



200611010078  
Skagit County Auditor

11/1/2006 Page 1 of 5 1:32PM

AFTER RECORDING RETURN TO:

JAMES E. ANDERSON  
P.O. 727  
Anacortes, WA 98221

**EXTINGUISHMENT AND RESCISSION  
OF DECLARATION AND GRANT OF EASEMENT**

**GRANTORS: HANSELL HOMES, INC., a Washington corporation and  
STEVEN C. LEDBETTER and LAURA L. LEDBETTER**

**GRANTEES: MARK WADE and ALLISON MCGURK-WADE, husband and wife**

**LEGAL DESCRIPTION:**

Lot 13, PLAT OF FOREST HILLS PUD, as recorded in  
Volume 17 of Plats, pages 42 and 43, records of  
Skagit County, Washington

Parcel No.: P114078

FIRST AMERICAN TITLE CO.

Wild-1

ACCOMMODATION RECORDING ONLY

**RECITAL:**

A. **MARK WADE and ALLISON MCGURK-WADE, husband and wife, are the owners of the above described real property located in Skagit County, Washington, which property is hereinafter referred to as the "WADE PROPERTY".**

B. **STEVEN C. LEDBETTER and LAURA L. LEDBETTER, husband and wife, are the owners of the following described real property located in Skagit County, Washington, which property is hereinafter referred to as the "LEDBETTER PROPERTY":**

Lot 14, PLAT OF FOREST HILLS PUD, as recorded in  
Volume 17 of Plats, pages 42 and 43, records of  
Skagit County, Washington (P114079)

C. **JEFFREY D. HANSELL, AS PRESIDENT OF HANSELL HOMES, INC., a Washington corporation, (hereinafter "Hansell Homes") on July 16, 2005, recorded a document entitled "Declaration and Grant of Easement", under Auditor's No.**

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200507160001, records of Skagit County, Washington, which established certain easement rights in favor of the Ledbetter Property on the Wade Property; and

D. At the time that the referenced Declaration and Grant of Easement was recorded. Hansell Homes no longer had an ownership interest in either said Lot 13 or said Lot 14; and,

E. The herein-referenced parties now desire that the referenced Declaration and Grant of Easement be rescinded and extinguished from the record so that it no longer has any force or effect with respect to the herein-described properties.

**NOW, THEREFORE,** for and in consideration of the covenants contained herein and the compromising and settlement of all matters pending between the parties hereto, the undersigned hereby agree as follows:

1. Steven C. Ledbetter and Laura L. Ledbetter, husband and wife, hereby release any and all rights created under the above-referenced Declaration and Grant of Easement, Auditor's No. 200407160001, records of Skagit County, Washington. As a result of said release, all of the undersigned agree that the easement rights created by said document are hereby extinguished and rescinded in all respects with regard to the herein referenced and described properties.

2. Mark Wade and Allison McGurk-Wade, husband and wife, and Steven C. Ledbetter and Laura L. Ledbetter, husband and wife, shall coincident herewith enter into an "Easement Agreement" which shall be filed coincident herewith granting easement rights and related matters which are intended to replace and amend any rights created pursuant to the agreement referred to in Article 1 above and Recital C above.

3. Hansell Homes agrees that at its expense they will cause to be placed on the Wade property ten (10) approximate three (3) foot arbor vitae with appropriate spacing in the rockery on the south side of the Wade property and to the east side of the driveway on the Ledbetter property. After the installation of said arbor vitae, the owners of the Wade property shall be responsible for all maintenance connected therewith.

4. Hansell Homes shall cause to be paid to the trust account of attorney James E. Anderson the sum of \$13,203.00. Said payment is for the following:

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4.1 A payment of \$10,000 to the owners of the Wade property for their agreement to enter into an "Easement Agreement" to be filed coincident herewith providing for certain easement rights on the Wade property in favor of the Ledbetter Property.

4.2 Reimbursement for fees previously paid by the owners of the Wade property to attorney James Kotchwar in the amount of \$750.00.

4.3 The payment of \$2,200.00 as a contribution to the attorney's fees incurred by the owners of the Wade property with attorney James E. Anderson.

4.4 Excise tax for the \$10,000.00 payment in the amount of \$178.00.

4.5 The estimated recording fees for the Easement Agreement and this agreement - \$75.00.

IN WITNESS WHEREOF, the undersigned have caused this document to be executed as of the day and year below written.

HANSELL HOMES, INC.,  
a Washington corporation, by:

# 5668  
SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

NOV 01 2006

Amount Paid \$ 183.00  
Skagit Co. Treasurer  
By [Signature]

[Signature]  
By JEFFREY D. HANSELL, President

[Signature] 10/24/06  
MARK WADE

[Signature] 10/24/06  
STEVEN C. LEDBETTER

[Signature] 10/26/06  
ALLISON MCGURK-WADE

[Signature] 10/24/06  
LAURA L. LEDBETTER

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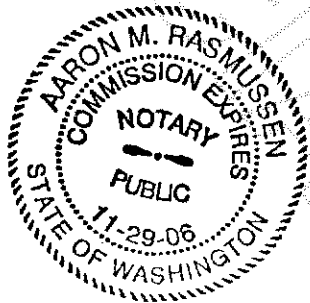


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STATE OF WASHINGTON )  
 ) ss  
COUNTY OF SKAGIT )

On this 26 day of October, 2006, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared MARK WADE and ALLISON MCGURK-WADE, to me known to be the individuals described in and who executed the foregoing instrument, and acknowledged to me that they signed and sealed the said instrument as their free and voluntary act and deed for the uses and purposed therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.

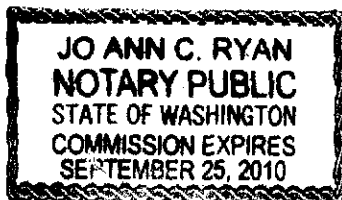


Aaron M. Rasmusen  
Notary Public in and for the  
State of Washington, residing at  
Anacortes, WA  
My commission expires 11-29-06

STATE OF WASHINGTON )  
 ) ss  
COUNTY OF SKAGIT )

On this 24th day of October, 2006, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared STEVEN C. LEDBETTER and LAURA L. LEDBETTER, to me known to be the individuals described in and who executed the foregoing instrument, and acknowledged to me that they signed and sealed the said instrument as their free and voluntary act and deed for the uses and purposed therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.



Jo Ann C. Ryan  
Notary Public in and for the  
State of Washington, residing at  
Anacortes  
My commission expires 9-25-10

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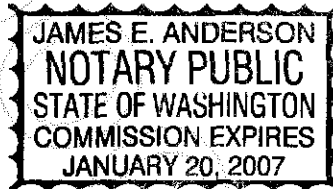
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STATE OF WASHINGTON )  
 ) ss  
COUNTY OF SKAGIT )

On this 24<sup>th</sup> day of OCTOBER, 2006, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared JEFFREY D. HANSELL, to me known to be the President of HANSELL HOMES, INC., a Washington corporation, the corporation that executed the foregoing instrument, and acknowledged to me that the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument and that the seal affixed is the corporate seal of said corporation.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.

James E. Anderson  
Notary Public in and for the  
State of Washington, residing  
at: AKACORTES  
My commission expires: 1/20/07



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