



200508010114
Skagit County Auditor

8/1/2005 Page 1 of 3 3:22PM

117082-P
LAND TITLE OF SKAGIT COUNTY

DECLARATION OF ROAD MAINTENANCE AGREEMENT

This Declaration of Road Maintenance Agreement is made and executed this 29 day of July, 2005, by and between Jeffrey Williams, Lori Williams and Jerry Vanderveen.

WHEREAS:

Jeffrey Williams and Lori Williams are the owners of the real property legally described on Exhibit A attached hereto which is under Parcel No. **P-29755**, and

Jerry Vanderveen is the owner of the real property legally described on Exhibit A attached hereto which is under Parcel No. **P-114130**, and

WHEREAS:

Jeffrey Williams, Lori Williams and Jerry Vanderveen are the legal owners of the properties legally described on Exhibit A attached hereto and as the legal owners of the properties legally described on Exhibit attached hereto, each have rights of ingress, egress and utilities as created by instrument recorded on January 8, 2001 under Auditor's file number 200101080091 records of Skagit County across a private road created and confirmed herein:

Easement description

An easement for ingress and egress over and across a strip of land 20 feet in width, lying Northerly of the following described line:

Beginning at a point on the most Westerly line of Mountain View Road 35 feet South of, as measured along said Westerly line, the North line of Government Lot 2, Section 36, Township 34 North, Range 4 East, W.M.;
thence West a distance of 50 feet;
thence Westerly to a point 45 feet South of the said North line and 100 feet Westerly of the said Westerly line of Mountain View Road;
thence Westerly to a point 50 feet South of the said North line and 200 feet Westerly of the said Westerly line of Mountain View Road;
thence Westerly to a point on the West line of said Government Lot 2, 75 feet South of the said North line, and the terminus of this line description.

Situate in the County of Skagit, State of Washington.

WHEREAS:

The parties hereto wish to establish a joint and mutual responsibility for the maintenance and repair of said easement, NOW THEREFORE:

This declaration hereby establishes and provides that the real properties legally described on Exhibit A benefit from the use of said easement and all subsequent owners, successors, heirs, administrators and assigns, shall take said property or portion thereof, subject to this Road Maintenance Agreement. The Declarants and each of the subsequent owners, successors, heirs, administrators and assigns shall proportionately share in the cost and expense of maintaining and repairing in good condition the roadway now in existence and to be improved on said easement. It is agreed between the parties that Jerry Vanderveen and/or his assigns shall not be obligated to share in said maintenance or repair costs until a residence is constructed upon his parcel.

The proportional share of each property legally described on Exhibit A shall be established by dividing the number of benefited individual parcels in to the cost of maintenance and repair.

The decision as to the necessity of maintenance and/or repair shall be by simple majority of the parties hereto, their heirs, administrators, successors and assigns.

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.

This Declaration of Road Maintenance Agreement shall be a covenant running with each of the lands described in Exhibit A, and is made and executed the day, date and year first above written.

Jeffrey Williams
Jeffrey Williams

Lori Williams
Lori Williams.

Jerry Vanderveen
Jerry Vanderveen

State of Washington }
County of Skagit } SS.

On this day personally appeared before me

Jeffrey Williams and Lori Williams, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that **he/she/they** signed the same as **he/she/their** free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 21 day of July, 2005.

Shelley L. Nevitt
Notary Public in and for the State of Washington, residing at: Mount Vernon
My appointment expires: 3-9-2007

State of Washington }
County of Skagit } SS.

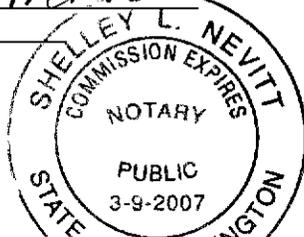


On this day personally appeared before me

Jerry Vanderveen, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that **he/she/they** signed the same as **he/she/their** free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 29 day of July, 2005.

Shelley L. Nevitt
Notary Public in and for the State of Washington, residing at: Mt. Vernon
My appointment expires: 3-9-2007



200508010114
Skagit County Auditor

Exhibit A

Parcel # P-114130 Jerry Vanderveen

That portion of Government Lot 2, Section 36, Township 34 North, Range 4 East, W.M., lying
Northwesterly of Mountain View Road.

Situate in the County of Skagit, State of Washington.

Parcel # P-29755 Williams

DESCRIPTION:

The North $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 35, Township 34
North, Range 4 East, W.M.;

EXCEPT that portion thereof conveyed to Skagit County for road purposes by deed dated August 15,
1924 and recorded October 9, 1924, under Auditor's File No. 177829.

TOGETHER WITH a non-exclusive easement for ingress, egress and utilities over, under and across
a strip of land 20 feet in width, lying Northerly of the following described line:

Beginning at a point on the most Westerly line of Mountain View Road 35 feet South of, as
measured along said Westerly line, the North line of Government Lot 2, Section 36, Township 34
North, Range 4 East, W.M.;

thence West a distance of 50 feet;

thence Westerly to a point 45 feet South of the said North line and 100 feet Westerly of the said
Westerly line of Mountain View Road;

thence Westerly to a point 50 feet South of the said North line and 200 feet Westerly of the said
Westerly line of Mountain View Road;

thence Westerly to a point on the West line of said Government Lot 2, 75 feet South of the said
North line, and the terminus of this line description.

Situate in the County of Skagit, State of Washington.



200508010114
Skagit County Auditor