

AFTER RECORDING RETURN TO:

Name _____

Address _____

City, State, Zip _____



200602280130
Skagit County Auditor

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Abbrev. Leg. Tract 2 of Short Plat No. 34-82, AFN#8301250001
Tax Acct. No. 3867-000-073-1808/P62798

GRANT OF EASEMENT

THE GRANTOR, STEVEN C. WIRTH, a single man,

for and in consideration of ten dollars and other good and valuable consideration,
conveys and quitclaims to:

GRANTEES, JAMES ENGBERG and SUSAN ENGBERG, husband and wife,

an easement for storm sewer and drainage lines, as described and set forth below.

Grantor is owner of property fully described on EXHIBIT A, which is attached hereto
and by this reference incorporated herein, hereafter described as "Grantor's property,"
and being the servient, or burdened property.

Grantees are the owners of property fully described on EXHIBIT B, which is attached
hereto and by this reference incorporated herein, hereafter described as "Grantee's
property," and being the dominant, or benefited property.

Grantor hereby grants to Grantees an easement over that portion of Grantor's property
described on EXHIBIT C, which is attached hereto and by this reference incorporated
herein, hereafter referred to as the "Easement Area." The easement is granted for storm
sewer and drainage lines within the easement area.

EASEMENT GRANT. Grantor hereby grants to Grantees an easement twenty (20) feet in
width over, under and through the Grantor's property described on EXHIBIT A, for
installation, maintenance and replacement of a storm sewer and drainage line or lines for
the benefit of the Grantee's property described on EXHIBIT B and/or for the benefit of
such other property as the Grantees shall designate. The Easement Area is described on
EXHIBIT C, attached hereto. A sketch of the Easement Area is attached hereto as

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EXHIBIT D.

RESERVATION OF RIGHTS. The Grantor may use the easement area for any purpose that is not inconsistent with the use, maintenance, and repair of a storm sewer and drain line or lines. The Grantor agrees that no digging, tunneling or other activity will be conducted within the easement area that would disturb or damage a buried storm sewer line.

RESTORATION OF EASEMENT AREA. It is recognized and agreed by the parties that installation of the storm sewer will require grading and filling a portion of the Grantor's property to increase elevation to provide for the proper slope to the line. Grantee agrees to fill, grade and/or slope the affected portions of the Grantor's property to provide an evenly graded slope to Grantor's remaining property. Further, the Grantee agrees that following any subsequent digging or other activities in connection with the installation, maintenance or replacement of a storm sewer line within the easement area, grantee will restore the area to a like condition as existed prior to grantee's actions. Grantees further agree not to dig or tunnel within five (5) feet of the house foundation on grantor's property.

CATCH BASIN AND TREE REMOVAL. As partial consideration for the easement granted herein, the Grantees agree to install a catch basin at the approximate location of the existing drain line from adjoining property currently owned by the C. William Kempthorn Testamentary Trust (briefly described as Skagit County Tax Acct. No. 3867-000-073-0305/P62780, Tract 1 of Short Plat No. 34-82, recorded under Auditor's File No. 8301250001, which short plat is more described on EXHIBIT A, attached hereto) to permit the said drain line from the adjoining property to be connected with the storm sewer line being installed by Grantee. Grantor further grants an easement to Carol R. Thayer, Trustee of the C. William Kempthorn Testamentary Trust for drainage for a drain line, said easement being five feet either side of the center line of the existing drain line from the Kempthorn property to the storm sewer to be installed by Grantee, together with the right to repair or replace the line, subject to the same obligations to repair following any such work as are imposed on the Grantee herein. Further, the Grantee herein agrees to remove two trees along the driveway and boundary line between the Grantor's property and the adjoining Kempthorn property prior. The trees are to be removed prior to completion of the Grantee's storm sewer line.

RIGHT TO ASSIGN/EXTEND EASEMENT. Grantees shall have the right to assign or grant the right to use the easement to other parties for any or all of the same purposes for which the easement was granted to Grantees and shall also have the right to extend the easement to benefit other properties, in addition to Grantee's property described on EXHIBIT B.

RIGHT TO DEDICATE EASEMENT. Grantees shall have the right to dedicate the

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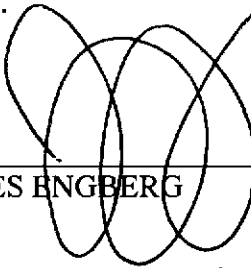
easement to the public and at such time the easement shall become a public easement for storm sewer.

COVENANTS TO RUN WITH LAND. The covenants herein shall run with the land and shall be binding on the parties hereto, their heirs, successors or assigns, and all subsequent owners thereof.

The covenants herein shall run with the land and shall be binding on the parties hereto, their heirs, successors or assigns, and all subsequent owners thereof.

Dated: February 27th, 2006.


STEVEN C. WIRTH


JAMES ENGBERG


SUSAN ENGBERG

Easement
SKAGIT COUNTY - WASHINGTON
Real Estate Excise Tax
DUE

FEB 28 2006

Amount Paid \$0
Skagit County Treasurer
By: MWH

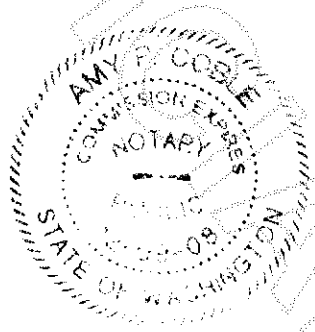
STATE OF WASHINGTON)

: SS

COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that STEVEN C. WIRTH is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in this instrument.

Dated February 27th, 2006.



Amy P. Coble

Print name: Amy P. Coble
NOTARY PUBLIC in and for the State of
Washington, residing at Bellingham.

My appointment expires: 12-09-08

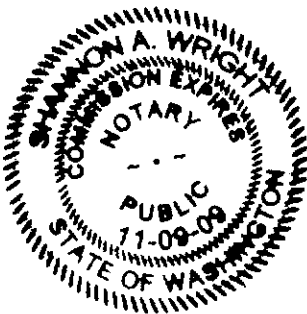
STATE OF WASHINGTON)

: SS

COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that JAMES ENGBERG and SUSAN ENGBERG are the persons who appeared before me, and said persons acknowledged that they signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in this instrument.

Dated Feb. 27th, 2006.



Shannon A. Wright

Print name: SHANNON WRIGHT
NOTARY PUBLIC in and for the State of
Washington, residing at Pedro Woodley

My appointment expires: 11-09-09

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EXHIBIT A
Grantor's Property

P62798 from A.F. No. 200204170121

Tract 2 of Short Plat No. 34-82, approved January 24, 1983, and recorded January 25, 1983, under Auditor's File No. 8301250001, in Volume 6 of Short Plats, page 44, records of Skagit County, Washington; being located in the West three-quarters of the West ½ of Tract 73, of the Plat of the Burlington Acreage Property, according to the plat thereof recorded in Volume 1 of Plats, page 49, records of Skagit County, Washington.

SUBJECT TO easements, restrictions and reservations of record.



EXHIBIT B
Grantee's Property

DESCRIPTION:

The East 180 feet of Lots 1 and 2, City of Burlington Short Plat No. BURL-SS1-02, approved July 22, 2002, recorded August 2, 2002, under Auditor's File No. 200208020109, records of Skagit County, Washington; being Lot 1 and a portion of Lot 2 of City of Burlington Short Plat No. BURL 5-94, approved January 20, 1995, recorded January 25, 1995, in Volume 11 of Short Plats, pages 173 and 174, under Auditor's File No. 9501250055, records of Skagit County, Washington; being a portion of the West ½ of Tract 73, PLAT OF THE BURLINGTON ACREAGE PROPERTY, as per plat recorded in Volume 1 of Plats, page 49, records of Skagit County, Washington.

TOGETHER WITH Lot 2, City of Burlington Short Plat No. BURL 5-94, approved January 20, 1995, recorded January 25, 1995, in Volume 11 of Short Plats, pages 173 and 174, under Auditor's File No. 9501250055, records of Skagit County, Washington; being a portion of the West ½ of Tract 73, PLAT OF THE BURLINGTON ACREAGE PROPERTY, as per plat recorded in Volume 1 of Plats, page 49, records of Skagit County, Washington,

EXCEPT that portion of said Lot 2, Short Plat No. BURL 5-94 as conveyed by Boundary Line Adjustment deed recorded on June 25, 1997, under Auditor's File No. 9706250054, records of Skagit County, Washington, described as lying Easterly of the East line of Lot 1 of said Short Plat No. BURL 5-94,

ALSO EXCEPT the Westerly 112.00 feet of the Northerly 90.00 feet of that portion of said Lot 2, Short Plat No. BURL 5-94 as measured along the Northerly and Westerly lines of said Lot 2.

TOGETHER WITH that portion of Lot 2, Burlington Short Plat No. BURL SS1-02, recorded under Auditor's File No. 200208020109, records of Skagit County, Washington, lying South of the North line of that portion of the above described Lot 2, Burlington Short Plat No. BURL 5-94, described in "Quit Claim Deed for Boundary Line Adjustment" recorded under Auditor's File No. 200312040076, records of Skagit County, Washington, extended East to the West line of the East 180 feet of Lots 1 and 2 of Burlington Short Plat No. BURL SS1-02.

TOGETHER WITH an Easement for access and utilities over that certain property delineated as "Miracle Lane" on Burlington Short Plat No. BURL-SS1-02, which lies Westerly of the above described property.

EXCEPT those portions conveyed by Boundary Line Adjustment Deed recorded December 30, 2005, under Auditor's File No. 200512300026, records of Skagit County, Washington, described as follows:

Parcel "B":

That portion of the East 180 feet of Lots 1 and 2, City of Burlington Short Plat No. BURL-SS1-02, approved July 22, 2002, recorded August 2, 2002, under Auditor's File No. 200208020109, records of Skagit County, Washington; being Lot 1 and a portion of Lot 2 of City of Burlington Short Plat No. BURL-5-94, approved January 20, 1995, recorded January 25, 1995, in Volume 11 of Short Plats, pages 173 and 174, under Auditor's File No. 9501250055, records of Skagit County, Washington; being a portion of the West ½ of Tract 73, PLAT OF THE BURLINGTON ACREAGE PROPERTY, as per plat recorded in Volume 1 of Plats, page 49, records of Skagit County, Washington, said portion being described as follows:

Beginning at the Southeast corner of said East 180 feet of Lots 1 and 2, City of Burlington Short Plat No. BURL-SS1-02;

thence North 89°39'07" West 140.00 feet along the South line of said East 180 feet of Lots 1 and 2, City of Burlington Short Plat No. BURL-SS1-02;



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EXHIBIT B
Grantee's Property

DESCRIPTION CONTINUED:

Parcel "B" Continued:

thence North 00°18'19" West 60.00 feet parallel with the East line of said East 180 feet of Lots 1 and 2, City of Burlington Short Plat No. BURL-SS1-02;
thence South 89°39'07" East 140.00 feet to said East line of said East 180 feet of Lots 1 and 2, City of Burlington Short Plat No. BURL-SS1-02;
thence South 00°18'19" East 60.00 feet along said East line to the point of beginning.

Situate in the County of Skagit, State of Washington.

Parcel "C":

That portion of the East 180 feet of Lots 1 and 2, City of Burlington Short Plat No. BURL-SS1-02, approved July 22, 2002, recorded August 2, 2002, under Auditor's File No. 200208020109, records of Skagit County, Washington; being Lot 1 and a portion of Lot 2 of City of Burlington Short Plat No. BURL 5-94, approved January 20, 1995, recorded January 25, 1995, in Volume 11 of Short Plats, pages 173 and 174, under Auditor's File No. 9501250055, records of Skagit County, Washington ;being a portion of the West ½ of Tract 73, PLAT OF THE BURLINGTON ACREAGE PROPERTY, as per plat recorded in Volume 1 of Plats, page 49, records of Skagit County, Washington, said portion being described as follows:

Beginning at the Northwest corner of Tract B, Burlington Short Plat No. SS-1-05, approved March 22, 2005, recorded March 24, 2005, under Auditor's File No. 200503240099, records of Skagit County, Washington; being a portion of the East ½ of the East ½ of the West ½ of Tract 73, PLAT OF THE BURLINGTON ACREAGE PROPERTY, as per plat recorded in Volume 1 of Plats, page 49, records of Skagit County, Washington;

thence South 00°18'19" East 181.42 feet along the West line of said Short Plat No. SS 1-05 to a cusp;
thence Northwesterly along the arc of a curve to the left having a radius of 36.00 feet and an initial tangent bearing of North 00°18'19" West, through a central angle of 45°00'00", an arc distance of 28.27 feet to a point of tangency;
thence North 45°18'19" West 24.73 feet;
thence North 44°41'41" East 15.00 feet;
thence North 86°59'32" West 32.55 feet;
thence North 01°02'29" East 126 feet, more or less, to the North line of said East 180 feet of Lots 1 and 2, City of Burlington Short Plat No. BURL-SS1-02;
thence Easterly along said North line to the point of beginning.

Situate in the County of Skagit, State of Washington.



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EXHIBIT C
Easement Area

EASEMENT DESCRIPTION

The East 20 feet of the following described tract:

Tract 2 of Short Plat No. 34-82, approved January 24, 1983, and recorded January 25, 1983, under Auditor's File No. 8301250001, in Volume 6 of Short Plats, page 44, records of Skagit County, Washington; being located in the West three-quarters of the West ½ of Tract 73, of the Plat of the Burlington Acreage Property, according to the plat thereof recorded in Volume 1 of Plats, page 49, records of Skagit County, Washington.

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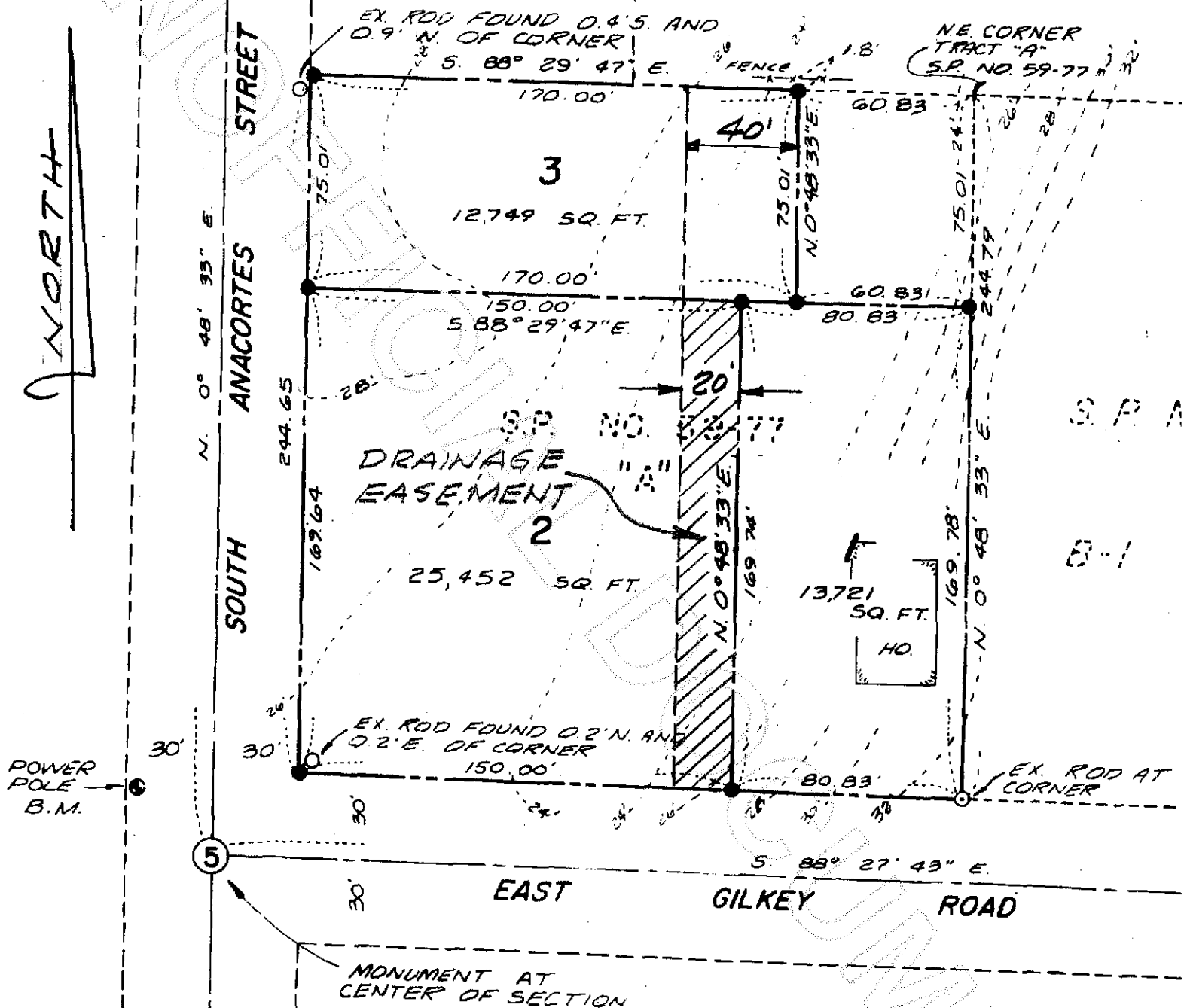
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N. 0° 48' 35" E. 2645.

ANACORTES STREET

2644 65



DRAINAGE EASEMENT
SHORT PLAT NO. 34-82
SECTION 5, T. 34N., R. 4E., W.M.



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SEMRAU ENGINEERING & SURVEYING, PLLC
 CIVIL ENGINEERING • LAND SURVEYING • PLANNING
 2118 RIVERSIDE DRIVE - SUITE 208
 MOUNT VERNON, WA 98273
 360-424-9566



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FEB. 9, 2006

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