



200602030014  
Skagit County Auditor

2/3/2006 Page 1 of 4 9:03AM

LAND TITLE OF SKAGIT COUNTY

**Declaration of Easement for Ingress, Egress, Utilities  
Road Maintenance of an Easement**

This Declaration is made this 27 day of January, 2006 between ROSA M. ORTIZ, ALAN P. CERNY AND LISA K. CERNY husband and wife, JOHN E. JOHNSTON AND DANIELLE R. JOHNSTON husband and wife and COLLEEN C. FRANCIS,

**WHEREAS:**

ROSA M. ORTIZ is the owner of the real property with Tax Id Number P-72255 and legally described as:

Lot 1, City of Burlington Short Plat No. BURL-4-95, approved March 21, 1996, recorded March 27, 1996, in Volume 12 of Short Plats, page 86, under Auditor's File No. 9603270063, being a portion of Lots 26 And 30 Block 135, "FIRST ADDITION TO BURLINGTON, SKAGIT CO., WASH.," as per plat recorded in Volume 3 of Plats, page 11, records of Skagit County, Washington.  
Situate in the City of Burlington, County of Skagit, State of Washington.

ALAN P. CERNY AND LISA K. CERNY, husband and wife are the owners of the real property with Tax Id Number P-109022 and legally described as:

Lot 2, City of Burlington Short Plat No. BURL-4-95, approved March 21, 1996, recorded March 27, 1996, in Volume 12 of Short Plats, page 86, under Auditor's File No. 9603270063, being a portion of Lots 26 And 30 Block 135, "FIRST ADDITION TO BURLINGTON, SKAGIT CO., WASH.," as per plat recorded in Volume 3 of Plats, page 11, records of Skagit County, Washington.  
Situate in the City of Burlington, County of Skagit, State of Washington.

JOHN E. JOHNSTON AND DANIELLE R. JOHNSTON husband and wife, are the current owners of the real property with Tax Id Number P-109028 and legally described as:

Lot 3, City of Burlington Short Plat No. BURL-4-95, approved March 21, 1996, recorded March 27, 1996, in Volume 12 of Short Plats, page 86, under Auditor's File No. 9603270063, being a portion of Lots 26 And 30 Block 135, "FIRST ADDITION TO BURLINGTON, SKAGIT CO., WASH.," as per plat recorded in Volume 3 of Plats, page 11, records of Skagit County, Washington.  
Situate in the City of Burlington, County of Skagit, State of Washington.

COLLEEN C. FRANCIS, is the current owner of the real property with Tax Id Number P-72239 and P-72235 and legally described as:

See attached Exhibit A

**PRIVATE DRIVEWAY DESCRIPTION:**

An easement for ingress, egress and utilities as delineated over and across the below described as follows:

City of Burlington Short Plat No. BURL-4-95, approved March 21, 1996, recorded March 27, 1996, in Volume 12 of Short Plats, page 86, under Auditor's File No. 9603270063, being a portion of Lots 26 And 30 Block 135, "FIRST ADDITION TO BURLINGTON, SKAGIT CO., WASH.," as per plat recorded in Volume 3 of Plats, page 11, records of Skagit County, Washington.  
Situate in the City of Burlington, County of Skagit, State of Washington.

AND TOGETHER WITH a non-exclusive easement for ingress, egress and utilities over, under and through that portion of the North 20 feet of the West 131 feet (as measured along the South line of Lot 4 of said City of Burlington Short Plat No. BURL-4-95) which is also lying West of Clancy Court and East of Parcel B as described in attached Exhibit A.

Situate in the County of Skagit, State of Washington.

**WHEREAS:**

The parties hereto wish to establish and convey a joint and mutual easement agreement for the ingress and egress to their respective properties and also for the maintenance and repair of said private access road.

**NOW THEREFORE:**

Declarants hereby convey and quit claim to themselves and provide that the real properties legally described herein shall benefit from the use of said private access road and all subsequent owners, successors, heirs, administrators and assigns, shall take said property, subject to this Ingress and Egress and 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 any future agreed upon improvements thereto.

Each party shall be responsible for their proportionate share of any future costs for repair and maintenance. In the event one of the parties shall do damage to the above described road in excess of normal wear and tear, the party doing such damage shall be responsible for repair costs to the other parties hereto, to their heirs, administrators, successors and assigns.

This Declaration shall be a covenant running with each of the lands described above, and is made this date January \_\_\_\_\_, 2006.

Rosa M Ortiz 755-1477 OK 10:52 AM 1/27  
ROSA M. ORTIZ

Alan P. Cerny 755-9206 OK 10:55 AM 1/27  
ALAN P. CERNY

Lisa K Cerny 755-9206 OK 10:57 AM 1/27  
LISA K. CERNY

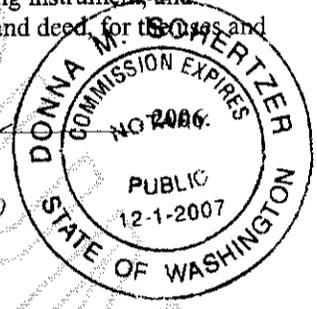
John E. Johnston 258-7341 OK 11:00 AM 1/27  
JOHN E. JOHNSTON

Danielle R. Johnston  
DANIELLE R. JOHNSTON

Colleen C. Francis OK 11:30 AM 1/27  
COLLEEN C. FRANCIS

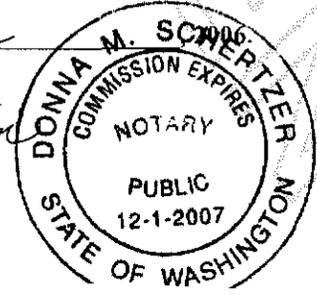
On this day personally appeared before me ROSA M. ORTIZ  
to me known to be the individual described in and who executed the within and foregoing instrument, and  
acknowledged that he/she/they signed the same as he/she/their free and voluntary act and deed, for the uses and  
purposes therein mentioned.

Given under my hand and official seal this 27 day of January  
Donna M. Schertzer  
Notary Public in and for the State of Washington, residing at: Burlington  
My appointment expires: 12-01-07



On this day personally appeared before me ALAN P. CERNY and LISA K. CERNY  
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 27 day of January  
Donna M. Schertzer  
Notary Public in and for the State of Washington, residing at: Burlington  
My appointment expires: 12-01-07



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Skagit County Auditor

On this day personally appeared before me JOHN E JOHNSON and DANIELLE R JOHNSON  
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 27 day of January

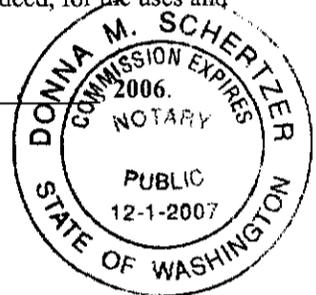
Donna M Schertzer  
Notary Public in and for the State of Washington, residing at: Burlington  
My appointment expires: 12-01-07



On this day personally appeared before me COLLEEN L. FRANCIS  
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 27 day of January

Donna M Schertzer  
Notary Public in and for the State of Washington, residing at: Burlington  
My appointment expires: 12-01-07



On this day personally appeared before me \_\_\_\_\_  
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 \_\_\_\_\_ day of \_\_\_\_\_, 2006.

Notary Public in and for the State of Washington, residing at: \_\_\_\_\_  
My appointment expires: \_\_\_\_\_

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

FEB 03 2006

Amount Paid \$ \_\_\_\_\_  
By [Signature] Skagit Co. Treasurer  
Deputy



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Skagit County Auditor

**Exhibit A**

**Parcel A:**

Lot 4, City of Burlington Short Plat No. BURL-4-95, approved March 21, 1996, recorded March 27, 1996, in Volume 12 of Short Plats, page 86, under Auditor's File No. 9603270063, being a portion of Lots 26 And 30 Block 135, "FIRST ADDITION TO BURLINGTON, SKAGIT CO., WASH." as per plat recorded in Volume 3 of Plats, page 11, records of Skagit County, Washington.  
Situate in the City of Burlington, County of Skagit, State of Washington.

Except that portion of Lot 4, Short Plat No. BURL-4-95 filed in Volume 12 of Short Plats, page 86, records of Skagit County, Washington, described as follows:

Beginning at the Northwest corner of said Lot 4;  
thence North 89°45'43" East along the North line of said Lot 4, a distance of 312.22 feet;  
thence South 00°09'42" East, a distance of 122.00 feet to the South line of said Lot 4;  
thence South 89°45'43" West along said South line, a distance of 312.40 feet to the Southwest corner of said Lot 4;  
thence North 00°04'43" West along the West line of said Lot 4, a distance of 122.00 feet to the point of beginning of this description.

**Parcel B:**

The West 202.5 feet of Lot 26, Block 135, "FIRST ADDITION TO BURLINGTON", as per plat recorded in Volume 3 of Plats, page 11, records of Skagit County, Washington;

TOGETHER WITH that portion of Lot 4, Short Plat No. BURL-4-95 filed in Volume 12 of Short Plats, page 86, records of Skagit County, Washington, described as follows:

Beginning at the Northwest corner of said Lot 4;  
thence North 89°45'43" East along the North line of said Lot 4, a distance of 312.22 feet;  
thence South 00°09'42" East, a distance of 122.00 feet to the South line of said Lot 4;  
thence South 89°45'43" West along said South line, a distance of 312.40 feet to the Southwest corner of said Lot 4;  
thence North 00°04'43" West along the West line of said Lot 4, a distance of 122.00 feet to the point of beginning of this description.

AND TOGETHER WITH a non-exclusive easement for ingress, egress and utilities over, under and through that portion of the North 20 feet of said Lot 4 lying West of Clancy Court and East of the above described parcel portion of Lot 4.

Situate in the County of Skagit, State of Washington.



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Skagit County Auditor