

When Recorded Return to:

Elliott W Johnson Inc PS
711 S. First St
Mount Vernon, WA 98273



200505160224
Skagit County Auditor
5/16/2005 Page 1 of 4 3:13PM

Easement Agreement

Grantor(s): Frederick Silas Butler

Grantee(s): Stanton I. Peterson

Legal Description (abbreviated): Easement in NE S17 T35N R4EWM
and in SE SE S8 T35N R4EWM

Assessor's Tax Parcel Numbers: P36805, P35962, P35961

**Reference (Auditor File Numbers
of Documents extinguished):** AFN: 625866 & 624836

SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax
PAID

MAY 16 2005

Amount Paid
Skagit County Treasurer
By: Deputy

For and in consideration of the termination of Peterson's interest in existing easements on Grantor's property and the mutual benefits derived hereby **Frederick Silas Butler**, a married man as his separate property ("Grantor" or "Butler") bargains, sells, conveys and quit claims to **Stanton I. Peterson**, a single person, ("Grantee" or "Peterson"), including any after acquired title of the Grantor and subject to the limitations contained below, a non-exclusive easement for one (1) single-family residential ingress and egress over, across and through the real estate, situated in the County of Skagit, State of Washington and shown on the attached exhibit drawing and described as follows:

An easement 20 feet in width, being 10 feet on the right and 10 feet on the left of the following described center line:

Commencing at a point on the North line of the Northeast quarter of Section 17, Township 35 North, Range 4 East, W.M., which point bears North 89° 18' 30" West, a distance of

1182.70 feet, from the Northeast corner of said Northeast quarter of Section 17; **thence** South 2° 04' 35" East, a distance of 400.16 feet, to a point on the North right-of-way line of the County Road; **thence** North 38° 30' 25" East, a distance of 279.34 feet to the **TRUE POINT OF BEGINNING** of the Easement centerline description; **thence** North 59° 00' 59" East a distance of 213.08 feet, to the beginning of a curve to the left, said curve having a radius of 72.97 feet; **thence** Northerly along the arc of said curve, through a central angle of 61° 57' 24", an arc distance of 78.91 feet, to a point on the North line of said Northeast quarter of Section 17, said point also lying on the South line of, and 10 feet East of the Southwest corner of, the East 125 feet of the West half of the South half of the Southeast quarter of the Southeast quarter of Section 8, Township 35 North, Range 4 East, W.M., said point being the **TRUE POINT OF ENDING** of said center line;

TOGETHER WITH an easement over, under and across all that portion of said East 125 feet of the West half of the South half of the Southeast quarter of the Southeast quarter of Section 8, Township 35 North, Range 4 East, W.M., and of the Southeast quarter of the Southeast quarter of the Southeast quarter of said Section 8, lying West and North of the following described line: Commencing at said Southwest corner of said East 125 feet; **thence** North 89° 39' 12" East along the South line of said East 125 feet, a distance of 20.03 feet to a point lying 20.00 feet East of, as measured at right angles to, said Southwest corner, said point being the **TRUE POINT OF BEGINNING** of said described line; **thence** North 3° 58' 43" West, parallel with and 20 feet East of, as measured at right angles to, the West line of said East 125 feet, a distance of 591.45 feet to the beginning of a curve to the right, said curve having a radius of 50.00 feet; **thence** Northerly and Easterly along the arc of said curve, through a central angle of 93° 33' 42", an arc distance of 81.65 feet to a point lying 20 feet South of, as measured at right angles to, the North line of said East 125 feet; **thence** North 89° 34' 59" East, parallel with and 20 feet South of, as measured at right angles to, the North line of said East 125 feet, and also parallel with and 20 feet South of, as measured at right angles to, the North line of said Southeast quarter of the Southeast quarter of the Southeast quarter of Section 8, a distance of 702.42 feet to a point on the East line of said Southeast quarter of the Southeast quarter of the Southeast quarter of said Section 8, said point lying 20.06 feet, South 4° 49' 18" East of the Northeast corner of said Southeast quarter of the Southeast quarter of the Southeast quarter of said Section 8, which point is the **TRUE POINT OF ENDING** of said described line.

This Easement is appurtenant to, runs with and is limited to the following described real property:

Parcel A: The East 250 feet of the North 330 feet of the Northwest quarter of the Northeast quarter, plus the West 138.34 feet of that portion of the Northeast quarter of the Northeast quarter lying north of the County Road, all lying in Section 17, Township 35 North, Range 4 East, W.M.

Parcel B: The West half of the South half of the Southeast quarter of the Southeast quarter of Section 8, Township 35 North, Range 4 East W.M., less the East 125 feet thereof; plus the East 250 feet of the South half of the Southwest quarter of the Southeast quarter of



Section 8, Township 35 North, Range 4 East W.M.

Parcel C: The North half of the South half of the Southeast Quarter of Section 8, Township 35 North, Range 4 East W.M.

Limitation on Use of Easement

The above easement is limited to one (1) single-family residential use only and only for those uses consistent with one single-family residential use including access to Peterson's existing appurtenant real estate. This easement may not be assigned or subdivided, in whole or in part and is limited to one single user. In the event that Peterson subdivides, or otherwise develops his property, alternate access must be found for the users of such subdivision or devolvement. Use of the easement shall be, at all times, in a manner that will least inconvenience the use thereof by Butler and Butler's heirs, issue and assigns. Butler reserves the right to relocate, improve or otherwise modify this easement so long as access to Peterson's property, at or near the present access points is maintained.

Extinguishment of Interest in Other Easements

Easement AFN: 625866. For and in consideration of to clear title and the above grant of easement, the receipt and adequacy of which are hereby acknowledged, **Stanton I. Peterson**, a single man as his separate property, conveys and quit claims to **Frederick Silas Butler**, a married man as his separate property all of Peterson's right title and interest in and to the easement dated May 8, 1962 and recorded on September 4, 1962 under Skagit County Auditor's File No. 625866 (being a re-record of document recorded August 8, 1962 under Skagit County Auditor's File No. 624835);

Easement AFN: 624836. For and in consideration of to clear title and the above grant of easement, the receipt and adequacy of which are hereby acknowledged, **Stanton I. Peterson**, a single man as his separate property, conveys and quit claims to **Frederick Silas Butler**, a married man as his separate property all of Peterson's right title and interest in and to that portion of the easement dated April 3, 1962 and recorded on August 8, 1962 under Skagit County Auditor's File No. 624836, lying east of the following described Point A:

Commencing at a point on the North line of the Northeast quarter of Section 17, Township 35 North, Range 4 East, W.M., which point bears North 89° 18' 30" West, a distance of 1182.70 feet, from the Northeast corner of said Northeast quarter of Section 17; thence South 2° 04' 35" East, a distance of 400.16 feet, to a point on the North right-of-way line of the County Road; thence North 38° 30' 25" East, a distance of 279.34 feet to a point hereafter known as **Point A**.

Easement Agreement

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4/12/5 10:19

Elliott W. Johnson Inc. P.S.
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(509) 336-6502 Fax 336-5616
mail Elliott@EWJLaw.com



200505160224
Skagit County Auditor

The parties intend hereby to permanently terminate and extinguish any interest that Peterson, and Peterson's heirs, successors and assigns may have in and to said 1962 easements, except that portion of Easement AFN: 624836 lying between Point A and the North right-of-way of the County Road, known as Kelleher Road.

Dated as of April 28, 2005.

Dated as of April 19, 2005.

Frederick Silas Butler
Frederick Silas Butler,

Stanton I. Peterson
Stanton I. Peterson

State of Washington)
) ss.
County of Skagit)

NOTARY PUBLIC
STATE OF WASHINGTON
PAMELA G. ALDRIDGE
My Appointment Expires Nov 30, 2005

I certify that I know or have satisfactory evidence that Frederick Silas Butler, a married man as his separate property signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 4/28/05

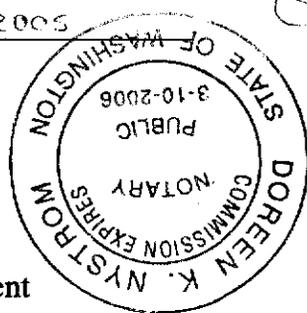
Pamela G. Aldridge
Notary Public
My appointment expires: 11/20/2005

State of Washington)
) ss.
County of Skagit)

I certify that I know or have satisfactory evidence that Stanton I. Peterson, a single man as his separate property, signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: April 19, 2005

Doreen K. Nystrom
Notary Public
My appointment expires: 3-10-06



Easement Agreement

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