



200802060069

Skagit County Auditor

2/6/2008 Page

1 of

5 12:39PM

SETBACK EASEMENT

THIS INSTRUMENT, entered into to satisfy the side yard setback requirement of Skagit County Code,

WITNESSETH:

WHEREAS, The Skagit County Codes require a eight foot side yard setback; and

WHEREAS, Section 14.16.810 (5) provides an exception from the side setback requirement if an easement is provided along the side of the existing structure, sufficient to leave the minimum building separation of 16 feet;

NOW THEREFORE, Arvid O Mostad and Shirlee D. Christensen, Grantors, hereby grants to Dennis W Maxfield and Gwenn L Maxfield, Grantees, an easement over the following described property:

(See Exhibit "A")

herein called the "easement area" for side yard purposes to satisfy the Skagit County Code on the following described property of the grantee:

(See Exhibit "B")

herein called the "receiving lot" and agrees that no structure will be located in the easement area and that all future setbacks will be measured from the easement lines rather than the property lines adjacent to this easement. Grantee shall have access to the easement area for normal maintenance activities to the structure on the receiving lot.

SKAGIT COUNTY WASHINGTON
REAL ESTATE TAXES

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Skagit County
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LISSE & ASSOCIATES, PLLC

320 Milwaukee St PO Box 1109 Mount Vernon WA 98273 (360) 419-7442 FAX (360) 419-0581

EXHIBIT "A"

(Portion of Mostad Property Skagit County Assessor's Parcel No. P-73538)

An easement for side yard setback over, under and across a portion of the East 1/2 of vacated Island Street as shown on the Plat of the Townsite of Gibraltar, as per plat recorded in Volume 1 of Plats, page 19, records of Skagit County, Washington and being more particularly described as follows:

Commencing at the intersection of the centerline of said vacated Island Street with the Southerly right-of-way margin of Gibraltar Road, as shown on that certain Record of Survey map recorded under Skagit County Auditor's File No. 200101230028;
thence South 25°31'52" East along said centerline for a distance of 50.3 feet, more or less, to the North face of an existing shed (as shown on said Record of Survey);
thence North 52°55'58" East for a distance of 1.8 feet, more or less, to the Northeast corner of said shed and being the TRUE POINT OF BEGINNING of said easement;
thence continue North 52°55'58" East for a distance of 8.0 feet;
thence South 37°04'02" East for a distance of 30.0 feet;
thence South 52°55'58" West for a distance of 8.0 feet, more or less, to a point bearing South 37°04'02" East from the TRUE POINT OF BEGINNING;
thence North 37°04'02" West for a distance of 30.0 feet, more or less, to the TRUE POINT OF BEGINNING.

SUBJECT TO and TOGETHER WITH easements, reservations, restrictions, covenants, liens, leases, court causes and other instruments of record.

Situate in the County of Skagit, State of Washington.



200802060069
Skagit County Auditor

2/6/2008 Page

2 of

5 12:39PM

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EXHIBIT "B"

(Benefiting Skagit County Assessor's Parcel No. P-73511 per Quit Claim Deed recorded under Skagit County Auditor's File No. 200507010045)

Legal Description pursuant to Skagit County Lot Certification Application PL99-0678 recorded under Skagit County Auditor's File No. 200007240080.

Parcel No. 3

Lots 1 to 4, inclusive, Block 12; Lots 1 to 4, inclusive, Block 13; that portion of tract known as Miller's Reserve lying South of the county road;

TOGETHER WITH those portion of vacated Fidalgo Avenue, Miller Avenue and the West 1/2 of Island Street adjacent to and abutting thereon, all in the Plat of the Townsite of Gibraltar, according to the official plat thereof on file and of record in Volume 1 of Plats, page 19 in the office of the County Auditor of Skagit County, Washington.

TOGETHER WITH tidelands of the second class extending to extreme low tide in front of and adjacent to the above described premises.

EXCEPT:

That portion of Miller's Reserve "Plat of the Townsite of Gibraltar" according to the plat thereof recorded in Volume 1 of Plats, page 19, records of Skagit County, Washington and vacated streets and alleys adjoining, lying Southerly of the South right-of-way margin of Gibraltar Road and being more particularly described as follows:

BEGINNING at the Northwest corner of that certain parcel described on Statutory Warranty Deed to David A. Mankoff and Jean H. Cho, husband and wife, recorded under Skagit County Auditor's File No. 200201100102, also being shown as Parcel 2 on that certain Record of Survey map recorded under Skagit County Auditor's File Number 200101230028; thence North 64°28'08" East along the North line of said Mankoff-Cho parcel, also being the centerline of vacated Miller Street, 240.20 feet, to the Northeast corner of said Mankoff-Cho parcel; thence North 25°31'52" West on a Northerly projection of the Easterly line of said Mankoff-Cho parcel, 87.60 feet, more or less, to said Southerly right-of-way margin of Gibraltar Road; thence South 52°08'14" West along said Southerly margin 251.56 feet, more or less, to a point bearing North 34°50'46" West from the POINT OF BEGINNING, also being the Northeast corner of Lot 3, Skagit County



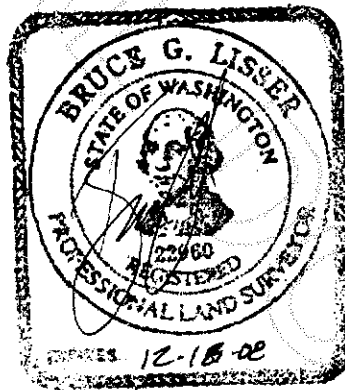
200802060069

Skagit County Auditor

Short Plat No. 13-86 (revised) approved March 11, 1987 and recorded April 9, 1987 in Volume 7 of Short Plats, pages 171 and 172 under Skagit County Auditor's File No. 8704090001; thence South 34°50'46" East along the East line of said Lot 3, 34.33 feet, more or less, to the POINT OF BEGINNING.

SUBJECT TO and TOGETHER WITH easements, reservations, restrictions, covenants, liens, leases, court causes and other instruments of record.

Situate in the County of Skagit, State of Washington.



200802060069
Skagit County Auditor

Grantor: [Signature]

Date: 1/29/08

Grantor: Shirlee Christensen

Date: 1/29/08

State of Washington)

) ss.

County of Skagit)

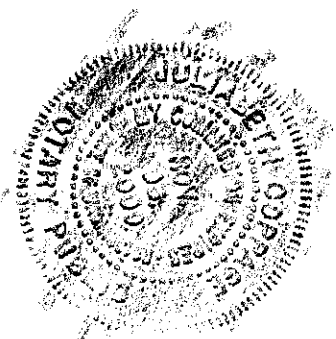
On this day personally appeared before me Arvid Mostad & Shirlee Christensen known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 29 day of January, 2008

Notary Signature [Signature]

Notary Public in and for the State of Washington residing at Oak Harbor, WA

My Commission Expires 11/03/2009



200802060069
Skagit County Auditor

2/6/2008 Page

5 of

5 12:39PM