



200507200158

Skagit County Auditor

7/20/2005 Page 1 of 7 3:44PM

AFTER RECORDING RETURN TO:
D. B. Johnson Construction, Inc.
1801 Grove St., Unit B
Marysville, WA 98270

Document Title:

Declaration of Easement for Grading

**CHICAGO TITLE IC35314 ✓
ACCOMODATION RECORDING**

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

Grantor:

John and Gayle Lange, owners of the property further described in Exhibits A and B

Grantees:

John Lange and Gayle Lange, owners of Lots 31 through 41 (inclusive) of the Plat of
Sauk Mountain View Estates South – A Planned Residential Development – Phase 3
according to the Plat recorded under Skagit County Auditor's File No. 200505260107,
their heirs and all future owners, successors or assigns

Legal Description:

Portion of Section 18, Township 35 Range 5 further described on Page 2

Assessor's Property Tax Parcel/Account Numbers:

P39370
P122946
P122949
P122952
P122956

P39361
P122947
P122950
P122953

P122945
P122948
P122951
P122955

GRADING EASEMENT

KNOW ALL PEOPLE by these presents that John Lange and Gayle Lange, the owners of certain real property located in Skagit County, Washington, the legal description, which is as follows:

See Exhibits A & B

do hereby grant, convey, establish and create an easement for grading, and moving soils and rocks together with the rights of ingress and egress for such purposes, over, under, along and across the following described portion of the above referenced property:

The Westernmost ten feet of Parcel 39361, parallel with and adjacent to the East Line of Lots 34 through 41 of the Plat of Sauk Mountain View Estates South, Phase 3 as recorded under Skagit County Auditor's File Number 200505260107

And

The Northernmost ten feet of Parcel 39370, parallel with and adjacent to the South Line of Lots 31 through 34 of the Plat of Sauk Mountain View Estates South, Phase 3 as recorded under Skagit County Auditor's File Number 200505260107

The owner of the properties does hereby allow access across the properties to the easement area for the sole purpose of such grading. The owner of the properties shall be responsible for keeping the easement area clear, and not blocking the easement area. Said easement is appurtenant to and for the benefit of John Lange and Gayle Lange, their heirs, future owners, successors, and assigns of the following described property:

Lots 31 through 41 (inclusive) of the Plat of Sauk Mountain View Estates South – A Planned Residential Development – Phase 3 according to the Plat recorded under Skagit County Auditor's File No. 200505260107

This easement is subject to existing BPA Easement Agreement and certain agreements with the city of Sedro Woolley.

This easement shall automatically expire one year following the date it is recorded with the Skagit County Auditor's office.

IN WITNESS WHEREOF, the undersigned have hereunto set their hand and seal this
20th day of July, 2005.




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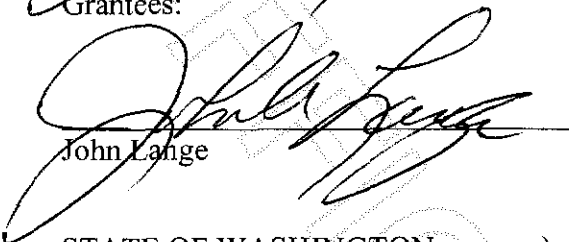
Skagit County Auditor


Grantors:


John Lange


Gayle Lange

Grantees:


John Lange


Gayle Lange

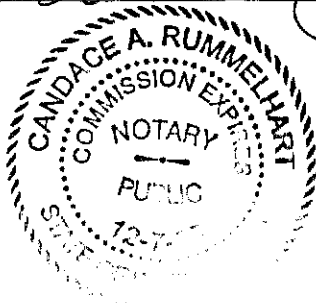
STATE OF WASHINGTON)


) ss

COUNTY OF SNOHOMISH)

On this day personally appeared before me John Lange and Gayle Lange, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed for the use and purposes herein mentioned.

Dated: 7-20-05




Name: Candace A. Rummelhart
Notary Public in and for the State of
Washington residing at Sk. Stearns
My appointment expires: 12-7-05

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

JUL 20 2005


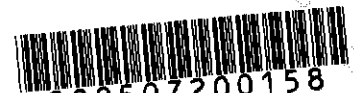
Amount Paid \$
Skagit Co. Treasurer
By  Deputy



Exhibit A

Parcel 39361

OPEN SPACE #58 #824088 1976 SW1/4 NE1/4 N OF RLY LESS STRIP TO CO INC 100FT ABND R/W & RT #0-039-00 & 0-040-00 EXCEPT THAT PORTION OF THE FOLLOWING LYING WITHIN THE ABOVE DESCRIBED: BEGINNING AT THE NORTHWEST CORNER OF LOT 1 OF SHORT PLAT NO. SW-SP-02-80 FILED IN VOLUME 6 OF SHORT PLATS AT PAGE 153 AS AUDITOR'S FILE NO. 8406010008, RECORDS OF SKAGIT COUNTY, WASHINGTON; THENCE SOUTH 12 DEGREES 01'13" WEST ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 130.83 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE SOUTH 86 DEGREES 54'13" EAST ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 158.04 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1 AND THE WEST LINE OF FRUITDALE ROAD; THENCE SOUTH 00 DEGREES 55'36" EAST ALONG THE WEST LINE OF FRUITDALE ROAD, A DISTANCE OF 81.00 FEET; THENCE NORTH 86 DEGREES 53'24" WEST, A DISTANCE OF 153.89 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 330 FEET; THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 22 DEGREES 13'08", AND AN ARC DISTANCE OF 127.97 FEET; THENCE NORTH 64 DEGREES 40'16" WEST, A DISTANCE OF 297.74 FEET; THENCE SOUTH 42 DEGREES 35'40" WEST, A DISTANCE OF 160.68 FEET; THENCE SOUTH 7 DEGREES 50'36" WEST, A DISTANCE OF 81.19 FEET; THENCE SOUTH 10 DEGREES 28'16" EAST, A DISTANCE OF 57.38 FEET; THENCE SOUTH 8 DEGREES 29'17" WEST, A DISTANCE OF 24.32 FEET; THENCE SOUTH 63 DEGREES 34'44" WEST, A DISTANCE OF 69.56 FEET; THENCE SOUTH 74 DEGREES 21'08" WEST, A DISTANCE OF 63.78 FEET; THENCE SOUTH 62 DEGREES 27'03" WEST, A DISTANCE OF 39.41 FEET; THENCE SOUTH 52 DEGREES 29'43" WEST, A DISTANCE OF 54.83 FEET; THENCE SOUTH 32 DEGREES 49'21" WEST, A DISTANCE OF 23.96 FEET; THENCE SOUTH 62 DEGREES 49'39" WEST, A DISTANCE OF 29.32 FEET; THENCE SOUTH 76 DEGREES 39'23" WEST, A DISTANCE OF 26.62 FEET; THENCE SOUTH 84 DEGREES 59'39" WEST, A DISTANCE OF 46.18 FEET; THENCE SOUTH 77 DEGREES 14'16" WEST, A DISTANCE OF 28.92 FEET; THENCE SOUTH 35 DEGREES 35'39" WEST, A DISTANCE OF 21.31 FEET; THENCE SOUTH 19 DEGREES 44'38" WEST, A DISTANCE OF 37.24 FEET; THENCE SOUTH 40 DEGREES 48'22" WEST, A DISTANCE OF 62.49 FEET; THENCE SOUTH 23 DEGREES 07'34" WEST, A DISTANCE OF 60.58 FEET; THENCE SOUTH 52 DEGREES 07'31" WEST, A DISTANCE OF 86.57 FEET; THENCE SOUTH 33 DEGREES 57'54" WEST, A DISTANCE OF 31.06 FEET; THENCE SOUTH 47 DEGREES 28'04" WEST, A DISTANCE OF 81.17 FEET; THENCE SOUTH 51 DEGREES 50'04" WEST, A DISTANCE OF 44.31 FEET; THENCE SOUTH 37 DEGREES 38'57" WEST, A DISTANCE OF 77.92 FEET; THENCE NORTH 57 DEGREES 05'34" WEST, A DISTANCE OF 215 FEET, MORE OR LESS TO THE NORTHWESTERLY LINE OF THE ABANDONED NORTHERN PACIFIC RAILWAY RIGHT OF WAY; THENCE NORTHEASTERLY ALONG THE NORTHWESTERLY LINE OF SAID RAILWAY RIGHT OF WAY, A DISTANCE OF 425 FEET, MORE OR LESS, TO THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 18; THENCE NORTH ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 18, A DISTANCE OF 367 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 18; THENCE EAST ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 18, A DISTANCE OF 1180 FEET, MORE OR LESS, TO THE POINT OF BEGINNING OF THIS DESCRIPTION. EXCEPT ANY PORTION THEREOF LYING WITHIN SHORT PLAT NO. SW-SP-0280 FILED IN VOLUME 6 OF SHORT PLATS AT PAGE 153 AS AUDITOR'S FILE NO. 8406010008. EXCEPT FOR FOLLOWING DESCRIBED PORTION: BEGINNING AT A POINT ON THE WEST 20 FOOT RIGHT OF WAY LINE OF FRUITDALE ROAD, 521.62 FEET NORTH OF THE SE CORNER OF SAID SW1/4 OF THE NE1/4, SAID POINT ALSO BEING THE NE CORNER OF A TRACT OF LAND CONVEYED TO CASCADE NATURAL GAS CORPORATION BY CORRECTION DEED DATED AUGUST 3, 1957; THENCE SOUTH ALONG SAID WEST RIGHT OF WAY LINE OF FRUITDALE



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Exhibit A (Continued)

ROAD, 25 FEET TO THE SE CORNER OF SAID TRACT AND THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WEST RIGHT OF WAY LINE, 95 FEET; THENCE WEST 70 FEET; THENCE NORTH , 220 FEET; THENCE EAST, 20 FEET TO THE NW CORNER OF A PARCEL OF LAND, CONVEYED TO EL PASO NATIONAL GAS COMPANY, BY CORRECTION WARRANTY DEED AF#670920; THENCE SOUTH ALONG THE WEST LINE OF SAID PARCEL, 100 FEET TO THE SW CORNER OF SAID PARCEL, ALSO BEING THE NW CORNER OF SAID TRACT OF LAND CONVEYED TO CASCADE NATURAL GAS CORPORATION; THENCE CONTINUING SOUTH ALONG THE WEST LINE OF SAID TRACT, 25 FEET TO THE SW CORNER THEREOF; THENCE EAST ALONG THE SOUTH LINE OF SAID TRACT 50 TO THE TRUE POINT OF BEGINNING EXCEPT THAT PORTION OF SAUK MOUNTAIN VIEW ESTATES-SOUTH.



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Exhibit B

Parcel 39371

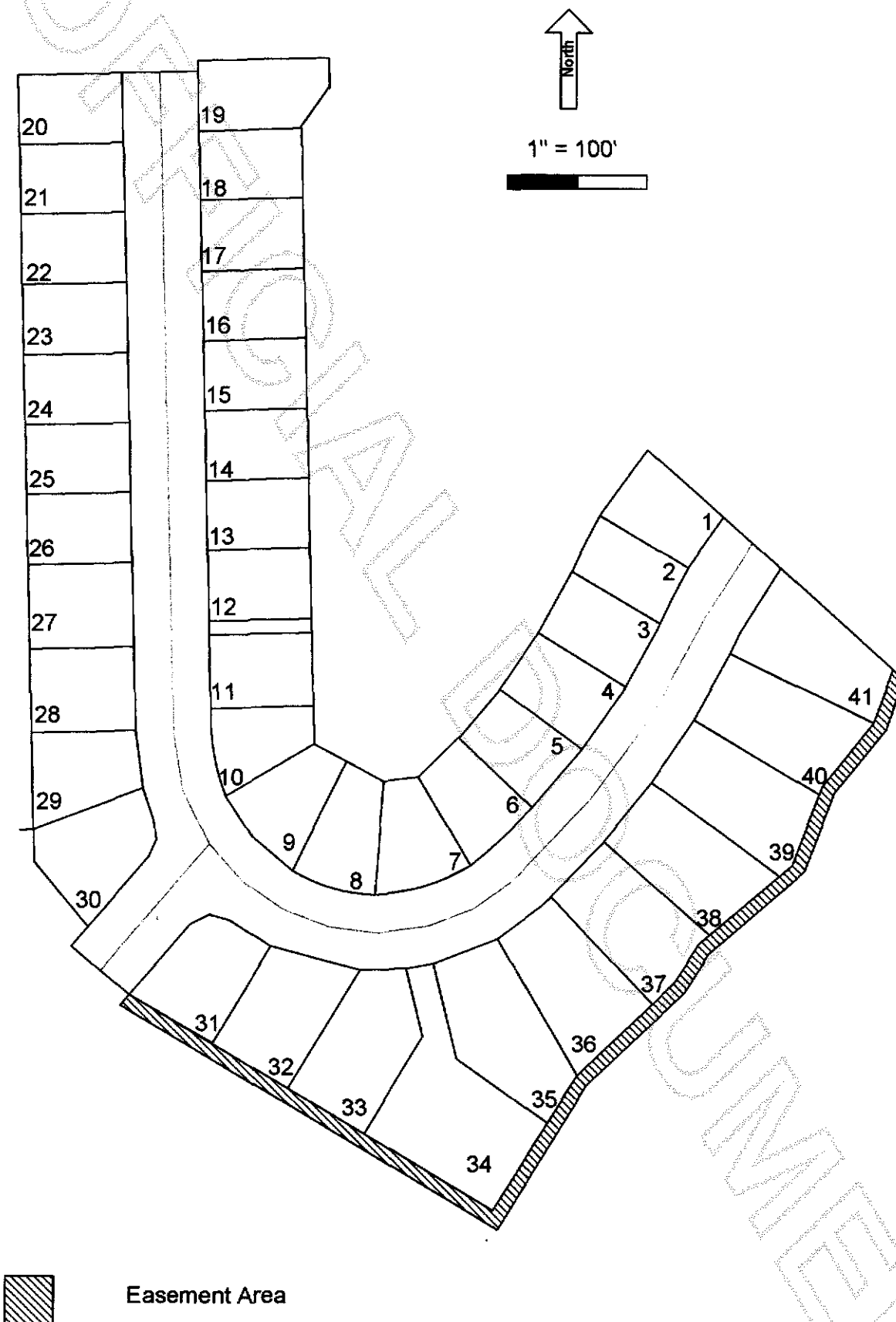
OPEN SPACE#58 #824088 1976 SE1/4 NW1/4 S & E OF NP RLY & ABAND 100 FT R/W ADJ EXCEPT THAT PORTION LYING SOUTHWESTERLY OF THE SOUTHWESTERLY LINE OF THE BONNEVILLE POWERLINE RIGHT-OF-WAY; EXCEPT THAT PORTION OF THE FOLLOWING LYING WITHIN THE ABOVE DESCRIBED: BEGINNING AT THE NORTHWEST CORNER OF LOT 1 OF SHORT PLAT NO. SW-SP-0280 FILED IN VOLUME 6 OF SHORT PLATS AT PAGE 153 AS AUDITOR'S FILE NO. 8406010008, RECORDS OF SKAGIT COUNTY, WASHINGTON; THENCE SOUTH 12 DEGREES 01'13" WEST ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 130.83 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE SOUTH 86 DEGREES 54'13" EAST ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 158.04 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1 AND THE WEST LINE OF FRUITDALE ROAD; THENCE SOUTH 00 DEGREES 55'36" EAST ALONG THE WEST LINE OF FRUITDALE ROAD, A DISTANCE OF 81.00 FEET; THENCE NORTH 86 DEGREES 53'24" WEST, A DISTANCE OF 153.89 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 330 FEET; THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 22 DEGREES 13'08", AND AN ARC DISTANCE OF 127.97 FEET; THENCE NORTH 64 DEGREES 40'16" WEST, A DISTANCE OF 297.74 FEET; THENCE SOUTH 42 DEGREES 35'40" WEST, A DISTANCE OF 160.68 FEET; THENCE SOUTH 7 DEGREES 50'36" WEST, A DISTANCE OF 81.19 FEET; THENCE SOUTH 10 DEGREES 28'16" EAST, A DISTANCE OF 57.38 FEET; THENCE SOUTH 8 DEGREES 29'17" WEST, A DISTANCE OF 24.32 FEET; THENCE SOUTH 63 DEGREES 34'44" WEST, A DISTANCE OF 69.56 FEET; THENCE SOUTH 74 DEGREES 21'08" WEST, A DISTANCE OF 63.78 FEET; THENCE SOUTH 62 DEGREES 27'03" WEST, A DISTANCE OF 39.41 FEET; THENCE SOUTH 52 DEGREES 29'43" WEST, A DISTANCE OF 54.83 FEET; THENCE SOUTH 32 DEGREES 49'21" WEST, A DISTANCE OF 23.96 FEET; THENCE SOUTH 62 DEGREES 49'39" WEST, A DISTANCE OF 29.32 FEET; THENCE SOUTH 76 DEGREES 39'23" WEST, A DISTANCE OF 26.62 FEET; THENCE SOUTH 84 DEGREES 59'39" WEST, A DISTANCE OF 46.18 FEET; THENCE SOUTH 77 DEGREES 14'16" WEST, A DISTANCE OF 28.92 FEET; THENCE SOUTH 35 DEGREES 35'39" WEST, A DISTANCE OF 21.31 FEET; THENCE SOUTH 19 DEGREES 44'38" WEST, A DISTANCE OF 37.24 FEET; THENCE SOUTH 40 DEGREES 48'22" WEST, A DISTANCE OF 62.49 FEET; THENCE SOUTH 23 DEGREES 07'34" WEST, A DISTANCE OF 60.58 FEET; THENCE SOUTH 52 DEGREES 07'31" WEST, A DISTANCE OF 86.57 FEET; THENCE SOUTH 33 DEGREES 57'54" WEST, A DISTANCE OF 31.06 FEET; THENCE SOUTH 47 DEGREES 28'04" WEST, A DISTANCE OF 81.17 FEET; THENCE SOUTH 51 DEGREES 50'04" WEST, A DISTANCE OF 44.31 FEET; THENCE SOUTH 37 DEGREES 38'57" WEST, A DISTANCE OF 77.92 FEET; THENCE NORTH 57 DEGREES 05'34" WEST, A DISTANCE OF 215 FEET, MORE OR LESS TO THE NORTHWESTERLY LINE OF THE ABANDONED NORTHERN PACIFIC RAILWAY RIGHT OF WAY; THENCE NORTHEASTERLY ALONG THE NORTHWESTERLY LINE OF SAID RAILWAY RIGHT OF WAY, A DISTANCE OF 425 FEET, MORE OR LESS, TO THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 18; THENCE NORTH ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 18, A DISTANCE OF 367 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 18; THENCE EAST ALONG THE NROTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 18, A DISTANCE OF 1180 FEET, MORE OR LESS, TO THE POINT OF BEGINNING OF THIS DESCRIPTION. EXCEPT ANY PORTION THEREOF LYING WITHIN SHORT PLAT NO. SW-SP-0280 FILED IN VOLUME 6 OF SHORT PLATS AT PAGE 153 AS AUDITOR'S FILE NO. 8406010008. EXCEPT THAT PORTION OF TRACT F OR EASEMENT TO TRACT F OF SAUK MOUNTAIN VIEW ESTATES-SOUTH.



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Sauk Mountain Ph. 3 Grading Easement



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