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200412230008

Skagit County Auditor

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Parcel No.: 351107-0-015-0001/P45890; 351107-0-013-0004/P45886
Legal Desc.: Ptn Gov. Lots 4 & 5, 7-35-11

LAND TITLE OF SKAGIT COUNTY **EASEMENT AGREEMENT**
m-14918 With
JOINT MAINTENACE PROVISIONS

THE GRANTORS, Howard Clark and Judy Clark, husband and wife, and Connie Clark, as her separate property, for and in consideration of Granting of Easement rights and no other consideration, convey to Fran Little, L.L.C., a Washington limited liability company, **THE GRANTEE**, and to its successors and assigns in ownership of the property described on Exhibit "B" attached hereto, a non-exclusive easement for ingress, egress and utilities over, under and across the following described tract:

As attached hereto as Exhibit "A"

Grantor and Grantee hereby covenant and agree, one with the other, that all maintenance and repair of the roadway described on Exhibit "A" attached hereto, and any future subdivision thereof, shall be shared between the parties hereto, their heirs, successors and assigns, in direct proportion to their relative use of said roadway.

The parties hereto further covenant and agree that should there be a disagreement as to the necessity of any maintenance or repair, each party shall select a licensed engineer, who together will select a third licensed engineer, and they shall determine whether the disputed maintenance or repair is required to maintain the roadway in a safe and passable manner. The costs of said engineers shall be born exclusively by the non-prevailing party.

The parties hereto further covenant and agree that this agreement shall be binding upon themselves, their heirs, successors and assigns and shall be a covenant running with the lands described herein.

This Easement Agreement With Joint Maintenance Provisions is executed the 6 day of December, 2004.

Howard Clark
Howard Clark

Judy Clark
Judy Clark

Connie Clark
Connie Clark

David P. Geerts
David P. Geerts, Managing Member
Fran Little, L.L.C.

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

DEC 22 2004

Amount Paid
By Skagit Co. Treasurer Deputy

STATE OF WASHINGTON }
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County of Skagit }

I certify that I know or have satisfactory evidence that Connie Clark 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 this 8 day of December, 2004.

Karan J Thorsen

Notary Public in and for the
State of Washington, residing at
Burl

My appointment expires 3-1-05

STATE OF WASHINGTON }
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County of Skagit }

I certify that I know or have satisfactory evidence that Howard Clark and Judy Clark 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 this 6 day of December, 2004.

Karan J Thorsen

Notary Public in and for the
State of Washington, residing at
Burl

My appointment expires 3-1-05

STATE OF }
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County of }

I hereby certify that I know or have satisfactory evidence that David P. Geerts is the person who personally 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 the Managing Member of Fran Little, L.L.C., to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Dated this 16th day of December, 2004.

Billy J. Pulsifer

Notary Public in and for the State of ~~Washington~~, residing at Muskegon County

michigan

My appointment expires 5-11-2007



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Exhibit "A"

A non-exclusive easement for ingress, egress and utilities over, under and across a strip of land 50 in width lying adjacent to and Southerly, Westerly and Southerly of the North line of Lot B, Short Plat No. PL-03-0078, approved November 22, 2004 and recorded November 29, 2004 under Auditor's File No. 200411290178, records of Skagit County, Washington, being a portion of Government Lots 4 and 5, Section 7, Township 35 North, Range 11 East, W.M., said easement terminating at the West line of said Lot B.

Situate in the County of Skagit, State of Washington.



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Exhibit "B"

That portion of the East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 12, Township 35 North, Range 10 East, W.M., described as follows:

Beginning at the Northeast corner of said Section;
thence South along the East line of said Section 595.81 feet to the true point of beginning;
thence South $0^{\circ}48'06''$ West, 1,844.67 feet;
thence North $88^{\circ}30'58''$ West, 1,334.58 feet, more or less, to the West line of said East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$;
thence North $1^{\circ}01'42''$ East, 1,837.11 feet;
thence North $32^{\circ}51'26''$ East, 51.01 feet;
thence South $86^{\circ}55'40''$ East, 1,301.16 feet to the point of beginning,

EXCEPTING THEREFROM the North 20 acres thereof.

TOGETHER WITH a non-exclusive easement for ingress, egress and utilities as set forth in decree filed February 6, 1984, in Skagit County Superior Court Cause No. 83-3-00349-7 over and across the following described property:

The West 440 feet of the South 60 rods of Government Lot 9, Section 7, Township 35 North, Range 11 East, W.M., and also the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, and the South 201.96 feet of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, and the South 14 feet of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$, and that portion of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ as reserved and excepted in deed recorded September 22, 1919, in Volume 114 of Deeds, page 636, described as follows:

Beginning at the Southeast corner of said Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ and running West on the South line thereof, 100 feet;
thence Northeast to the East line of said Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$;
thence South to the point of beginning;

all being in Section 12, Township 35 North, Range 10 East, W.M.

Situate in the County of Skagit, State of Washington.



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