

After Filing Return To:

Leif Erickson Recreation Association  
P.O. Box 33961  
Seattle, WA 98133



200608170099

Skagit County Auditor

8/17/2006 Page

1 of

5 1:52PM

### **RESTRICTIVE COVENANT**

**Grantor:** TADA, LLC, a Washington limited liability company

**Grantees:** Leif Erickson Recreation Association, a Washington non-profit corporation

**Abbreviated Legal Description** (lot, block and plat name, or section-township-range):

Portion of Gov't Lot 2 of Section 25, Township 33 North, Range 4 East, W.M.

Additional legal description located on page 3 of document.

**Assessor's Property Tax Parcel Account Number(s):**

P121695

## RESTRICTIVE COVENANT

This Restrictive Covenant is made as of this \_\_\_\_ day of \_\_\_\_\_, 2006, by TADA, LLC, a Washington limited liability company ("Grantor"), for the benefit of Leif Erickson Recreation Association, a Washington non-profit corporation ("LERA").

### RECITALS

- A. Grantor owns the property legally described in Exhibit A hereto (the "Restricted Area").
- B. LERA operates two domestic water supply wells (well log numbers 81144 and 81145) in the vicinity of the Restricted Area (the "Wells").
- C. Grantor wishes to restrict the use of the Restricted Area as set forth herein to help protect the quality of water drawn from the Wells or wells that may be drilled to replace the Wells.

NOW, THEREFORE, Grantor hereby covenants as follows:

1. Use of Restricted Area. Grantor agrees and covenants that no septic drainfields shall be constructed within the Restricted Area so long as the Restricted Area is within the Skagit County-approved wellhead protection area for an active well operated by LERA for supplying water for domestic use. This covenant shall run with the land and shall bind future owners of the Restricted Area.
2. Enforcement. This covenant is for the benefit of LERA and shall be enforceable by LERA.

GRANTOR:

TADA, LLC

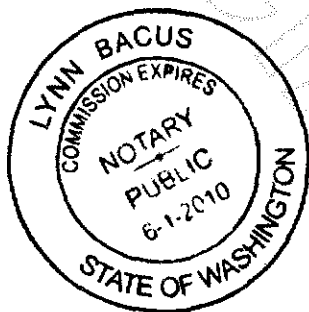
By Alfred N. Carlson  
Its manager



STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF SKAGIT )

I certify that I know or have satisfactory evidence that Alfred W. Carlson signed this instrument, on oath stated that (he/she) was authorized to execute the instrument and acknowledged it in (his/her) capacity as Manager of TADA, LLC, a Washington limited liability company, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

GIVEN under my hand and official seal this 14th day of August, 2006.



Lynn Bacus  
NOTARY PUBLIC in and for the  
State of Washington, residing  
at Mount Rainier

My commission expires: 6/1/2010

Lynn Bacus  
[Type or Print Notary Name]



**EXHIBIT A**  
**LEGAL DESCRIPTION OF RESTRICTED AREA**

That portion of Lot 4, Short Plat No. 38-87, approved August 16, 1988, and recorded August 18, 1988, in Volume 8 of Short Plats, pages 58 and 59, under Auditor's File No. 8808180023, and being a portion of Government Lots 2, 3 and the Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 25, Township 33 North, Range 4 East, W.M., said portion being more particularly described as follows:

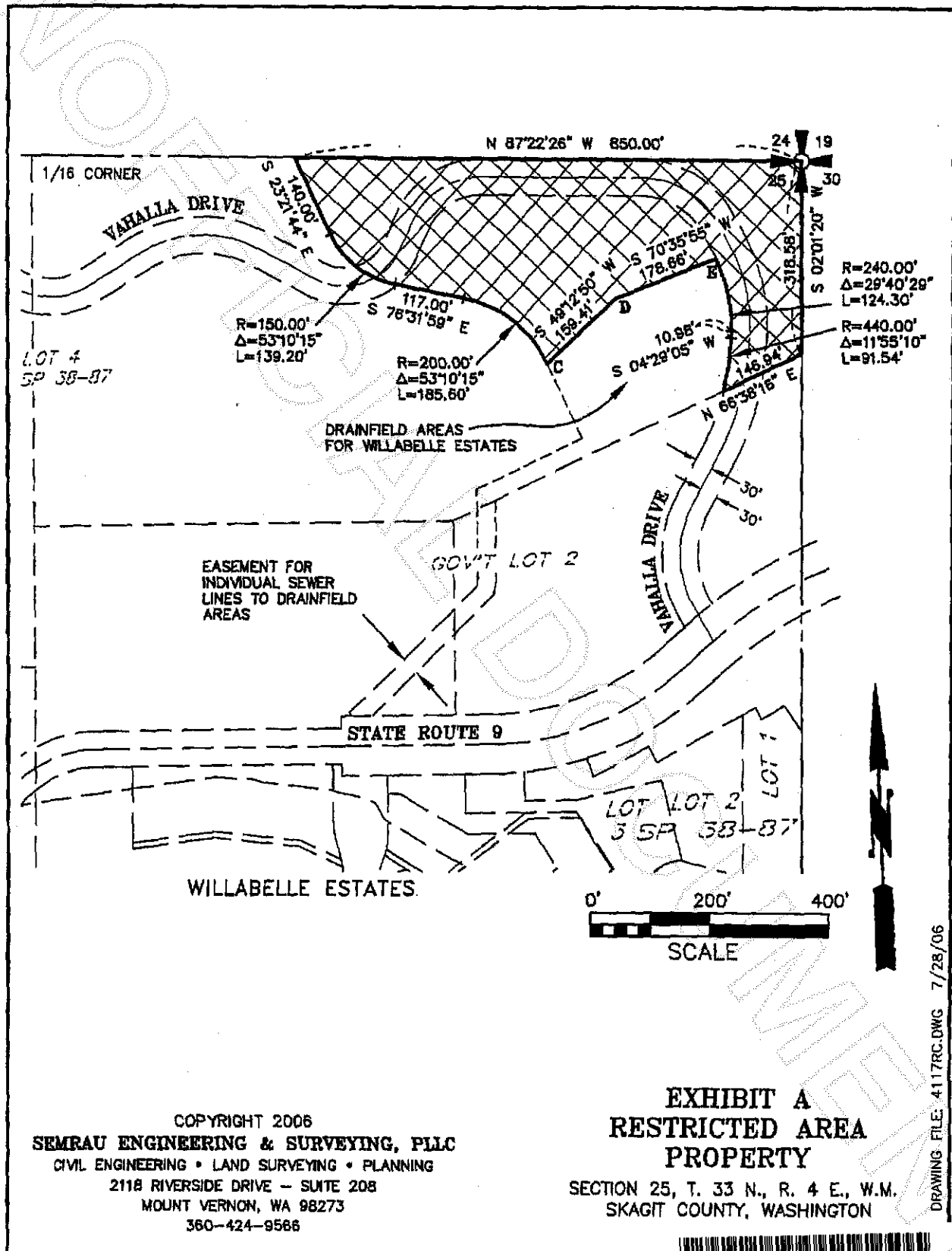
Beginning at the Northeast corner of said Section 25;  
thence North  $87^{\circ}22'26''$  West 850.00 feet along the North line of said Section 25 and the North line of said Lot 4, Short Plat No. 38-87;  
thence South  $23^{\circ}21'44''$  East 140.00 feet to a point of curvature;  
thence along the arc of said curve to the left having a radius of 150.00 feet, through a central angle of  $53^{\circ}10'15''$ , an arc distance of 139.20 feet to a point of tangency;  
thence South  $76^{\circ}31'59''$  East 117.00 feet to a point of curvature;  
thence along the arc of said curve to the right having a radius of 200.00 feet, through a central angle of  $53^{\circ}10'15''$ , an arc distance of 185.60 feet to Point "C" at the Northwestern corner of a tract designated as "DRAINFIELD AREAS" in the Plat of WILLABELLE ESTATES, as per plat thereof recorded under Auditor's File No. 200510250130, records of Skagit County, Washington;  
thence North  $49^{\circ}12'50''$  East 159.41 feet along the North line of said "DRAINFIELD TRACT" to Point "D";  
thence North  $70^{\circ}35'55''$  East 178.66 feet along said North line to Point "E" at the Northeast corner of said "DRAINFIELD TRACT" and a point on a curve;  
thence Southerly along the arc of said curve to the right and the East line of said "DRAINFIELD TRACT", having a radius of 240.00 feet and an initial tangent bearing of South  $25^{\circ}11'24''$  East, through a central angle of  $29^{\circ}40'29''$ , an arc distance of 124.30 feet to a point of tangency;  
thence South  $04^{\circ}29'05''$  West 10.98 feet along said East line to a point of curvature;  
thence along the arc of said curve to the right and along said East line having a radius of 440.00 feet, through a central angle of  $11^{\circ}55'10''$ , an arc distance of 91.54 feet to the Southerly line of said Lot 4, Short Plat No. 38-87;  
thence North  $66^{\circ}38'16''$  East 146.94 feet along said Southerly line to the East line of said Section 25;  
thence North  $02^{\circ}01'20''$  East 318.58 feet to the Point of Beginning.

SUBJECT TO a road and utilities easement to be known as Valhalla Drive.

Situate in the County of Skagit, State of Washington.



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

# **EXHIBIT A** **RESTRICTED AREA** **PROPERTY**

SECTION 25, T. 33 N., R. 4 E., W.M.  
 SKAGIT COUNTY, WASHINGTON



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 Skagit County Auditor