



200709130092

Skagit County Auditor

9/13/2007 Page

1 of

4 3:08PM

AFTER RECORDING RETURN TO:

City of Anacortes
PO Box 547
Anacortes WA 98221

Grantor(s): Joe and Nancy Halton
Grantee: City of Anacortes
Abbreviated Legal Description: P.M. LOTS 18-20, Block 13, Bowman's
Assessor's Tax Parcel No: P56832

Project Name: Covenant not to oppose LID - Halton



City of Anacortes
PO Box 547, Anacortes, WA 98221
Telephone 360.293.1900
Fax 360.293.1938

Covenant Consenting to Formation of a Local Improvement District

Municipal Code 15.20.050

WHEREAS, Joe and Nancy Halton

Hereinafter referred to as "Owner", owns certain property within the City of Anacortes legally described as follows:

P56832 - BOWMAN'S C.S.H.W.F. PLAT TO ANACORTES, BLOCK 13, LOTS 18, 19, AND 20; TOGETHER WITH THAT PORTION OF VACATED 6TH STREET, AS WOULD ATTACH BY OPERATION OF LAW; EXCEPT THE SOUTH 30 FEET OF THE NORTH 40 FEET OF THAT PORTION OF VACATED 6TH STREET, AS ATTACHED BY OPERATION OF LAW TO LOTS 18, 19, AND 20 IN SAID BLOCK 13; ALSO EXCEPT THE NORTH 4 FEET THEREOF AS CONVEYED TO THE CITY OF ANACORTES RECORDED UNDER AF#8303290039; ALSO EXCEPT ALL THAT PORTION CONVEYED TO THE CITY OF ANACORTES RECORDED UNDER AF#8303290038

WHEREAS, Owner has applied for a permit(s) from the City of Anacortes which will require, as a condition of approval of the permit(s), either that certain improvements be made to public rights of way or, in lieu of making the improvements, that the Owner execute a covenant consenting to the formation of a local improvement district for the improvement of such rights of way;

WHEREAS, Owner has agreed to execute a covenant consenting to the formation of such a local improvement district in lieu of completing the improvements to the public rights of way adjacent to Owner's property;

NOW THEREFORE, as a condition of issuance of applicable City permit(s) pursuant to Title 15 of the Anacortes Municipal Code and in lieu of constructing certain public right of way improvements, Owner consents to the formation of a local improvement district, hereafter formed by the City or other property owners for the improvement of the following right(s) of way or portions thereof:

Indicate Rights of Way: V Avenue

Site Address: 516 V Avenue

Project Number: N/A

Improvements which may be provided include:

The installation of all public facilities required to improve the street or alley to City design standards including grading, drainage, pavement, curb/gutter, sidewalk, streetlights, traffic signals, street trees and other necessary appurtenances. Such street or alley improvements shall not be limited to the half street or alley abutting the property for example, where no permanent street or alley improvement exists, the street or alley improvement shall be extended beyond the centerline a sufficient distance (10 foot minimum) to permit safe movement of traffic.



200709130092
Skagit County Auditor

9/13/2007 Page

2 of

4

3:08PM

Owner specifically waives his or her right to protest formation of a local improvement district under RCW 35.43.180.

The Covenant waives legal protest only to formation of a local improvement district and does not affect Owner's rights to comment upon proposed public improvements or object to the owner's individual assessment therefore.

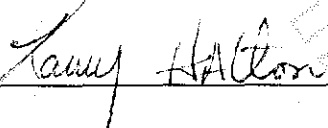
The City shall deliver a signed release of this Covenant to Owner after completion of public improvements as described above and after transmittal of the final assessment roll to Skagit County.

The Covenant shall be a covenant touching, concerning and running with the land and shall be binding on Owner's heirs, assigns and successors in interest; however, in no event shall this Covenant be valid and binding after expiration often (10) years after the date of its execution.

IN WITNESS WHEREOF, Owner(s) has hereunto executed this Covenant this 11th day of September, 2007



(Owner)



(Owner)

Its:

Its:

DECLARATION:

Know all people by these presents that we the undersigned, owner(s) in fee simple [and contract purchaser(s)] of the land herein described do hereby consent to a covenant forming a local improvement district and that said covenant is made with the free consent and in accordance with the desire of the owner(s).

In Witness whereof we have set our hand and seals.

NAME  _____

NAME  _____



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STATE OF WASHINGTON)
)
COUNTY OF SKAGIT)

On this day personally appeared before me, **Joe Halton**, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged to me that he signed and sealed said instrument as his free and voluntary act and deed for the uses and purposes therein mentioned.



GIVEN under my hand and official seal this 11th day of September, 2007.

Cherri L. Kahns Cherri L. Kahns
NOTARY PUBLIC in and for the State of Washington,
Residing at Mount Vernon.
My commission expires 10-19-2010

STATE OF WASHINGTON)
)
COUNTY OF SKAGIT)

On this day personally appeared before me, **Nancy Halton**, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged to me that she signed and sealed said instrument as her free and voluntary act and deed for the uses and purposes therein mentioned.



GIVEN under my hand and official seal this 11th day of September, 2007.

Cherri L. Kahns Cherri L. Kahns
NOTARY PUBLIC in and for the State of Washington,
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