

When Recorded Return To:

Lance & Jamie Campbell  
22830 Gunderson Road  
Mount Vernon, Washington 98273



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Skagit County Auditor

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## RELOCATION OF ROADWAY EASEMENT AND AMENDMENT TO ROADWAY MAINTENANCE DECLARATION

Grantors: Lance J. Campbell and Jamie E. Campbell, husband and wife, and Shane A. Lagerwey and Stacy M. Lagerwey, husband and wife

Grantees: The Public

Tax/Parcel ID Numbers of Affected Parcels:

- A. 340414-4-002-0100 / P123056
- B. 340414-4-002-0200 / P123057
- C. 340414-4-009-0003 / P24768

Abbreviated Legal Descriptions of Affected Parcels:

- A. ACREAGE ACCOUNT, ACRES 9.72, O/S#145 AF #791617 1975 LOT 1 SHORT PLAT#PL04-0576 AF#200505130191 LOCATED IN SE1/4
- B. ACREAGE ACCOUNT, ACRES 10.00, O/S#145 AF #791617 1975 LOT 2 SHORT PLAT#PL04-0576 AF#200505130191 LOCATED IN SE1/4
- C. OPEN SPACE #145 #79617 1975 NW1/4 OF SE1/4 OF SE1/4 TRNSF #807010

AF# 200506060004

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

AUG 31 2007

Amount Paid \$  
By Skagit Co. Treasurer  
Deputy

1. Lance J. Campbell and Jamie E. Campbell, husband and wife (collectively, "Seller") is the owner in fee simple of three contiguous parcels of real property, all situated in Skagit County, Washington, hereinafter referred to as "Lot 1", "Lot 2", and "Parcel B". Said parcels are described as follows:

Lot 1

Lot 1 of Short Plat No. PL04-0576, recorded May 13, 2005, under Auditor's File No. 200505130191, records of Skagit County, Washington; and being a portion of the Northeast 1/4 of the Southeast 1/4 of Section 14, Township 34 North, Range 4 East, W.M.

Lot 2

Lot 2 of Short Plat No. PL04-0576, recorded May 13, 2005, under Auditor's File No. 200505130191, records of Skagit County, Washington; and being a portion of the Northeast 1/4 of the Southeast 1/4 of Section 14, Township 34 North, Range 4 East, W.M.

Parcel B


The Northwest 1/4 of the Southeast 1/4 of the Southeast 1/4, all in Section 14, Township 34 North, Range 4 East, W.M.

2. Contemporaneously with the execution of this document, Shane A. Lagerwey and Stacy M. Lagerwey (collectively, "Buyer") is purchasing Parcel B from Seller, pursuant to a real estate contract.

3. The previous owners of Lots 1 and 2 and Parcel B declared an easement over and across the West 60 feet of Lot 1 and the East 60 feet of Lot 2 for ingress, egress, sewer, and utilities to benefit Lots 1 and 2 and Parcel B. That easement is reflected on Short Plat Number PL04-0576, approved May 12, 2005 and recorded May 13, 2005 under Skagit County Auditor File Number 200505130191. The previous owners of Lots 1 and 2 and Parcel B also created and established of record a Roadway Maintenance Declaration governing roads as established in those easement areas, dated June 3, 2005 and recorded June 6, 2005 under Skagit County Auditor File Number 200506060004.

4. Seller, as the owner of Lots 1 and 2 and seller of Parcel B, and Buyer, as the contract purchaser of Parcel B, hereby terminate and cancel all easements, express or implied, for the benefit of Parcel B over the East 60 feet of Lot 2, including but not limited to that easement shown on the face of Short Plat Number PL04-0576.

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5. Seller hereby declares and establishes of record an easement for the benefit of Lots 1 and 2 and Parcel B for ingress, egress, sewer, utility, and road purposes (including the right to construct and maintain a 12-foot wide road) over, under and across the West 60 feet of Lot 2, described above. The easement rights established hereby shall not be construed to provide access to or from, or otherwise benefit any property other than that comprising Lots 1, Lot 2, and Parcel B, and shall be appurtenant to and run perpetually with the title to those properties.

6. The Roadway Maintenance Declaration (hereafter, "the RMD") dated June 3, 2005 and recorded June 6, 2005 under Skagit County Auditor File Number 200506060004 is hereby amended and modified as follows:

(a) The legal description of Parcel A in the first paragraph (page 1) of the RMD is deleted and replaced with the following correct legal description:

Lots 1 and 2 of Short Plat No. PL04-0576, recorded May 13, 2005, under Auditor's File No. 200505130191, records of Skagit County, Washington; and being a portion of the Northeast 1/4 of the Southeast 1/4 of Section 14, Township 34 North, Range 4 East, W.M.

(b) Paragraph (A) (page 1) of the RMD is deleted and replaced with the following language:

A. The Declarants do hereby establish of record a maintenance agreement for roads as established and shown on the Short Plat, except that the Short Plat's description of the easement area on Lot 2 is relocated from the East 60 feet of Lot 2 to the West 60 feet of Lot 2.

(c) Paragraph (3) (pages 1-2) of the RMD is deleted and replaced with the following language:

3. For purposes of this Declaration, there are three road segments which serve the lots described above, as follows:

a. Road Segment A shall be defined as the road located within the easement running North and South across the west 60 feet of Lot 1, Short Plat PL04-0576, as set forth in the instrument recorded under Skagit County Auditor's File No. 200505130191, and the road located within the North half (about 325.23 feet) of the easement running North and South across the west 60 feet of Lot 2, Short Plat PL04-0576.



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b. Road Segment B shall be defined as the road located within the South half (about 325.23 feet) of the easement running North and South across the west 60 feet of Lot 2, Short Plat PL04-0576.

(d) Paragraph 4 (page 2) of the RMD is deleted and replaced with the following language:

4. Responsibility for maintenance, including the costs thereof, of the various road segments shall be allocated as follows:

a. Responsibility for Road Segment A shall be borne equally by the owners of Lot 2 and Parcel B, described above.

b. Responsibility for Road Segment B shall be borne solely by the owner of Parcel B, described above.

(e) The following language is hereby added to the existing language of Paragraph 5 (page 2) of the RMD:

5. The lot owners agree that it will be necessary in the near future to improve the road to a twelve-foot wide graded road with a crushed rock surface, conforming to applicable county requirements and constructed in a workmanlike manner, and will not unreasonably withhold their approval to a reasonable bid by a reputable contractor for such improvement.

(f) Paragraph 10 (pages 3 and 4) of the RMD is deleted in its entirety.

(g) All other terms of the RMD remain in full force and effect, and are incorporated herein by this by reference.

EXECUTED effective this 30 day of Aug., 2007.

Lance J. Campbell  
Lance J. Campbell

Jamie E. Campbell  
Jamie E. Campbell

Shane A. Lagerwey  
Shane A. Lagerwey

Stacy M. Lagerwey  
Stacy M. Lagerwey

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

AUG 31 2007

Amount Paid \$00  
By Skagit Co. Treasurer  
nam Deputy

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ACKNOWLEDGEMENTS

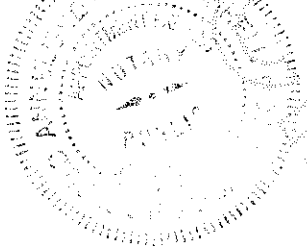
STATE OF WASHINGTON )

) ss.

COUNTY OF SKAGIT )

On this day personally appeared before me Lance J. Campbell and Jamie E. Campbell, to me known to be the individuals described in and who executed the foregoing document and acknowledged that they signed said document as their free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 30<sup>th</sup> day of August, 2007.



Annalisa Marie Farris

NOTARY PUBLIC in and for the State of Washington,  
residing at La Conner

My appointment expires 6/28/08

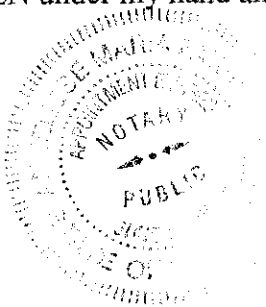
STATE OF WASHINGTON )

) ss.

COUNTY OF SKAGIT )

On this day personally appeared before me Shane A. Lagerwey and Stacy M. Lagerwey, to me known to be the individuals described in and who executed the foregoing document and acknowledged that they signed said document as their free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 31<sup>st</sup> day of August, 2007.



Annalisa Marie Farris

NOTARY PUBLIC in and for the State of Washington,  
residing at La Conner

My appointment expires 6/28/08

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