Recorded at Request of:
Jack R. Wallace
P.O. Box 372
Burlington, WA 98233

200505310167
Skagit County Auditor
5/31/2005 Page 1 of 8 11:44AM

UNOFFICIAL DOCUMENT

EASEMENT

Grantor(s): **G & D Wallace, Inc.**
Grantee(s): **Harold Green and Dianna Green**
Abbreviated Legal Description: E 60' of W 200" of N 217.5" of S 237.5" of NW ¼ of NE ¼ of S 10, T 35 N, R 3 EWM
Additional legal description on Exhibits A and B of document.
Assessor's Tax Parcel Number(s): **P34004 (Wallace) and P34007 (Green)**

This Easement Agreement is made this 31st day of May, 2005, by and between **G & D WALLACE, INC.**, a Washington Corporation ("Wallace"), and **Harold Green and Dianna Green, husband and wife** ("Green").

RECITALS

A. Wallace is the owner of certain farmland in Burlington, Skagit County, Washington, east of Thomas Road, known as Skagit County Parcel #P34004 and legally described on Exhibit "A" (hereinafter the "Wallace Property"). Green is the owner of certain property contiguous to and immediately west of the Wallace Property, and which is known as Parcel #P34007 and legally described on Exhibit "B" (hereinafter the "Green Property"). Green wants to construct a building on the Green Property, but wants to locate his building within the setback area between his parcel and the Wallace Property.

B. Skagit County has asked Green, as a condition of allowing Green to construct his building too close to the boundary line between the Wallace Property and the Green Property 10 feet from his rear property, to obtain an easement from Wallace prohibiting the construction of any buildings on the Wallace Property within 60 feet of said boundary and Wallace has agreed to do so, on the terms and conditions provided herein.

Now, therefore, Wallace hereby grants to Green a restrictive covenant not to construct any buildings on a strip of land 60 feet wide adjacent to the east boundary of the Green Property as legally described on Exhibit "C". No other restrictions on the Wallace Property are intended by this easement. This easement shall run with the land. In the event Green does not construct a building on the Green Property within 12 months of the date hereof, then this restriction shall automatically terminate.

This is not a conveyance of the real estate included with this easement, but is a grant solely of a negative easement or restrictive covenant as described herein. **No monetary consideration shall be paid for this easement.** Accordingly, **no excise tax is or shall be due.**

DATED the day and year first above written.

G & D WALLACE, INC.

By: _____
Jack R. Wallace, Secretary

_____
Harold Green

_____
Dianna Green

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

MAY 31 2005

Amount Paid $ 0
Skagit Co. Treasurer
By DC Deputy

UNOFFICIAL DOCUMENT

200505310167
Skagit County Auditor
5/31/2005 Page 2 of 8 11:44AM

STATE OF WASHINGTON)
COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that Jack R. Wallace 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 the Secretary of **G & D WALLACE, INC.,** a Washington corporation, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: May 31, 2005.

BARBARA A. SCHILDT
NOTARY PUBLIC
STATE OF WASHINGTON
COMMISSION EXPIRES
2-19-2008

Barbara A. Schildt
NOTARY PUBLIC
Barbara A. Schildt
(Print or Type Name of Notary)
My Appointment Expires 2/19/08

UNOFFICIAL DOCUMENT

200505310167
Skagit County Auditor
5/31/2005 Page 3 of 8 11:44AM

EXHIBIT 'A'
WALLACE PROPERTY

The North 1/2 of the Northeast 1/4 of Section 10, Township 35 North, Range 3 East, W.M., EXCEPT Pacific Northwest Traction Company right-of-way, AND EXCEPT State Highway, AND EXCEPT County Road rights-of-way, AND EXCEPT the North 435 feet of the South 455 feet of the West 100 feet of that portion of the Northwest 1/4 of the Northeast 1/4 lying Easterly of the County Road running along the West line thereof.

AND EXCEPT the East 100 feet of the North 150 feet of the Northwest 1/4 of the Northeast 1/4 of said Section 10, Township 35 North, Range 3 East, W.M.

AND EXCEPT any portion lying Easterly of the West line of the Interurban Railway right-of-way.

UNOFFICIAL DOCUMENT

200505310167
Skagit County Auditor
5/31/2005 Page 4 of 8 11:44AM

EXHIBIT 'B'
GREEN PROPERTY

The South 217 ½ feet of the North 435 feet of the South 455 feet of the West 100 feet of that portion of the Northwest ¼ of the Northeast ¼ lying Easterly of the County Road running along the West line thereof, all in Section 10, Township 35 North, Range 3 East, W.M.

UNOFFICIAL DOCUMENT

200505310167
Skagit County Auditor
5/31/2005 Page 5 of 8 11:44AM

Skagit Surveyors & Engineers
806 Metcalf St., Sedro-Woolley, WA 98284 Phone: (360) 855-2121 FAX: (360) 855-1658

EXHIBIT "C"

LEGAL DESCRIPTION
FOR
HAROLD AND DIANA GREEN
OF
BUILDING SETBACK EASEMENT

April 19, 2005

A sixty (60) foot wide easement for building setback over and across the following described parcel:

The east 60 feet of the west 200 feet of the north 217.5 feet of the south 237.5 feet of the northwest quarter of the northeast quarter of Section 10, Township 35 North, Range 3 East, W.M.

Situate in Skagit County, Washington.

JOHN L. ABENROTH
STATE OF WASHINGTON
17651
REGISTERED
PROFESSIONAL LAND SURVEYOR
EXPIRES 6/26/2005

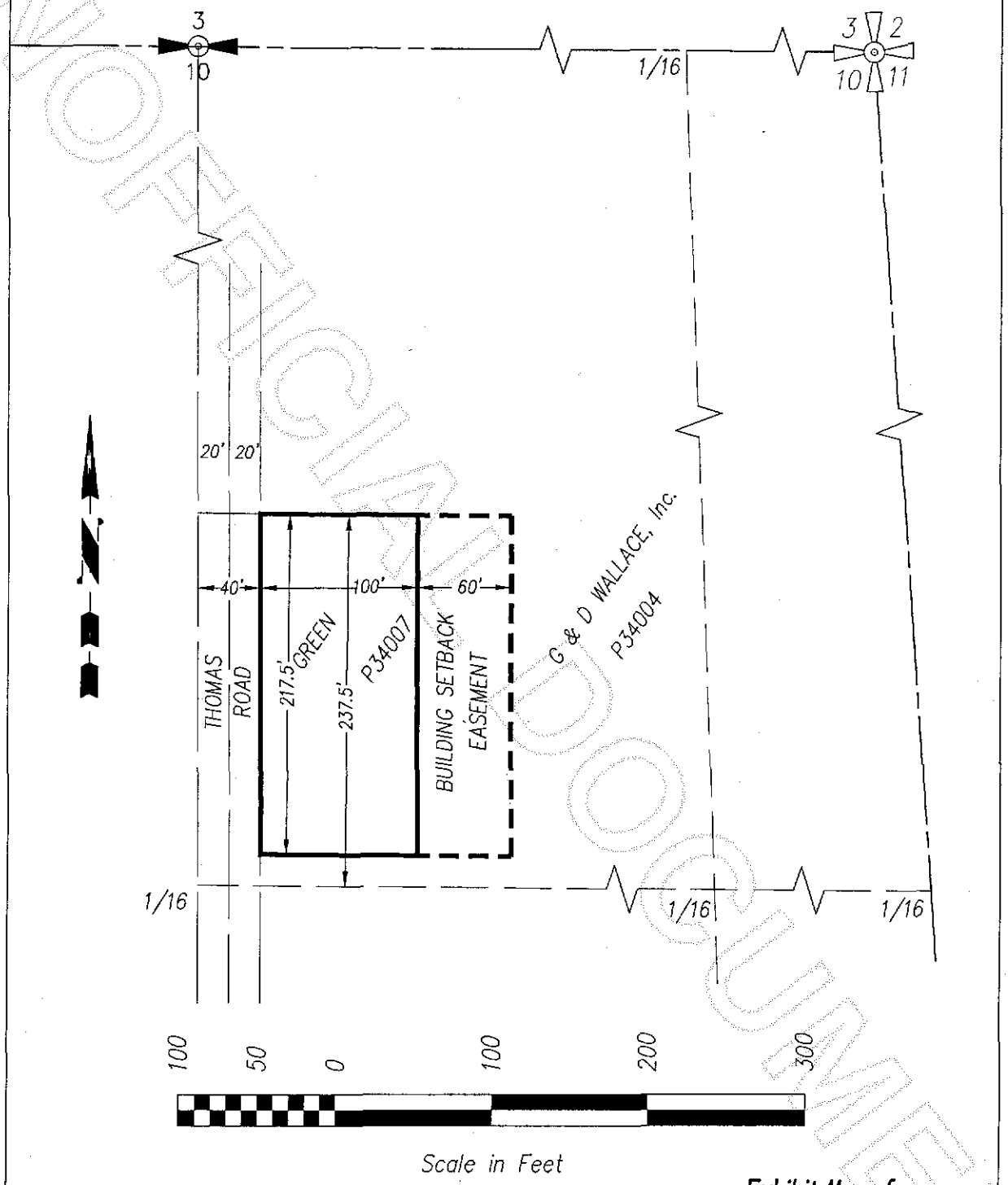
4/19/05

200505310167
Skagit County Auditor
5/31/2005 Page 6 of 8 11:44AM

UNOFFICIAL DOCUMENT

UNOFFICIAL DOCUMENT

NW1/4 of the NE1/4 of Section 10, Township 35 North, Range 3 East, W.M.



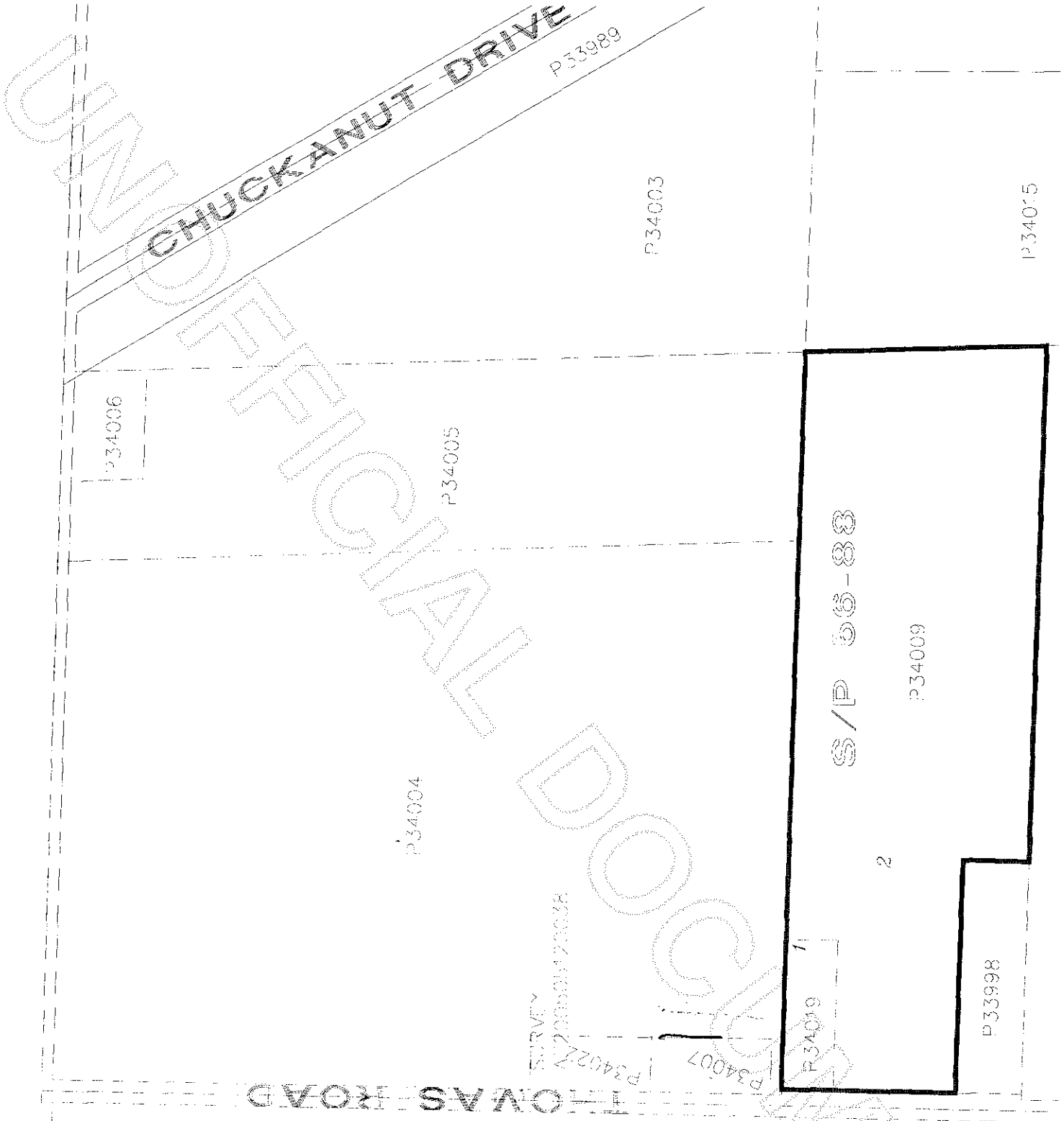
SKAGIT SURVEYORS & ENGINEERS
806 METCALF ST.
SEDRO-WOOLLEY, WA 98284
(360) 855-2121
JN205053 11APR05

Exhibit Map of Building Setback Easement for HAROLD & DIANA GREEN

Exhibit C, Page 2 of 3

Easement 7 of 8

200505310167
Skagit County Auditor
5/31/2005 Page 7 of 8 11:44AM



UNOFFICIAL DOCUMENT

Exhibit C, Page 3 of 3

Easement 8 of 8

200505310167
Skagit County Auditor
5/31/2005 Page 8 of 8 11:44AM