

AFTER RECORDING MAIL TO:

Whidbey Island Bank
P.O. Box 302
Burlington, WA 98233

#919095687



200410140108

Skagit County Auditor

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CHICAGO TITLE CO.

ACCOMMODATION RECORDING

Chicago Title Company has placed
this document for recording as a
customer courtesy and accepts no
liability for its accuracy or validity

DECLARATION OF EASEMENT

Declarations

WHEREAS, Whidbey Island Bank is the legal owner in fee simple of the parcel of record described as Lots 11 through 17, Block 1, Town Plat of Edison, according to the Plat thereof, recorded in Volume 1 of Plats, page 7, records of Skagit County, Washington, being a portion of Government Lot 3, Section 33, Township 36 North, Range 3 East of W.M. (Tax Parcel No. P72950), hereinafter referred to as "LOT 1";

WHEREAS, Whidbey Island Bank is also the legal owner in fee simple of the parcel of record described as Lots 9 and 10, Block 1, Town Plat of Edison (Haller's Addition), according to the Plat thereof recorded in Volume 1 of Plats, page 7, records of Skagit County, Washington, being a portion of Government Lot 3, Section 33, Township 36 North, Range 3 East of W. M. (Tax Parcel No. P72949) hereinafter referred to as "LOT 2";

WHEREAS, in consideration of the sale of Lot 1 from Whidbey Island Bank to JJM Bow, L.L.C., and for no monetary consideration, JJM Bow, L.L.C., intends to grant to Lot 2 and easement in which they covenant not to use for any purpose or to place any objects or structures of any kind, including fencing, on the southern most ten feet (10ft.) of Lot 1, the granting of such easement to occur simultaneously with JJM Bow, L.L.C.'s purchase of Lot 1. The purpose of this easement is to provide the owners of Lot 2 with privacy and a buffer from any activities that take place on Lot 1;

WHEREAS, the owner s of Lot 1 make such real property, and shall convey the same, subject to the easement hereafter set forth, which easement shall run with the real property and shall be binding on all parties having or acquiring any right, title, or interest in such real property, or any portion affected hereby, and shall inure to the benefit of Lot 2, or any portion thereof, and such owners' heirs successors and assigns;

Grant of Easement

The owners of Lot 1 hereby grant to Lot 2 an exclusive perpetual easement for setback and buffer over and across the southern most ten feet (10ft.) of Lot 1. The owners of Lot 1 hereby covenant not to place objects of any kind, including logs or debris of any kind, on the southern most ten feet (10 ft.) of Lot 1. The owners of Lot 1 also covenant not to place structures of any kind, including fencing on the southern most ten feet (10 ft.) of Lot 1. The purpose of this easement is to provide the owners of Lot 2 with privacy and a permanent buffer from any activities that take place on Lot 1. The owners of Lot 2 shall have the right and obligation to perform routine maintenance on the southern most ten feet (10 ft.) of Lot 1 and hereby covenant to do so.

General Provisions

Counterparts. This document may be executed in counterparts, with the separate signature pages attached to form a single document.

This document shall be interpreted according to the laws of the State of Washington.

SELLER: Whidbey Island Bank

By: [Signature]
Name: R.E. Blomberg
Title: S.V.P.
Date: 10/18/04

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

OCT 14 2004

Amount Paid
By Skagit Co Treasurer Deputy
[Signature]

BUYER: JJM Bow, L.L.C.

By: Max LAUBERT
Name: [Signature]
Title: MANAGER
Date: 10-19-04



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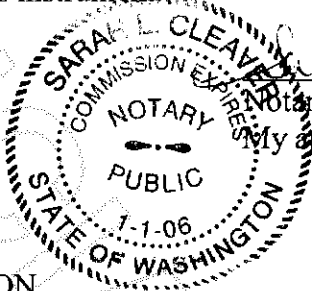
Skagit County Auditor

STATE OF WASHINGTON

County of Skagit

I certify that I know or have satisfactory evidence that Dick Blomberg/ SVP
Appeared before me and acknowledged that he/she signed this instrument, on oath stated
that he/she was authorized to execute the instrument and acknowledged it as an officer of
Whidbey Island Bank to be the free and voluntary act of such party for the uses and
purposes mentioned in this instrument.

Dated: 10/8/04



Notary Public

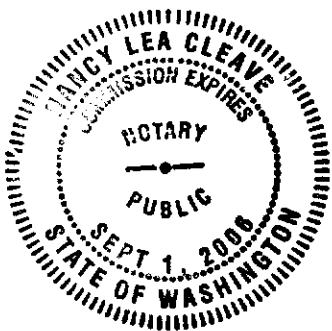
My appointment expires: 1-1-06

STATE OF WASHINGTON

County of Skagit

I certify that I know or have satisfactory evidence that Max A. Taubert
Appeared before me and acknowledged that he/~~she~~ signed this instrument, on oath stated
that he/~~she~~ was authorized to execute the instrument and acknowledged it as an officer of
JJM Bow, L.L.C., to be the free and voluntary act of such party for the uses and purposes
mentioned in this instrument.

Dated: 10/13/04



Notary Public

Nancy Lea Cleave

My appointment expires: 9/1/06



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