

Return Address:

Michael D. Brandt
Brandt Law Group
2003 Western Ave., Ste. 203
Seattle, WA 98121



200706280014

Skagit County Auditor

6/28/2007 Page 1 of 28 9:24AM

Please print or type information **WASHINGTON STATE RECORDER'S Cover Sheet** (RCW 65.04)

Document Title(s) (or transactions contained therein): (all areas applicable to your document must be filled in)

1. Findings of Fact and Conclusions of Law
3. _____ 4. _____

Reference Number(s) of Documents assigned or released:

Additional reference #'s on page _____ of document

Grantor(s) (Last name, first name, initials)

1. Baumann, Ruedi
2. _____

Additional names on page _____ of document.

Grantee(s) (Last name first, then first name and initials)

1. Shubert, Stephen M. 3. Brown, Schuyler and Helen
2. Sanford, Roy and Veretta

Additional names on page _____ of document.

Legal description (abbreviated: i.e. lot, block, plat or section, township, range)

That portion of the SE 1/4 of the SW 1/4 of the NE 1/4 of Section
13, Township 35 North, Range 8 East

Additional legal is on page 14 of document.

15, 16, 17, 19, 20, 21, 22

Assessor's Property Tax Parcel/Account Number

☐ Assessor Tax # not yet

assigned

P102691; P43885; P43884; P43882; P43865; P43869;
P43850; P43861

The Auditor/Recorder will rely on the information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

I am requesting an emergency nonstandard recording for an additional fee as provided in RCW 36.18.010. I understand that the recording processing requirements may cover up or otherwise obscure some part of the text of the original document.

Signature of Requesting Party

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SKAGIT COUNTY CLERK
SKAGIT COUNTY, WA

2007 JUN -7 AM 9: 23

FILED
SKAGIT COUNTY CLERK
SKAGIT COUNTY, WA

2007 JUN 19 PM 1: 16

JUDGE SUSAN K. COOK
Trial Date: May 16, 2007

IN THE SUPERIOR COURT OF WASHINGTON FOR SKAGIT COUNTY

STEPHEN M. SHUBERT and NORMA
CARTER, husband and wife, and ROY A.
SANFORD and VENETTA SANFORD,
husband and wife, and SCHUYLER
BROWN and HELEN BROWN, husband
and wife,

Plaintiffs,

v.

RUEDI F. BAUMANN, a single man,

Defendant.

Cause No.: 04-2-01219-1

FINDINGS OF FACT AND
CONCLUSIONS OF LAW

This matter coming on before the Hon. Susan K. Cook, Judge of the above-entitled court, the Plaintiffs being represented by Michael D. Brandt of Brandt Law Group, and defendant Baumann being represented by Patrick M. Hayden, and the Court having heard the testimony and reviewed the evidence of the parties and having considered the arguments of counsel, now therefore, the Court hereby makes the following:

I. FINDINGS OF FACT

THE PARTIES

1.1 Plaintiff Stephen M. Shubert is referred to herein as "Shubert." Norma Carter and Stephen Shubert were married at the time this action was filed. Norma



1 Carter no longer has any rights to any of the property at issue in this litigation, pursuant
2 to the Decree of Dissolution in Skagit County Superior Cause No. 06 3 004838 0.

3 **1.2** Plaintiffs Roy Sanford and Venetta Sanford are referred to collectively as
4 "Sanford."
5

6 **1.3** Plaintiffs Schuyler Brown and Helen Brown are collectively referred to as
7 "Brown."
8

9 **1.4** Defendant Ruedi Baumann is referred to herein as "Baumann."
10

11 **THE REAL PROPERTY**

12 **1.5** In 1980, Shubert purchased real property, legally described in the
13 attached Exhibit 1, pursuant to a Purchaser's Assignment of Real Estate Contract and
14 Deed, recorded under Skagit County Auditor's File No. 8007080029.
15

16 **1.6** In 1985, Shubert purchased an adjacent parcel of real property, legally
17 described in the attached Exhibit 2, pursuant to a Statutory Warranty Deed, recorded in
18 Skagit County Auditor's File No. 8502060038.
19

20 **1.7** In 1986, Sanford purchased real property, legally described in the
21 attached Exhibit 3, pursuant to a Statutory Warranty Deed, recorded in Skagit County
22 Auditor's File No. 8606090080.
23

24 **1.8** In 1989, Brown purchased real property pursuant to a Real Estate
25 Contract. The Statutory Warranty Deed legally describing the Brown's real property is
26 attached here as Exhibit 4. The Deed was recorded in Skagit County Auditor's File No.
27 9411210102.
28
29
30

1 **1.9** In 1993, Baumann purchased real property, legally described in the
2 attached Exhibit 5, pursuant to a Statutory Warranty Deed recorded in Skagit County
3 Auditor's File No. 9305100095.

4 **1.10** In 1998, Baumann purchased real property, legally described in the
5 attached Exhibit 6, pursuant to a Statutory Warranty Deed recorded in Skagit County
6 Auditor's File No. 9806050043.
7

8 **THE BROWN ADVERSE POSSESSION CLAIM**

9 **1.11** Brown and his predecessor in interest, or others on their behalf, have
10 maintained the fence line between the Brown property, described in Finding of Fact 1.8,
11 and the Baumann property, described in Finding of Fact 1.9, since at least the 1940s.
12 This fence line has been used by the owners of both parcels to delineate their property,
13 prevent livestock from trespassing, provide for a walking trail, and other uses that were
14 open and notorious, constituting exclusive use indicative of ownership, for more than
15 ten continuous years.
16

17 **1.12** The fence between the Brown and Baumann properties is illustrated on
18 the Record of Survey recorded in Skagit County Auditor's File No. 200201240246, a
19 copy of which is attached hereto as Exhibit 7, and on the illustration prepared by
20 Petersen Land Surveying, attached hereto as Exhibit 8. The location of the fence is
21 found to be as shown on the Record of Survey, and is situated between 15.3 and 17.6
22 feet East of the common surveyed property line.
23

24 **TWENTY FOOT STRIPS – O'CONNER EASEMENT**

25 **1.13** Two deeds reserved a twenty (20) foot strip of land for road purposes. In
26 1928, by a deed recorded in Skagit County Auditor's File No. 242384 from Bingham to
27 McDonald, and in 1936, by a deed recorded in Skagit County Auditor's File No. 283823
28
29
30



1 from Bingham to O'Conner, Bingham reserved this property, which was ultimately
2 conveyed to Karlsson by Bingham in a 1943 deed and recorded in Skagit County
3 Auditor's File No. 36671.

4
5 **1.14** The twenty (20) foot strip described in the deed recorded in Skagit County
6 Auditor's File No. 36671 was subject to a non-exclusive easement for road purposes in
7 favor of O'Conner benefiting that real property described in the deed recorded in Skagit
8 County Auditor's File No. 283823. This benefited property is now owned by Stephen
9 Shubert and Sanford, and described in Findings of Fact No. 1.6 and 1.7, respectively.
10

11 **1.15** The (20) foot strip was reserved for road access to that real property now
12 owned by Baumann and described in Finding of Fact No. 1.10.
13

14 **1.16** In 1971, by a Quitclaim Deed, recorded in Skagit County Auditor's File No.
15 757364, a copy of which is attached hereto as Exhibit 10, Baumann predecessor
16 William Karlsson conveyed to Baumann predecessors Alvin and Edna Grobmeier the
17 twenty (20) foot north-south strip described above, a twenty (20) foot square parcel, and
18 a twenty (20) foot east-west strip. These parcels are all illustrated on the Record of
19 Survey recorded in Skagit County Auditor's File No. 200201240246, a copy of which is
20 attached hereto as Exhibit 7, and on the illustration prepared by Petersen Land
21 Surveying, attached hereto as Exhibit 8.
22

23
24 **1.17** The twenty (20) foot square parcel, and the twenty (20) foot east-west
25 strip were also subject to a non-exclusive easement for road purposes in favor of
26 O'Conner benefiting that real property described in the deed recorded in Skagit County
27 Auditor's File No. 283823. This benefited property is now owned by Stephen Shubert
28 and described in Findings of Fact No. 1.6.
29
30



PRESCRIPTIVE EASEMENT

1.18 In 1980, Shubert entered into an easement agreement with other property owners to construct a driveway easement on the east edge of a portion of the former O'Conner property, now owned by Sanford and described in Finding of Fact No. 1.7. This easement agreement is recorded in Skagit County Auditor's File No. 8007080028. It provided an alternate access to the property conveyed by Bingham to O'Conner and to other property.

1.19 Beginning in 1980, Shubert constructed a roadway under the terms of the easement, mistakenly believing that it was located on property now owned by Sanford. In fact, the southern portion of the road was constructed within the twenty (20) foot parcel adjacent to the Sanford property that is now owned by Baumann.

1.20 The roadway on the Baumann property was constructed wholly within the twenty (20) foot strip and is illustrated on the Record of Survey recorded in Skagit County Auditor's File No. 200201240246, a copy of which is attached hereto as Exhibit 7, and on the illustration prepared by Petersen Land Surveying, attached hereto as Exhibit 8.

1.21 In addition to constructing the roadway, Shubert also mowed grassy strips within the twenty (20) foot strip to the west and to the east of the roadway and mowed a grassy strip and constructed and improved a ditch located on the east side of the twenty foot strip, on real property owned by Baumann and described in Finding of Fact No. 1.9. The grassy strips and ditch are illustrated on the Record of Survey recorded in Skagit County Auditor's File No. 200201240246, a copy of which is attached hereto as Exhibit 7, on the illustration prepared by Petersen Land Surveying, attached hereto as Exhibit



1 8, and on the illustration prepared by Petersen Land Surveying, attached hereto as
2 Exhibit 9.

3 1.22 To the east of the roadway, there is a grassy strip, and a ditch which is
4 about 3 feet wide and 3 feet deep. They are located west of the northern extension of
5 the fence separating the Baumann and Brown properties described in Finding of Fact
6 No. 1.12, south of the spur road that heads east off of the roadway in the twenty (20)
7 foot strip, and north of the Baumann driveway. The grassy strip is also located north of
8 the spur road that heads east off of the roadway in the twenty (20) foot strip, west of the
9 northern extension of the fence separating the Baumann and Brown properties
10 described in Finding of Fact No. 1.12, and south of the Shubert Property described in
11 Finding of Fact 1.6.
12
13
14

15 1.23 The roadway and the grassy strips and ditch have been used and
16 maintained by Shubert for more than ten (10) years. This use was open and notorious,
17 uninterrupted, hostile and adverse to Baumann. At times Sanford helped Shubert
18 maintain the roadway and grassy strips, but did not personally use the roadway.
19

20 1.24 Shubert used the road to access the property described in Finding of Fact
21 1.5, for which he had no easement over the twenty (20) foot strip, as well as for access
22 to the property described in Finding of Fact 1.6, for which he had an easement.
23

24 1.25 Shubert constructed a gate toward the southern end of the twenty (20)
25 foot strip roadway with a post, metal farm gate, and concrete blocks. Shubert kept the
26 gate locked at times when he was not at home, but generally kept it unlocked when he
27 was home.
28
29
30



1 **1.26** Baumann and his predecessors in interest did not attempt to use the road
2 until Baumann purchased the twenty (20) foot strip in 1998. When Baumann attempted
3 to use the road, conflict developed between the parties over this issue. In 2004,
4 Baumann removed the gate and blocks, and prior to such removal had constructed a
5 spur road off the road constructed by Shubert to access the property he purchased in
6 1998. Baumann sporadically used the spur road and road in the twenty (20) foot strip
7 for logging purposes.
8

9
10 **1.27** Shubert's use of the twenty (20) foot strip was not of a nature to exclude
11 others at all times from using the road. Further, Baumann was not prohibited from using
12 the road in the twenty (20) foot strip when he used it for logging purposes.
13

14 **CONTEMPT OF COURT**

15 **1.28** On December 8, 2006, Judge Michael E. Richert issued an Order denying
16 defendant Baumann's motion for a temporary injunction, which stated that neither
17 Plaintiffs nor Defendant shall interfere with the use of the disputed property, which the
18 Plaintiffs were claiming by adverse possession and mutual recognition and
19 acquiescence, until the trial of this matter. In addition, the Order stated that all parties
20 shall refrain from any actions that would restrict the previous or current use of the
21 property from the other.
22

23
24 **1.29** On March 2, 2007 and March 5, 2007, defendant Baumann had
25 contractors construct a fence on the property in dispute in this action.
26

27 **1.30** On March 23, 2007, Judge Pro Tem Svaren granted Plaintiffs' motion
28 requesting that defendant Baumann be held in contempt for the construction of the
29 fence. The Court entered its March 23, 2007 Order finding defendant Baumann in
30



1 contempt. The Order required defendant Baumann to remove the fence and restore the
2 property to its condition prior to the construction of the fence by April 1, 2007. The
3 Order also required that defendant Baumann pay the Plaintiffs \$2,308.00 in reasonable
4 attorneys' fees associated with the bringing of the motion for contempt by April 1, 2007.
5

6 **1.31** Defendant Baumann brought a motion for reconsideration of the Court's
7 March 23, 2007 Order. On April 18, 2007, the Court denied defendant Baumann's
8 motion and ordered that defendant Baumann pay \$25.00 per day from April 1, 2007
9 until the offending fence was removed and pay the additional attorneys' fees incurred by
10 Plaintiffs in responding to the motion for reconsideration in the amount of \$1,445.00. To
11 date, defendant Baumann has not removed the fence, nor paid any of the required
12 funds to the Plaintiffs.
13
14

15 Based on the forgoing Findings of Fact, the Court makes the following
16

17 **II. CONCLUSIONS OF LAW**

18 **2.1** Any Finding of Fact more properly denoted a Conclusion of Law is hereby
19 adopted as such.
20

21 **2.2** Plaintiffs Schuyler Brown and Helen Brown have acquired title by adverse
22 possession and the doctrine of mutual recognition and acquiescence to that portion of
23 the real property described in Finding of Fact 1.9 located West of the fence line depicted
24 on the Record of Survey recorded in Skagit County Auditor's File No. 200201240246, a
25 copy of which is attached hereto as Exhibit 7, and on the illustration prepared by
26 Petersen Land Surveying, attached hereto as Exhibit 8. The location of the fence is
27 found to be as shown on the Record of Survey, and is situated between 15.3 and 17.6
28 feet East of the common surveyed property line, lying south of the south line of the
29
30



1 County Road (Van Horn Lane) extended easterly. All right, title and interest of
2 defendant Ruedi Baumann in said described property West of the fence line is hereby
3 quieted in Schuyler Brown and Helen Brown.

4
5 **2.3** Plaintiff Stephen M. Shubert and plaintiffs Roy Sanford and Venetta
6 Sanford are the current owners of the real property benefited by the O'Conner
7 easement described in Findings of Fact 1.13, 1.14., and 1.16. Plaintiff Stephen M.
8 Shubert and plaintiffs Roy Sanford and Venetta Sanford have the right to use the twenty
9 (20) foot north-south strip and the twenty foot square parcel for ingress and egress to
10 and from the benefited property under the terms of the O'Conner non-exclusive
11 easement. Plaintiff Stephen M. Shubert has the right to use the twenty (20) foot east-
12 west strip and the twenty foot square parcel for ingress and egress to and from the
13 benefited property under the terms of the O'Conner non-exclusive easement. The
14 twenty (20) foot north-south strip, the twenty foot square parcel, and the twenty (20) foot
15 east-west strip are depicted on the Record of Survey recorded in Skagit County
16 Auditor's File No. 200201240246, a copy of which is attached hereto as Exhibit 7, and
17 on the illustrations prepared by Petersen Land Surveying, attached hereto as Exhibits 8
18 and 9.

19
20 **2.4** Plaintiff Stephen M. Shubert has a non-exclusive prescriptive easement
21 for ingress and egress to and from the real property described in Finding of Fact 1.5
22 over the twenty (20) foot strip described in Findings of Fact 1.13 and 1.14, and legally
23 described as:

24 A TRACT OF LAND TWENTY (20) FEET SQUARE IN THE SOUTHEAST CORNER OF THE
25 SOUTHWEST QUARTER (SW ¼) OF THE NORTHEAST QUARTER (NE ¼)
26 and
27 THE EAST TWENTY (20) FEET OF THAT PART OF THE NORTHWEST QUARTER (NW ¼)
28 OF THE SOUTHEAST QUARTER (SE ¼) LYING NORTH OF THE OLD COUNTY ROAD.
29
30



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1
2 **2.5** Plaintiff Stephen M. Shubert has a non-exclusive prescriptive easement
3 for drainage, as currently constructed and maintained, over the portion of the twenty
4 (20) foot strip east of the roadway described in Findings of Fact 1.13 and 1.14, and in
5 Conclusion of Law 2.4. To that end, Shubert may continue to mow that area and to
6 maintain current drainage measures to keep water from entering the roadway. Shubert
7 may not construct a ditch across the current spur road created by Baumann, identified
8 on the illustrations prepared by Petersen Land Surveying, attached hereto as Exhibits 8
9 and 9, as "Baumann logging access gravel road." Shubert may also continue to mow
10 the portion of the twenty (20) foot strip west of the roadway described in Findings of
11 Fact 1.13 and 1.14.
12
13
14

15 **2.6** Plaintiff Stephen M. Shubert has a non-exclusive prescriptive easement
16 for drainage, as currently constructed and maintained, over:
17

18 THE WEST 15.3 FEET OF THE NORTH 230.0 FEET OF THE NORTHEAST QUARTER OF
19 THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 35 NORTH, RANGE 8 EAST,
20 W.M.,

21 that area cross-hatched in the illustration prepared by Petersen Land Surveying,
22 attached hereto as Exhibit 11, including the mowed area and the maintained ditch
23 described in Findings of Fact 1.19 and 1.20, up to the northern extension of the fence
24 separating the Baumann and Brown properties described in Finding of Fact No. 1.12.

25 To that end, Shubert may continue to mow that area, trim brush, and take appropriate
26 drainage measures to keep water from entering the roadway described in Findings of
27 Fact 1.13 and 1.14.
28
29
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Skagit County Auditor

1 **2.7** The claim of Roy Sanford and Venetta Sanford for title to the twenty (20)
2 foot strip described in Findings of Fact 1.13 and 1.14 and to the mowed area and
3 maintained ditch described in Findings of Fact 1.19 and 1.20 is denied.

4 **2.8** Defendant Ruedi Baumann, and his successors in interest, have the right
5 to reasonable use for access and other uses of the area encumbered by the reserved
6 and prescriptive easements, subject to the rights of Sanford and Shubert and their
7 successors in interest to use the easement areas as described in Conclusions of Law
8 2.3 - 2.6. Baumann may not erect any fences in the easement areas. Neither party
9 shall unreasonably interfere with the use of the easement area by the other parties, as
10 provided herein.
11

12 **2.9** The remaining claims and counterclaims of the parties should be denied.
13

14 **2.10** Except as provided below, each party shall pay their own costs and
15 attorney's fees.
16

17 **Contempt of Court**
18

19 **2.11** Defendant Baumann remains in contempt of Court, as the fence he was
20 ordered to remove has not been removed, and he has not paid the Plaintiffs the money
21 described in Findings of Fact 1.30 and 1.31 that he was ordered to pay.
22

23 **2.12** Plaintiffs Shubert and Sanford may have the fence removed at defendant
24 Baumann's reasonable cost. A bill for such removal, including any costs to Plaintiffs to
25 have Sheriff's officers keep the peace during the process, shall be provided to
26 defendant Baumann's counsel and shall be paid by defendant Baumann in certified
27 funds to Plaintiffs' attorney within seven (7) calendar days of such provision of the bill.
28
29
30



1 The fence shall be placed on defendant Baumann's property east of the easement area
2 described in Conclusion of Law 2.6.

3 **2.13** Defendant Baumann owes plaintiff Shubert the funds identified in Findings
4 of Fact 1.30 and 1.31. The \$25.00 per day shall continue to accrue until the fence is
5 removed by defendant Baumann or Plaintiffs.
6

7
8 Dated this 7 day of June, 2007

9
10
11 Susan K Cook
12 HON. SUSAN K. COOK
13

14 Presented by:

15 **BRANDT LAW GROUP**

16
17
18 By: Michael D. Brandt

19 Michael D. Brandt, WSBA #20901
20 Attorney for Plaintiffs
21 Stephen M. Shubert, Norma Carter,
22 Roy and Venetta Sanford, and
23 Schuyler and Helen Brown

24 Approved as to form:

25 Patrick M. Hayden

26 Patrick M. Hayden, WSBA #11061
27
28
29
30



200706280014

Skagit County Auditor



**First American Title
INSURANCE COMPANY**

Filed for Record at Request of **SKAGIT COUNTY TITLE CO.**

Name Stephen M. Shubert

Address Route 1, Box 29

City and State Concrete, WA 98237

SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax
P A D

JUL 8 1980

Amount Paid \$ 13500
Ruth Wade, Sec. Treas.

THIS SPACE RESERVED FOR RECORDER'S USE.

LUELLA R. HRY
SKAGIT COUNTY

'80 JUL -B/P3:17

RECORDED FILED
REQUEST OF

8007080029

PURCHASER'S ASSIGNMENT OF CONTRACT AND DEED

THE GRANTOR **CHARLES M. YOUNG and ELVIRA V. YOUNG**, husband and wife
for value received do hereby convey and quit claim to

STEPHEN M. SHUBERT, a single man

the following described real estate, situated in **Skagit**

County, State of Washington,

Together with all after acquired title of the grantor(s) therein.

That portion of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$
of Section 13, Township 35 North, Range 8 East, W.M., described as
follows:

Beginning at the Northwest corner of said subdivision; thence South
along the West line of said subdivision 100 feet; thence Southeasterly
in a straight line to a point on the East line of said subdivision that
is 100 feet North of the Southeast corner of said subdivision; thence
North along the East line of said subdivision to the Northeast corner
thereof; thence West along the North line of said subdivision to the
POINT OF BEGINNING, EXCEPT road and EXCEPT any portion in Puget Sound
Saw Mill & Shingle Company right of way as conveyed by deed recorded
March 11, 1925 under Auditor's File No. 181649 in Volume 136 of Deeds,
page 29.

SUBJECT TO: Easement of record
and do hereby assign, transfer and set over to the grantee that certain real estate contract dated the 22nd day of
July, 1975 between Maxine Breier

as seller and **Charles M. Young and Elvira V. Young**, husband and wife (and
amendment thereto dated June , 1980)
as purchaser for the sale and purchase of the above described real estate. The grantee hereby assume and agree
to fulfill the conditions of said real estate contract.

Dated this

8th

day of

Charles M. Young

1980

STATE OF WASHINGTON,

County of **Skagit**

ss.

Elvira V. Young (SEAL)

Charles M. Young (SEAL)

Charles M. Young, Notary Public

On this 8th day of

July

1980, before me, the undersigned,

a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared
Charles M. Young to me known to be the individual described in, and who executed the
within instrument for him self and also as the Attorney in Fact for **V. Young** and acknowledged
to me that he signed and sealed the same as his own free and voluntary act and deed for him self, and
also as the free and voluntary act and deed as Attorney in Fact for said **Elvira V. Young**
in the capacity and for the uses and purposes therein mentioned, and that said principal is now deceased for his use.

WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above



200706280014
Skagit County Auditor

EXHIBIT

**First American Title
INSURANCE COMPANY**

Filed for Record at Request of

REQUISITE

Name _____

Address _____

City and State _____

FEB 9 2005

12 11 PM

TEW



8502060038 Statutory Warranty Deed

16405-2
Rec #420

THE GRANTOR S. SANDRA J. STROCKBINE, a single woman at all times since February 4, 1985, as her separate property,

for and in consideration of Thirteen Thousand and no/100ths (\$13,000.00) Dollars,

in hand paid, conveys and warrants to STEPHEN M. SHUBERT, a single man, as his

separate property, the following described real estate, situated in the County of Skagit, State of Washington:

That portion of the following described tract lying within the South 1/4 of the Southeast 1/4 of the Northeast 1/4 of Section 13, Township 35 North, Range 8 East W.M.:

Beginning at the Southwest corner of said Southeast 1/4 of the Northeast 1/4 (said corner represented by an iron pipe driven in the ground); thence East 330 feet, thence North 660 feet; thence West 330 feet; thence South 660 feet to the point of beginning; EXCEPT the South 20 feet thereof.

TOGETHER WITH a non-exclusive easement for ingress, egress and utilities, as granted and established by instrument dated June 19, 1980 and recorded July 8, 1980 under Auditor's File No. 8007080028, records of Skagit County, Washington.

SUBJECT TO: (1) 1985 real property taxes as billed under Tax Account No. 133508-1-008-0006; and (2) The terms and conditions of that certain Easement Agreement dated June 19, 1980 & recorded July 8, 1980 under Auditor's File #8007080028, relative to location of road to be constructed and provisions as to cost and maintenance of the roadway.

Dated this 4th day of February, 1985.

Sandra J. Strockbine

Sandra J. Strockbine (SEAL)

STATE OF WASHINGTON,
County of Skagit

On this day personally appeared before me Sandra J. Strockbine

to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 4th day of February, 1985.

Gale A. Hubert
Notary Public in and for the State of Washington,
residing at Burlington, NY Vernon

8502060038

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Skagit County Auditor



First American Title Insurance Company

Filed for Record at Request of

Name Roy A. Sanford and Venetta M. Sanford

Address _____

City and State SKAGIT COUNTY WASHINGTON

PAID

8606090080

THIS SPACE PROVIDED FOR RECORDERS USE

JERRY McINTURFF
SKAGIT COUNTY AUDITOR

'86 JUN - 9 P3:59

RECEIVED _____ FILED _____
REQUEST for _____

18481

Amount Paid \$184.81
By W Deputy

Statutory Warranty Deed

Revenue \$57.00

THE GRANTOR Donald D. Anderson and Dorothy M. Anderson, husband and wife

for and in consideration of SIXTY EIGHT THOUSAND AND 00/100 DOLLARS

in hand paid, conveys and warrants to Roy A. Sanford and Venetta M. Sanford, husband and wife

the following described real estate, situated in the County of SKAGIT, State of Washington:

PARCEL "A":

That portion of the Southeast 1/4 of the Southwest 1/4 of the Northeast 1/4 of Section 13, Township 35 North, Range 8 East W.M., described as follows:

Beginning at the Northwest corner of said subdivision; thence South along the West line of said subdivision, 100 feet to the true point of beginning; thence Southeasterly in a straight line to a point on the East line of said subdivision, that is 100 feet North of the Southeast corner of said subdivision; thence South along said East line to said Southeast corner; thence West along the south line of said subdivision to the Southwest corner thereof; thence North along said West line of said subdivision to the true point of beginning; EXCEPT a tract 20 feet square in the Southeast corner thereof; AND EXCEPT road;
CONT'T EXHIBIT A

Dated JUNE 1, 19 86

Donald D. Anderson
DONALD D. ANDERSON

Dorothy M. Anderson
DOROTHY M. ANDERSON

STATE OF WASHINGTON,

County of SKAGIT



On this 6TH day of JUNE, 19 86, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared DONALD D. ANDERSON to me known to be the individual described in, and who executed the within instrument for him self and also as the Attorney in Fact for ***** and acknowledged to me that he signed and sealed the same as his own free and voluntary act and deed for him self, and also as the free and voluntary act and deed as Attorney in Fact for said DOROTHY M. ANDERSON in the capacity and for the uses and purposes therein mentioned, and that said principal is not deceased nor insane.
***DOROTHY M. ANDERSON

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

8606090080

James A. Hayes Vol. 850 PAGE 653
Notary Public in and for the State of Washington,
residing at Burlington

LPS-10 (8/84)



200706280014
Skagit County Auditor

EXHIBIT A

CONTINUATION PAGE

2

PARCEL "B":

That portion of the Northwest 1/4 of the Southeast 1/4 of Section 13, Township 35 North, Range 8 East, W.M., lying Northeasterly of the Old County Road known as the Cape Horn and Baker Road No. CXXIV, as the same existed on March 20, 1930, EXCEPT the East 20 feet thereof as reserved for road purposes in Deed executed by C. E. Bingham, et ux, dated October 27, 1936, and recorded October 26, 1936, under Auditor's File No. 283823, in Volume 165 of Deeds, page 36.

Situate in the County of Skagit, State of Washington.

SUBJECT TO: Grantees herein agree to assume that certain Deed of Trust held by Western States Mortgage Company, dated February 25, 1983, recorded March 3, 1983 under Auditor's File No. 8303030027. Grantees agree to assume and pay said Deed of Trust, in the original amount of \$39,000.00, the present balance of which, as of June 1, 1986 is the sum of \$38,496.63, according to its own terms and conditions.

ALSO SUBJECT TO: Last 1/2 1986 Real Property Taxes (Parcel A), paragraphs A through D, Schedule B-1 of First American Title Insurance Company Preliminary Report No. 18481.

8606090080

VOL 650 PAGE 654



200706280014
Skagit County Auditor

6/28/2007 Page 17 of 28 9:24AM



**First American Title
Insurance Company**

Filed for Record at Request of

Name DAVID B. STRONG, Attorney at Law

Address 701 E. Fairhaven Avenue

City and State Burlington, WA 98233

T-75431

LAND TITLE COMPANY OF SKAGIT COUNTY

THIS SPACE PROVIDED FOR RECORDER'S USE

JERRY MCINTURFF
SKAGIT COUNTY AUDITOR

94 NOV 21 P3 32

RECORDED _____ FILED _____
REQUEST OF _____

9411210102

SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax

**Statutory Warranty Deed
IN FULFILLMENT OF REAL
ESTATE CONTRACT**

NOV 21 1994

THE GRANTOR JOAN RADEN BEARDSLEY, a widow,

Amount Paid \$
By: Skagit County Treasurer
Deputy

for and in consideration of fulfillment of real estate contract

in hand paid, conveys and warrants to SCHUYLER L. BROWN and HELEN M. BROWN, husband and wife,

the following described real estate, situated in the County of Skagit, State of Washington:

AS PER EXHIBIT "A" ATTACHED HERewith AND BY REFERENCE MADE A PART
HEREOF.

This deed is given in fulfillment of that certain real estate contract between the parties hereto, dated May 1989
xxxxxxxxxxxxxx and conditioned for the conveyance of the above described property, and the covenants of warranty
herein contained shall not apply to any title, interest or encumbrance arising by, through or under the purchaser in said con-
tract, and shall not apply to any taxes, assessments or other charges levied, assessed or becoming due subsequent to the date of
said contract.

Real Estate Sales Tax was paid on this sale on June 5,
Dated May 17, 19 89, Rec. No. # 2290 \$ 1005.00

Joan Raden Beardsley
JOAN RADEN BEARDSLEY

STATE OF WASHINGTON

COUNTY OF Skagit

On this day personally appeared before me

Joan Raden Beardsley

to me known to be the individual(s) described in and who
executed the within and foregoing instrument, and
acknowledged that she signed the same
as her free and voluntary act and deed,
for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this
17th day of May, 19 89

Janet A. Conrad
Notary Public in and for the State of Washington, residing at
Mount Vernon

STATE OF WASHINGTON

COUNTY OF _____

On this _____ day of _____, 19 _____

before me, Janet A. Conrad, a Notary Public in and for the State of Washington, duly com-
missioned and acting personally appeared _____

_____ President and _____ Secretary,
of the corporation that executed the foregoing instrument, and acknowledged the said instru-
ment to be the act and voluntary act and deed of said corporation, for the uses and purposes
therein mentioned, and each stated that _____

acknowledged in express words that the seal affixed is the corporate seal of said
corporation.

Witness my hand and official seal hereto affixed the day and year first above written.

Notary Public in and for the State of Washington, residing at _____



200706280014
Skagit County Auditor

6/28/2007 Page 18 of 28 9:24AM

EXHIBIT "A"

That portion of the Northwest Quarter of the Southeast Quarter of Section 13, Township 35 North, Range 8 East of the Willamette Meridian, described as follows:

Beginning at a point on the North line of Secondary State Highway No. 17-A which is South 34°45' West from a point set on the East and West center line of said Section 13, and 484.9 feet East on the same center line from the center of the section, an iron post set and recognized as such center;
thence South 46°40' East along the Northerly line of said Highway 314 feet to the most Southerly corner of the tract described in deed to Charles Howell, recorded in Volume 200 of Deeds, Page 75, under Auditor's File No. 379188, records of Skagit County, Washington, the true point of beginning of this description;
thence North 34°45' East along the Easterly line of said Howell tract 363.5 feet;
thence North 12°31' East along said Easterly line 252.5 feet, more or less, to the North line of said subdivision;
thence East along said North line to the old county road referred to as a boundary in deed to Donald D. Anderson and Dorothy M. Anderson, husband and wife, recorded under Auditor's File No. 8209090046, records of Skagit County, Washington;
thence Southeasterly along said old county road to the East line of said subdivision;
thence South along said East line of subdivision to a point thereon which is South 929.9 feet from the one-sixteenth corner which is the Northeast corner of said subdivision;
thence along the North line of the tract conveyed to John Lorentzen and wife by deed under Auditor's File No. 305119, records of Skagit County, Washington;
North 89°45' West 93.4 feet;
North 62°20' West 506.1 feet;
and South 35°01' West 106 feet, more or less, to the North line of said state highway;
thence Northwesterly along said North line of highway to the true point of beginning

EXCEPT that portion of the Northwest Quarter of the Southeast Quarter of Section 13, Township 35 North, Range 8 East of the Willamette Meridian, described as follows:

Beginning at a point on the North line of Secondary State Highway No. 17-A which is South 34°45' West from a point set on the East and West center line of said Section 13, and 484.9 feet East on the same center line from the center of the section, an iron post set and recognized as such center;
thence South 46°40' East along the Northerly line of said highway 314 feet to the most Southerly corner of the tract described in deed to Charles Howell, recorded in Volume 200 of Deeds, page 75, under Auditor's File No. 379188, records of Skagit County, Washington;
thence North 34°45' East along the Easterly line of said Howell tract 158 feet to the true point of beginning;
thence continuing North 34°45' East along said East line 148 feet;
thence Southeasterly parallel with the Northeasterly line of said Secondary State Highway 17-A (now Highway 20) 69 feet;
thence South 34°45' West 67 feet;
thence Southwesterly 90 feet, more or less, to the true point of beginning;

ALSO EXCEPT that portion, if any, lying within the East line of said premises as disclosed in County Assessors Map.

Situate in Skagit County, Washington.

9411210102

- END OF EXHIBIT "A" -



200706280014

Skagit County Auditor

6/28/2007 Page

19 of 28 9:24AM

of Washington, Inc.
A Tradition
of Excellence

FILED FOR RECORD AT REQUEST OF

LAND TITLE COMPANY OF SKAGIT COUNTY

WHEN RECORDED RETURN TO

Name Boyer Escrow Co., Inc.

Address 15044 Bothell Way N.E.

City, State, Zip Seattle, WA 98155

7889 dw T-71126

THIS SPACE PROVIDED FOR RECORDER'S USE

JERRY MCINTURFF
SKAGIT COUNTY AUDITOR

93 MAY 10 P2:44

RECORDED FILED
REQUEST OF

9305100095

Statutory Warranty Deed

THE GRANTOR EDNA M. GROBMEIER, as her separate estate

for and in consideration of Ten Dollars and Other Valuable Consideration and as Part of Completing
a Tax-Deferred Exchange
in hand paid, conveys and warrants to RUEDI F. BAUMANN, a single man

the following described real estate, situated in the County of Skagit, State of Washington:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

SUBJECT TO easement for the right to enter upon the property and to cut, top and/or trim
any and all brush or trees now or hereafter standing or growing upon said land which are or
may be within 15 feet of the center of the grantee's electric line (Puget Sound Power & Light)
on adjoining property or highway and danger trees, as recorded 2/25/65 under Auditor's File
No. 662578.

Reference to the aforementioned instrument should be made for full particulars.

#2087
SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax
PAID

MAY 10 1993

Amount Paid \$ 11675.35
By: Skagit County Treasurer Deputy

Dated May 4, 1993

Edna M. Grobmeier

Approved and accepted by:

Ruedi F. Baumann

Ruedi F. Baumann

Attached to Statutory Warranty Deed

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

on MAY 05 1993 before me, MILDRED ANN ZAURI

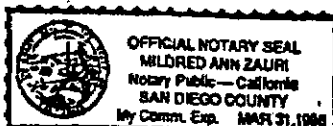
personally appeared EDNA M GROBMEIER, Notary Public,

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s)
appears subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their
authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of
which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

9305100095

Signature Mildred Ann Zauri



(See BK 1)

W-94748 (Rev. A-11-92) (CA)



200706280014
Skagit County Auditor

Warranty Deed
Baumann-Grobmeier
5/4/93

EXHIBIT "A"

DESCRIPTION:

That portion of the East $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 13, Township 35 North, Range 8 East, W.M., lying Northerly of Lateral Highway No. 3, as condemned by decree entered in the Superior Court for Skagit County on May 17, 1931, Cause No. 13685,

EXCEPT that portion described as follows:

Beginning at the intersection of the Northerly line of the Lateral Highway No. 3, as condemned by decree entered in the Superior Court general Easterly and Westerly direction through said subdivision and a line which is parallel with and distant when measured at right angles, 200 feet West of the East line of said Southeast $\frac{1}{4}$; thence North along said parallel line 200 feet; thence East 200 feet to the East line of said Southeast $\frac{1}{4}$; thence South along said East line to the Northerly line of said Highway; thence Westerly along said Northerly line to the point of beginning.

Situate in the County of Skagit, State of Washington.

TOGETHER WITH 1969 Lamplighter Mobile Home 48/72 Serial No. 10094; TPO #24452-

9305100095

BK



200706280014

Skagit County Auditor

KATHY HILL
SKAGIT COUNTY AUDITOR

98 JUN -5 AM 00

RECORDED FILED
REQUEST OF

9806050043

AFTER RECORDING RETURN TO:
BOYER ESCROW CO., INC.
15044 BOTHELL WAY N.E.
SEATTLE, WA 98156
Escrow No. 98-9259

Statutory Warranty Deed FIRST AMERICAN TITLE CO
5477

THE GRANTOR ALVIN H. AND EDNA M. GROBMEIER, husband and wife, as joint tenants with right of survivorship and not as tenants in common

for and in consideration of ten dollars and other good and valuable consideration

in hand paid, conveys and warrants to RUEDI BAUMANN, a single man

the following described real estate, situated in the County of SKAGIT, State of Washington:

THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 33 NORTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN, LESS THE WEST 330 FEET THEREOF AND LESS RAILROAD RIGHT OF WAY, IF ANY, TOGETHER WITH ALL RIGHTS SET FORTH BY STATUTORY QUIT CLAIM DEED DATED OCTOBER 22, 1943, RECORDED ON OCTOBER 30, 1943 UNDER AUDITOR'S FILE NO. 136771, VOLUME 190 OF DEEDS, PAGE 265, OVER THE FOLLOWING DESCRIBED PROPERTY:

A TRACT OF LAND IN SECTION 13, TOWNSHIP 33 NORTH, RANGE 8 EAST, W.M. BEING THE SOUTH 20 FEET OF THE WEST 330 FEET OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER AND A TRACT OF LAND 20 FEET SQUARE IN THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTH-EAST QUARTER AND THE EAST 20 FEET OF THAT PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER LYING NORTH OF THE OLD COUNTY ROAD.

TAX PARCEL NUMBER(S): 350813-1-009-0005 350813-1-010-0002 350813-1-004-0004

SUBJECT TO mineral reservations as recorded under Recording No. 151823. Reference to the aforementioned instrument should be made for full particulars.

DATED: 05/23/98

Alvin H. Grobmeier
ALVIN H. GROBMEIER
Edna M. Grobmeier
EDNA M. GROBMEIER

Ruedi Baumann
RUEDI BAUMANN

STATE OF California

COUNTY OF San Diego

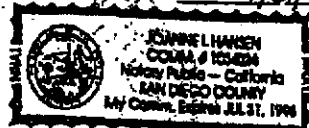
STATE OF WASHINGTON
SKAGIT COUNTY

I certify that I know or have satisfactory evidence that Alvin H. Grobmeier and Edna M. Grobmeier are the persons whose names are subscribed to this instrument and acknowledged it to be their free and voluntary act of such party for the uses and purposes mentioned in the instrument.

signed this instrument and acknowledged it to be their free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: May, 1998

Joan J. Han
Notary Public in and for the State of CA
residing at San Diego
My commission expires 7/31/98



JUN 5 1998
I certify that I know or have satisfactory evidence that Alvin H. Grobmeier and Edna M. Grobmeier are the persons whose names are subscribed to this instrument and acknowledged it to be their free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: May, 1998

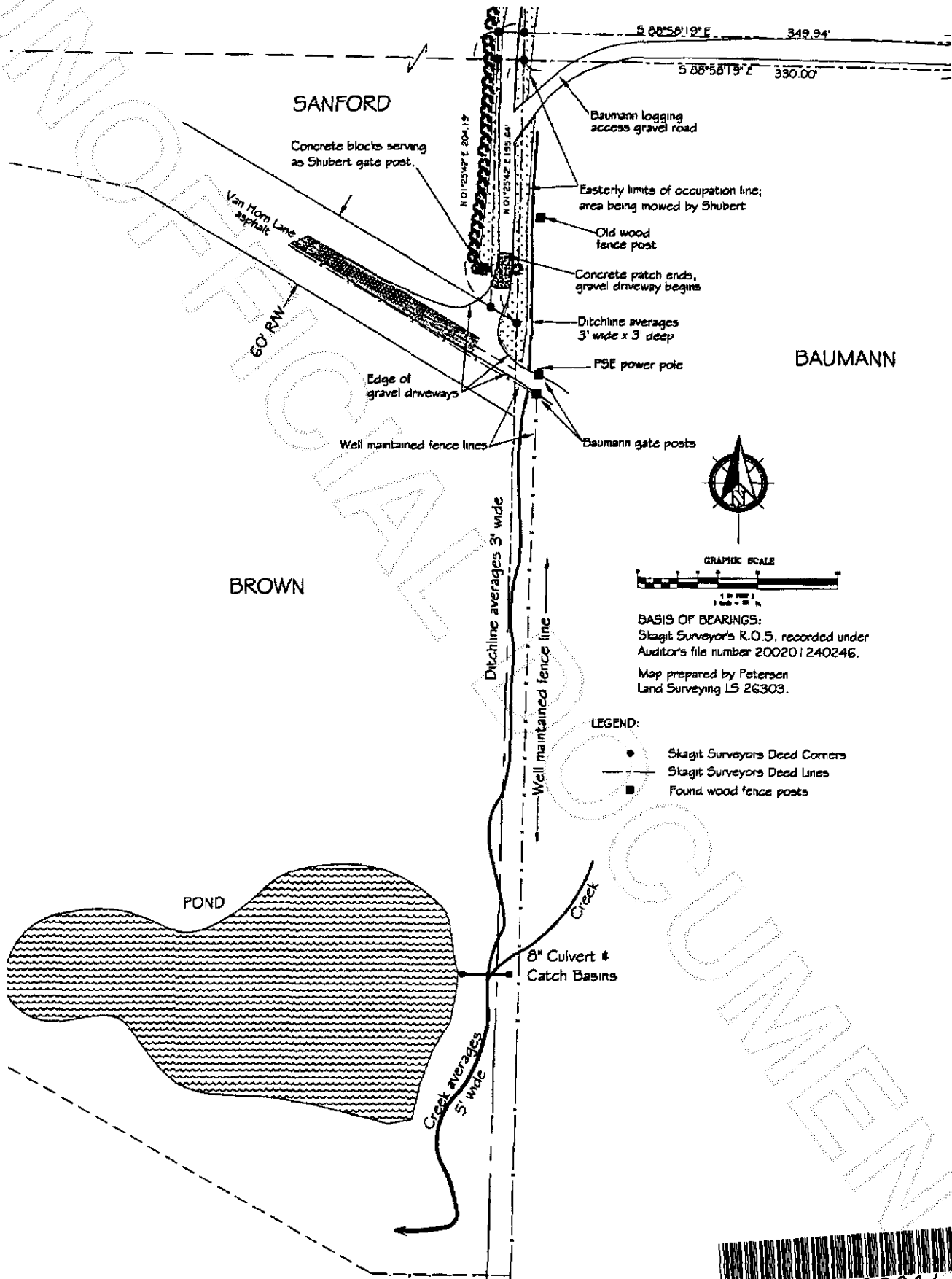
Joan J. Han
Notary Public in and for the State of CA
residing at San Diego
My commission expires 7/31/98

Notary Public in and for the State of WA
residing at _____
My commission expires _____

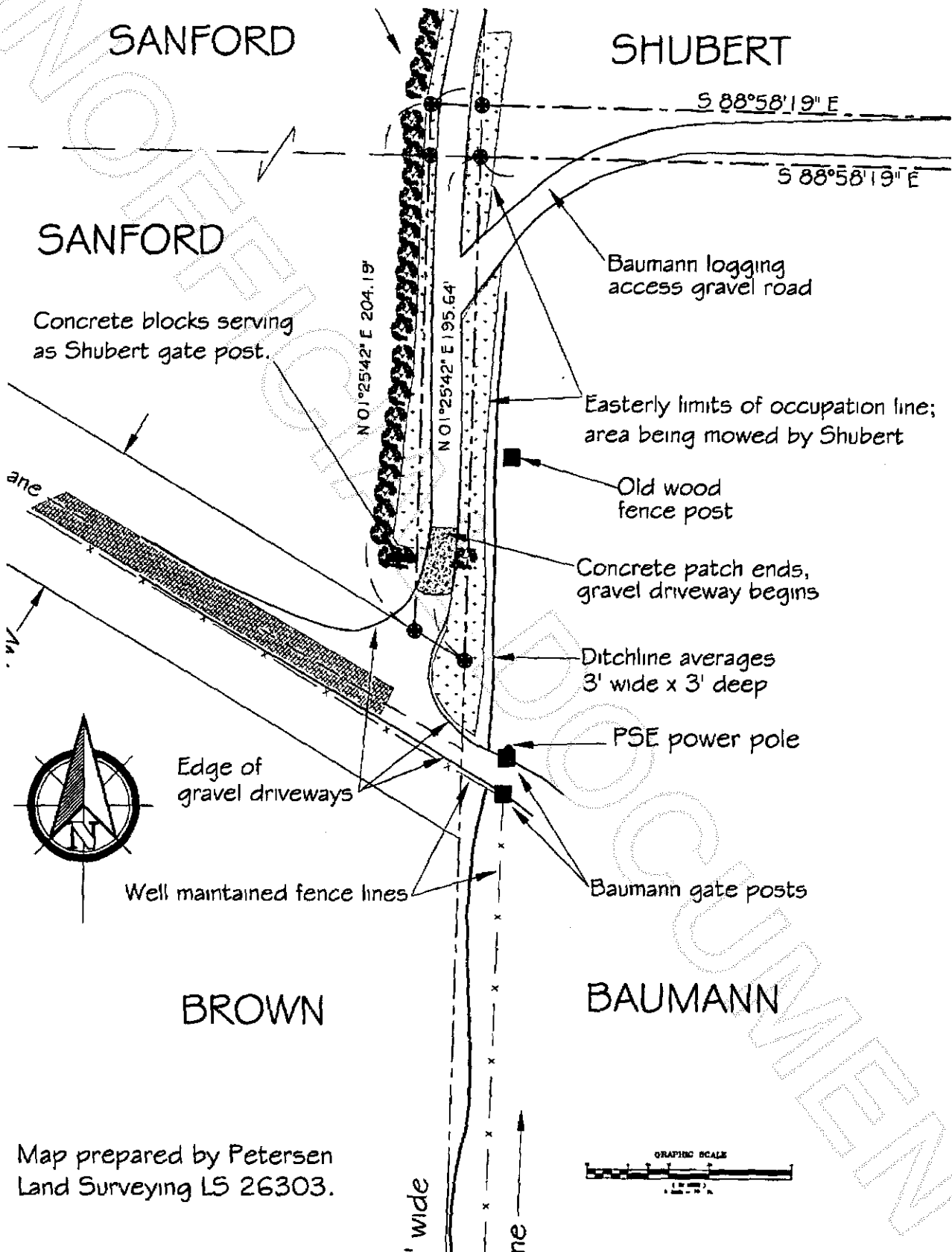
9806050043



200706280014
Skagit County Auditor



200706280014
 Skagit County Auditor



OK

9

Transamerica Title Insurance Co



A Service of
Transamerica Corporation

(15)

THIS SPACE RESERVED FOR RECORDERS USE.
SKAGIT COUNTY AUDITOR
R13
71 AUG 27 PM 2:46
RECORDED FILED
REQUEST OF _____

Filed for Record of Request of

Name Reuben C. Youngquist

Address Legal Bldg

City and State MT Vernon, WA

SKAGIT COUNTY WASHINGTON

Real Estate Claims Sec

PAYEE-Holder

AUG 27 1971

Amount Paid \$ 10.00

Skagit County Auditor

Reuben C. Youngquist

Quit Claim Deed

757364

Form ASD-1-Rev.

THE GRANTOR, WILLIAM W. KARLSSON, a single man,

for and in consideration of \$1.00 and other good and valuable consideration

conveys and quit claims to ALVIN R. & EDNA M. GROBMEIER, husband and wife, of 4126 Point Loma Ave, San Diego, Calif. 92107, as joint tenants with right of survivorship and not as tenants in common, the following described real estate, situated in the County of Skagit State of Washington, together with all after acquired title of the grantor(s) therein:

A tract of land in Section Thirteen (13), Township Thirty-five (35) North, Range Eight (8), East of W.M. being the South Twenty (20) feet of the West Three Hundred Thirty (330) feet of the South one-half (S 1/2) of the Southeast 1/4 (SE 1/4) of the Northeast quarter (NE 1/4)

and

A tract of land Twenty (20) feet square in the Southeast corner of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4)

and

The East Twenty (20) feet of that part of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) lying North of the old county road.

SUBJECT to the right of grantor or its assigns and the right of D. E. O'Connor and/or his assigns to use said tract for road purposes.

NOTE: This is a deed from brother to sister and brother-in-law.

Dated this 27th day of August 1971

William W. Karlsson

STATE OF WASHINGTON, }
County of Skagit }

On this day personally appeared before me WILLIAM W. KARLSSON, a single man,

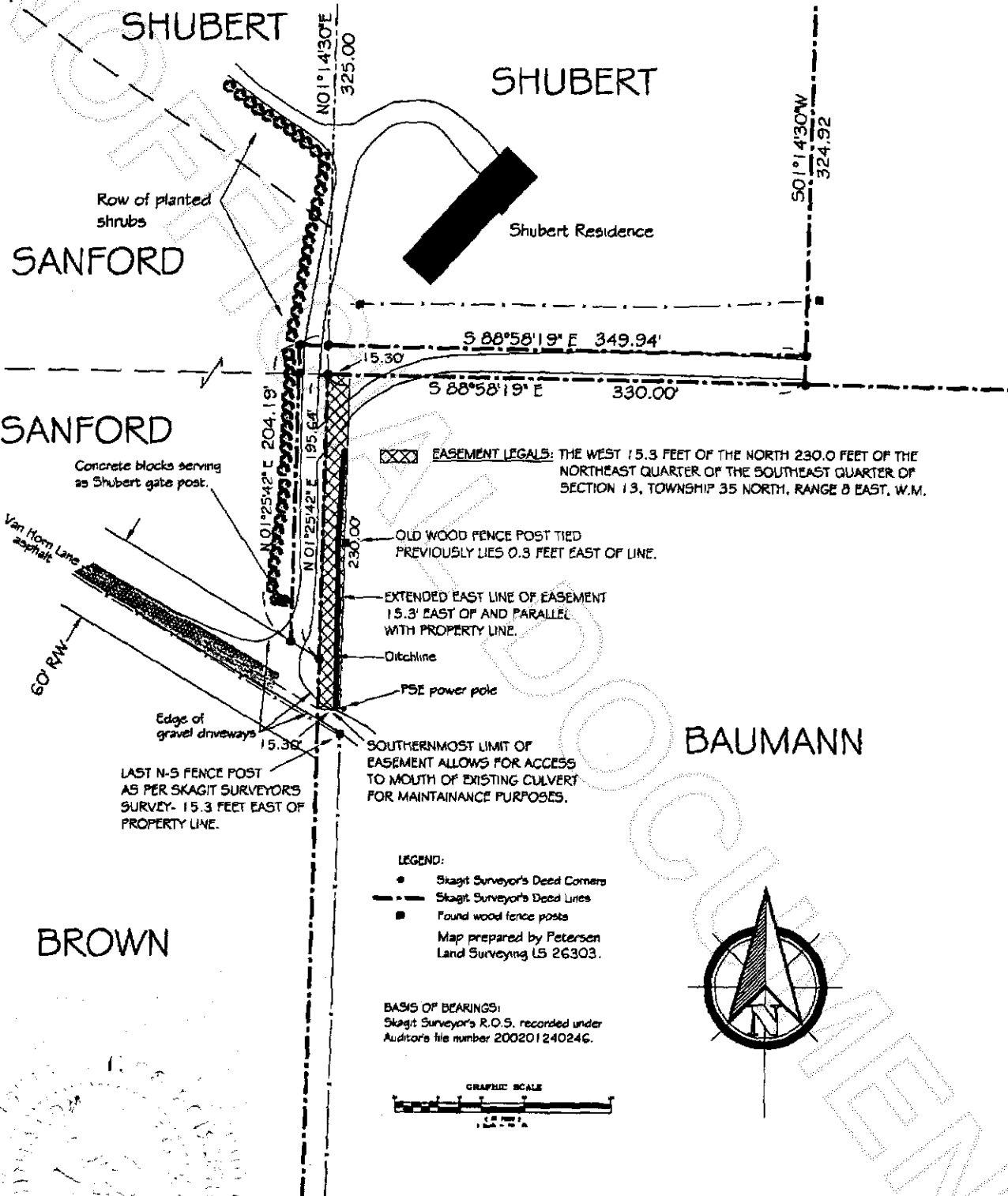
known to be the individual described in and who executed the within and foregoing instrument, and he signed the same as his free and voluntary act and deed for the purposes therein mentioned.



GIVEN under my hand and official seal this 27th day



200706280014
Skagit County Auditor



200706280014
Skagit County Auditor

State of Washington, } ss.
County of Skagit

I, Nancy K. Scott, County Clerk of Skagit
County and ex-officio Clerk of the Superior Court
of the State of Washington, for the County of Skagit,
do hereby certify that the foregoing instrument is a
true and correct copy of the original, consisting of
26 pages, now on file in my office.

IN TESTIMONY WHEREOF, I have hereunto set
my hand and affixed the seal of said Court at my
office at Mount Vernon, Washington, this 28th day of June,
2007.

Nancy K. Scott, County Clerk

By Becky J. [Signature]
Deputy Clerk



200706280014
Skagit County Auditor