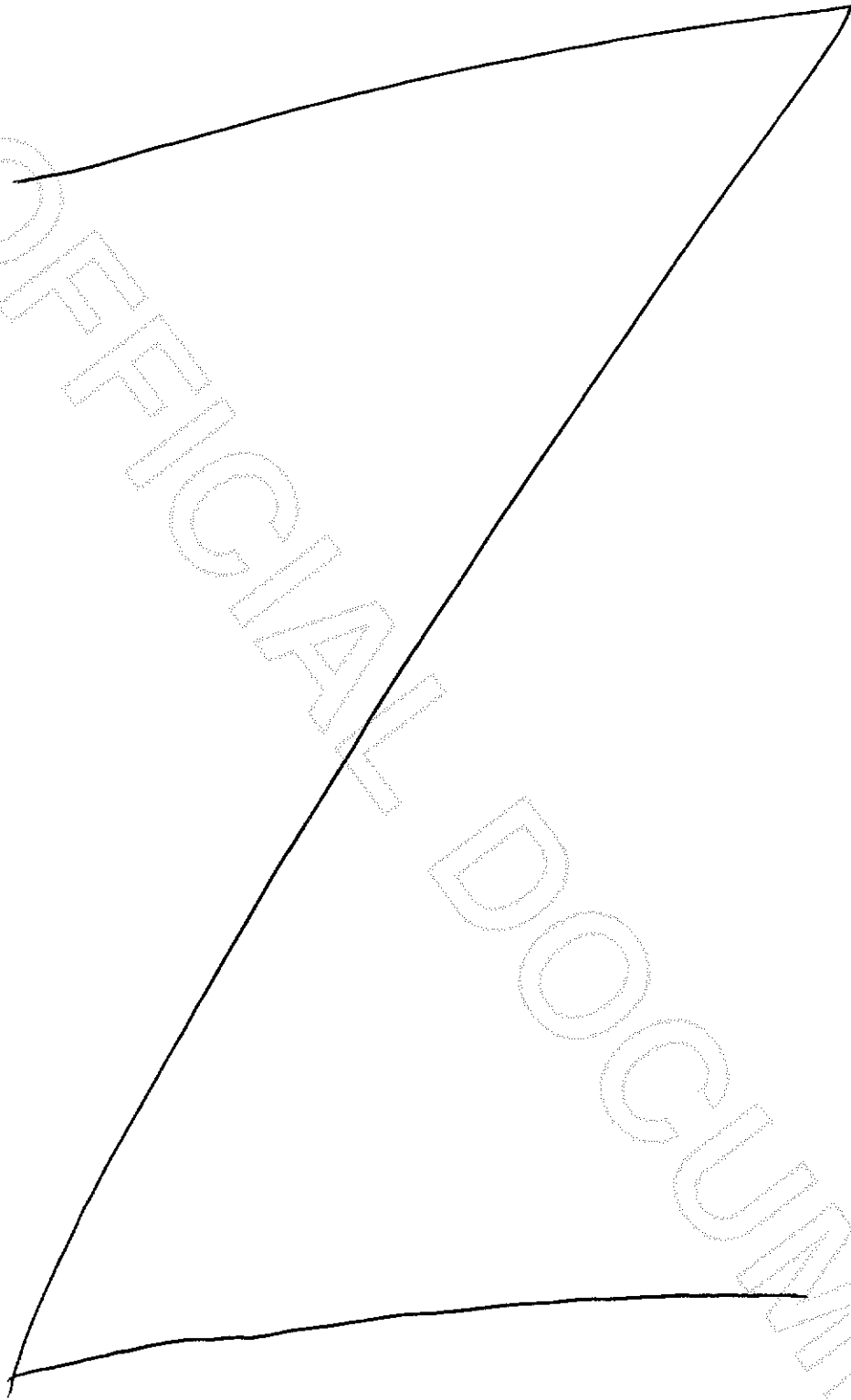
TOGETHER WITH non-exclusive easement for ingress, egress and utilities, over and across a strip of land 60 feet in width, as described in that agreement recorded December 6, 1991 as Auditor's File No. 9108300086, records of Skagit County, Washington



200408120098

Skagit County Auditor

UNOFFICIAL DOCUMENT



Barthold/Fleming-Bradford Easement -- 8



200408120098

Skagit County Auditor

8/12/2004 Page

8 of

10 12:50PM

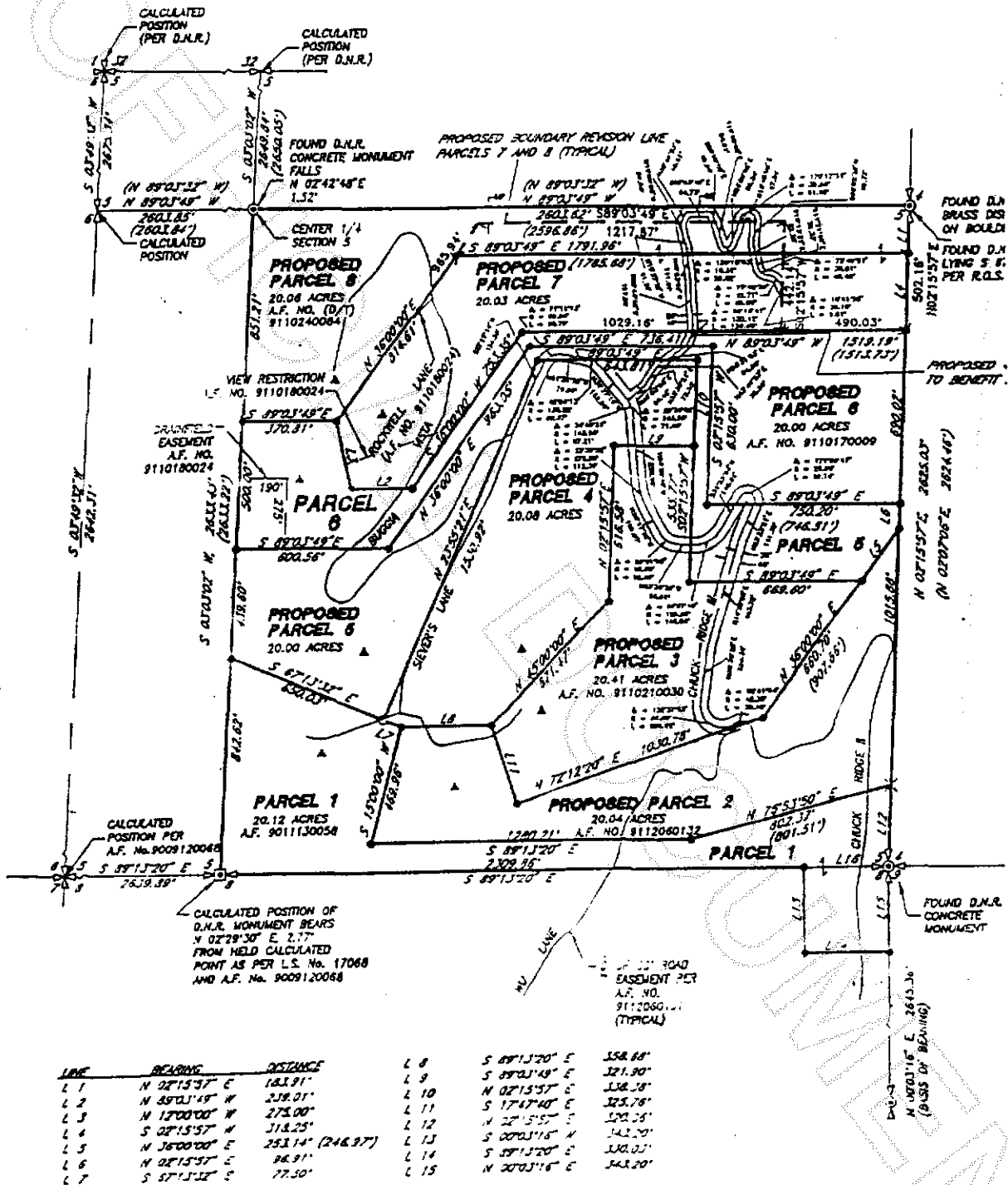
EXHIBIT C
Access and Utility Easement Area

The easement is granted within that portion of Grantor's property described on EXHIBIT A, above, located within a forty foot strip of land running in a generally northeasterly direction across a portion of the Grantor's property as described and delineated on that Survey recorded in Volume 14 of Surveys, page 105, under Auditor's File No. 930611050, records of Skagit County, Washington, and referred to on said survey as "Proposed 40' Access Easement to Benefit Revised Parcels 7 and 8."



EXHIBIT D

Illustration of Easement



Barthold/Fleming-Bradford Easement -10



200408120098

Skagit County Auditor