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William F. Almon, P.S.
111 S. 33rd Street, #100
Yakima WA 98901-1471



200704240079
Skagit County Auditor

4/24/2007 Page 1 of 2 11:52AM

DECLARATION EXTINGUISHING EASEMENT, ETC.

Grantor: City of Anacortes, Washington, a municipal corporation

Grantee: Hyattcenters-Anacortes, LLC, a Washington limited liability company

Abbreviated legal: Portion of SE 1/4 of SE1/4, 24-35-1, E.W.M., aka Lots 1, 2, & 3, SP AN 91-005

Complete legal description is shown below.

Assessor's Parcels: 350124-0-091-0000, P31871
350124-0-091-0100, P111715
350124-0-091-0200, P111716

Reference No. of Documents released: AF#519591, SP AN 91-005

FIRST AMERICAN TITLE CO.
89756

ACCOMMODATION RECORDING ONLY

DECLARATION EXTINGUISHING EASEMENT AND CONFIRMING ABSENCE OF ALTERNATIVE EMERGENCY ACCESS PLAN

This Declaration Extinguishing Easement and Confirming Absence of Alternative Emergency Access Plan is made as of April 18, 2007, by the City of Anacortes, Washington, a municipal corporation ("Declarant").

Grantee is owner of all the real property described in that certain City of Anacortes Short Plat No. 91-005, approved October 24, 1991, recorded November 4, 1991, in Book 10 of Short Plats, pages 24 and 25, under Auditor's File No. 9111040088 and being a portion of the Southeast quarter of the Southeast quarter of Section 24, Township 35 North, Range 1, East, W.M., situate in the City of Anacortes, County of Skagit, State of Washington (the "Property").

Declarant is the beneficiary of a sewer easement described in instrument dated July 9, 1954, recorded under Auditor's File No. 519591, over and across a strip of land sixteen feet (16') in width, which land is now owned by Grantee Hyattcenters-Anacortes, LLC, comprised of lands now known as Skagit County Short Plat AN 91-005 (the "sewer easement").

Creation of Short Plat AN 91-005, recorded under Auditor's File No. 9111040088, included within it creation of "An easement as shown for ingress and egress and utilities and

emergency vehicle access. 30' easement shall never be blocked unless alternative emergency vehicle access plan is approved by the City of Anacortes." (The "Emergency Access Plan").

By Declaration Extinguishing Easement recorded at Auditor's File No. 200412300167, Grantee's predecessor-in-interest extinguished the easement described in the immediately preceding paragraph. It is Declarant's intention by this instrument to acknowledge that there is no need for an alternative emergency vehicle access plan, and that the Declaration at AF 200412300167 has succeeded in completely extinguishing the easement described therein, free of any such alternative access need.

Therefore, Declarant hereby declares that the sewer easement described in instrument recorded at Auditor's File No. 519591 is hereby extinguished, and that the need for an alternative emergency vehicle access plan described in SP AN 91-005 and the Declaration at AF 200412300167 no longer exists.

DATED as of the date set forth above.

City of Anacortes, Washington

By: H. Dean Maxwell
Mayor SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

Approved to form:

By: Jan S. Munce
City Attorney

APR 24 2007

Amount Paid
By Skagit Co. Treasurer Deputy

ACKNOWLEDGMENT OF NOTARY PUBLIC

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT.....)

On this 23rd day of April, 2007 personally appeared before me, H. Dean Maxwell, who is personally known to me to be the signer of the above document, and he acknowledged that he signed it.

GIVEN under my hand and official seal this 23rd day of April, 2007.



Cherril L. Kahns
(Print Name)

Notary Public in and for the State of Wash

Cherril L. Kahns
(Signature)

Residing in Mount Vernon, Washington.

My commission expires: 10-19-10



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Skagit County Auditor