

Requested by:

Morgan Brown & Jay
One Boston Place Ste 1616
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Michael A. Winslow
Attorney at Law
411 Main Street
Mount Vernon, Washington 98273



200408190052
Skagit County Auditor

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EASEMENT FOR BUILDING PLACEMENT

GRANTOR: James M. Paulson, a single man.

GRANTEES: George Terek and Margarita D. Rodionova-Terek, husband and wife.

LEGAL DESCRIPTION: Lot 1, Block 1, RESINK-WHIPPLE SALMON BEACH TRACTS, according to plat thereof recorded in Volume 5 of Plats, Page 56, records of Skagit, County.

Additional Legal Description attached as Exhibit A

**ASSESSOR'S PROPERTY TAX
PARCEL OR ACCOUNT NO.**

P68457 (3983-001-001-0002)

REFERENCE #s OF DOCUMENTS ASSIGNED/RELEASED: none
EASEMENT:

This agreement is made this 17th day of August, 2004, by and between James M. Paulson (hereinafter "Grantor") and George Terek and Margarita D. Rodionova-Terek, husband and wife (hereinafter referred to as "Grantees").

- A. Easement. The Grantor hereby grants to the Grantees a non-exclusive easement (the "easement") over and upon Grantor's property described in Paragraph B. Said easement shall be for the sole purpose of allowing continued use of the area upon which Grantees and their predecessors in interest have placed a garden shed and sauna building and for the maintenance of said buildings in their current location. The said easement is appurtenant to Grantees' property described in Exhibit A. The map set forth on Exhibit B, is provided to show the intent of the parties with respect to the location of the buildings and easement area.
- B. Easement Area Description. Portion of Lot 1, Block 1, RESINK-WHIPPLE SALMON BEACH TRACTS, according to plat thereof recorded in Volume 5 of Plats, Page 56, records of Skagit, County described as follows:

A strip of land, 25 feet in length, by one foot in width, running lengthwise and contiguous with the westerly boundary of the Grantor's property, said 25 foot long strip commencing its northerly boundary a distance of 77.3 feet southerly of the northwest corner of Grantor's parcel.

C. Consideration. The consideration for this agreement are the mutual agreements of the parties for reciprocal easements as stated in that written agreement last dated January 18, 2004 and the agreements stated herein.

D. Cost of Maintenance. Except as defined herein below, Grantees shall bear and promptly pay all costs and expenses of maintenance of improvements installed by or upon the request of the Grantees. To this end, Grantees shall not allow any lien to come against the property of the Grantor for any purpose permitted under RCW 60.04 or similar replacement statute.

E. Compliance with Laws and Rules. Grantees, shall at all times exercise their rights and responsibilities under this agreement in accordance with the requirements of (and as from time to time may be amended) all applicable statutes, orders, rules, and regulations of any public authority having jurisdiction over the subject property.

F. Release and Indemnity. The Grantees do hereby release, indemnify, and promise to defend and save harmless the Grantor and his successors in interest from and against any and all liability, loss, damage, expense, actions, and claims, including costs and reasonable attorney fees incurred by Grantor or his successors in interest in defense thereof, asserted or arising directly or indirectly on account of or out of acts or omissions of Grantees and Grantees' servants, agents, employees, and contractors in the exercise of rights granted herein, including, but not limited to, claims and actions brought by employees of Grantees' agents and contractors.

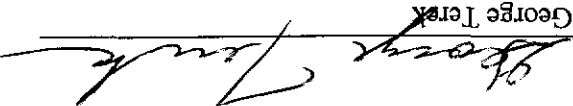
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

AUG 18 2004

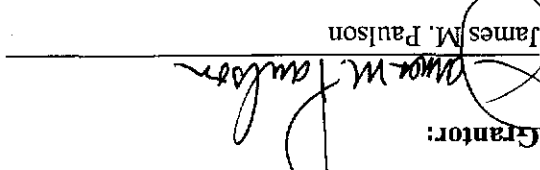
Amount Paid \$
By  Deputy
Skagit Co. Treasurer

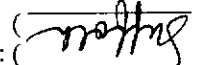
Margaret D. Rodionova-Terek

Grantees:


George Terek

Grantor:


James M. Paulson

State of Massachusetts
County of Suffolk
ss: 

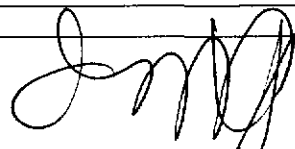
I certify that I know or have satisfactory evidence that James M. Paulson is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes in the instrument.

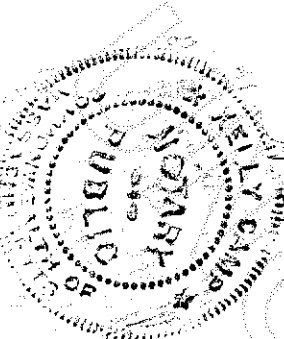
Dated: August 17, 2004.

KELLY M. CAMP
NOTARY PUBLIC
MY COMMISSION EXPIRES JULY 2, 2010

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Skagit County Auditor
Barcode

My appointment expires: _____
_____, Notary Public

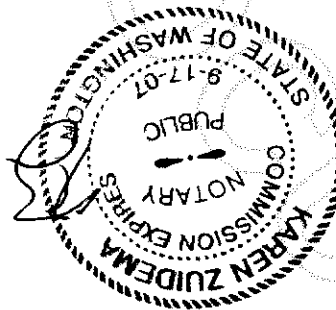




State of Washington)
County of Skagit)
) ss)

I certify that I know or have satisfactory evidence that George Terek and Margarita D. Rodionova-Terek, husband and wife, 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 in the instrument.

Dated: 8/14, 2004.



Karen Zuidema, Notary Public
My appointment expires: 9/17/07

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The land referred to herein is situated in the County of SKAGIT, State of Washington, and is described as follows:

PARCEL "A":

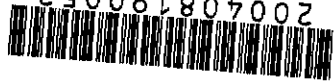
A portion of Block 221, and that portion of vacated Highland Avenue lying easterly of Block 221, "PLAT OF FIDALGO CITY", according to the plat thereof recorded in Volume 2 of Plats, Page 113, records of Skagit County, Washington, described as follows:

Beginning at the Northeast corner of Block 221 of said Plat of Fidalgo City; thence South 1 degree 04' East along the East line of said Block 221, a distance of 152.97 feet to the true point of beginning; thence South 26 degrees 25' East, a distance of 78.66 feet to the East line of vacated Highland Avenue (being the West line of vacated Doris Street in the Plat of Salmon Beach Tracts, according to the plat thereof recorded in Volume 5 of Plats, Page 55, records of Skagit County, Washington; thence South 0 degrees 49' West along the East line of vacated Highland Street, a distance of 82.03 feet; thence North 17 degrees 20' 28" West, a distance of 154.38 feet; thence North 67 degrees 15' 00" East, a distance of 13.22 feet to the true point of beginning.

PARCEL "B":

That portion of vacated Highland Avenue, in the Plat of "CITY OF FIDALGO SKAGIT COUNTY & TERRITORY OF WASHINGTON", according to the plat thereof recorded in Volume 2 of Plats, Page 113, records of Skagit County, Washington, described as follows:

Beginning at a point on the East line of Block 221 of said Plat of Fidalgo City, said point South 1 degree 04' East, a distance of 152.97 feet from the Northeast corner of said Block 221; thence North 49 degrees 43' East, a distance of 47.77 feet to a point on the Westerly line of Doris Street as shown on the plat of Rensink-Whipple Salmon Beach Tracts, according to the plat thereof recorded in Volume 5 of Plats, Page 55, records of Skagit County, Washington; thence South 0 degrees 49' West along the West line of said Doris Street, a distance of 101.35 feet; thence North 26 degrees 25' West, a distance of 78.66 feet to the point of beginning.



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EXHIBIT

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TOGETHER WITH tidelands of the second class situate in front of, adjacent to and abutting upon said premises.

Tract A, "RENSINK-WHIPPLE SALMON BEACH TRACTS", according to the plat thereof recorded in Volume 5 of Plats, Page 55, records of Skagit County, Washington;

PARCEL "E":

ALSO EXCEPT that portion thereof lying west of the west line of Doris Street, as shown on said plat of "RENSINK-WHIPPLE SALMON BEACH TRACTS."

EXCEPT that portion thereof lying with the boundaries of Parcel "C", described above;

Beginning at the Northwest corner of Tract A of "RENSINK-WHIPPLE SALMON BEACH TRACTS", according to the plat thereof recorded in Volume 5 of Plats, Page 55, records of Skagit County, Washington; thence west across vacated Doris Street, vacated Highland Street, and Block 221 all in the plat of Hidalgo City, to the west line of said Block 221; thence south a distance of 16 feet; thence east across said Block 221, vacated Highland Street and vacated Doris Street to the west line of said Tract A; thence North 16 feet to the point of beginning.

An easement for the purpose of ingress and egress over a certain roadway within the following described tract:

PARCEL "D":

All that portion of vacated Doris Street as shown on the plat of "RENSINK-WHIPPLE SALMON BEACH TRACTS", according to the plat thereof recorded in Volume 5 of Plats, Page 55, records of Skagit County, Washington, and as vacated November 20, 1961, under Skagit County Commissioners Resolution No. 3118.

PARCEL "C":



That portion of Block 221 and of the vacated alley in said Block 221 and of vacated Front Street lying south of said Block 221 and of vacated Highland Street lying East of said Block 221 in "CITY OF FIDALGO SKAGIT COUNTY & TERRITORY OF WASHINGTON" according to the plat thereof recorded in Volume 2 of Plats, Page 113, records of Skagit County, Washington, described as follows:

PARCEL "G":

Beginning at the Northwest corner of said Block 221; thence South along the West line of said Block 221, a distance of 195.19 feet to the true point of beginning for this description; thence East, 70.00 feet; thence North 80 degrees 55' East, 91.14 feet; thence North 68 degree 19' East, 75.35 feet to the East line of said Block 221; thence North 48 degrees 39' East, 47.77 feet to the West line of Port's Street as shown on plat of "RENSINK-WHIPPLE SALMON BEACH TRACTS", according to the plat thereof recorded in Volume 5 of Plats, Page 55, records of Skagit County, Washington; thence North 1 degree 53' East along the West line of Port's Street extended (plat course is North 0 degrees 49' East), a distance of 27.47 feet; thence South 48 degrees 39' West, 63.16 feet; thence South 68 degrees 19' West, 69.63 feet; thence South 80 degrees 55' West, 87.344 feet; thence West, 68.411 feet to the West line of Block 221; thence South, 20.00 feet to the true point of beginning, being a strip of land 20 feet in width.

That portion of Block 221, and vacated alley and Highland Avenue, plat of CITY OF FIDALGO SKAGIT COUNTY AND TERRITORY OF WASHINGTON", according to the plat thereof recorded in Volume 2 of Plats, Page 113, records of Skagit County, Washington, described as follows:

A non-exclusive easement, right over, across and upon the following described property:

PARCEL "F":

EXHIBIT

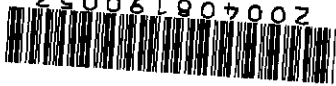
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Beginning at a point on the west line of said Block 221, a distance of 144.81 feet North of the southwest corner thereof; thence East, 70.0 feet; thence North 80 degrees 55', East, 45.57 feet to the centerline of the vacated alley in said Block 221 and the true point of beginning of this description; thence North 80 degrees 55', East, 45.57 feet; thence North 68 degrees 19', East, 62.13 feet, more or less, to the westerly line of that certain tract conveyed to L. Allen Perkins and Norma Perkins, husband and wife, by Deed dated June 27, 1966, and recorded under Auditor's File No. 684709, records of Skagit County, Washington; thence South 16 degrees 16', 28" East along the westerly line of said Perkins Tract to the meander line or the line of extreme high tide (whichever is furthest out); thence Westerly along said meander line or line of extreme high tide to a point that bears South 9 degrees 05', East from the true point of beginning; thence North 9 degrees 05', West to the true point of beginning.



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EXHIBIT

LEGEND

- IRON PIPE FOUND
- EXISTING REBAR FOUND

REFERENCES

1. RENSINK-WHIPPLE SALMON BEACH TRACTS RECORDED IN VOL. 5, PG. 55, RECORDS OF SKAGIT COUNTY, WASHINGTON.
2. THE LOCATION AND/OR EXISTENCE OF UTILITY SERVICE LINES TO THE PROPERTY SURVEYED ARE UNKNOWN AND ARE NOT SHOWN.
3. WHETHER THE ROADWAY SHOWN HEREON IS A PUBLIC WAY OR NOT, IS NOT KNOWN BY NORTHWEST DATUM & DESIGN, INC.
4. THIS SURVEY IS NOT INTENDED TO BE A PROPERTY SURVEY.
5. THE PURPOSE OF THIS SURVEY IS TO SHOW EXISTING FEATURES IN RELATION TO PROPERTY MARKERS AS IS PRESENTLY FOUND IN THE GROUND.
6. LANDSLIDE MOVEMENTS MAY HAVE AN IMPACT ON THE PRESENT PROPERTY BOUNDARY LOCATIONS. LANDSLIDE IMPACTS HAVE NOT BEEN INVESTIGATED IN SUFFICIENT DETAIL TO DEFINE LEGAL PROPERTY BOUNDARIES.

NORTHWEST DATUM & DESIGN

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Lot 1 of RENSINK-WHIPPLE SALMON BEACH TRACTS
 SECTION 18, TOWNSHIP 34, RANGE 02E
 for
JAMES PAULSON

GRAPHIC SCALE
 1" = 20 FT.
 1 inch = 20 ft.

DOUGLAS E. SCHWIND
 PROFESSIONAL LAND SURVEYOR
 28023
 EXPIRES 12/19/06

