

AFTER RECORDING RETURN TO:

CITY OF SEDRO-WOOLLEY

325 METCALF ST

SEDRO-WOOLLEY WA 98284



200804220002

Skagit County Auditor

4/22/2008 Page 1 of 5 8:36AM

Abbrev. Leg. Lot 2, ANKNEY HEIGHTS, APN 200108230090

Tax Parcel No. 4779-000-002-0000/ P118247

Grantor/Grantee City of Sedro-Woolley

Grantee/Grantor LRDTD Johnson Partnership

## **QUIT CLAIM DEED TO RELEASE and REPLACE EASEMENT**

### **RECITALS**

1. LRDTD Johnson Partnership, a Washington general partnership, is the owner of real property located in Skagit County at 422 Longtime Lane, Sedro-Woolley, Washington, and fully described as:

Lot 2, ANKNEY HEIGHTS, according to the plat thereof recorded under Auditor's File No. 200108230090, records of Skagit County, Washington.

Situate in Skagit County, Washington.

2. There is an easement in favor of the City of Sedro-Woolley for storm drainage over, under and through the North 15 feet of the above described parcel, as delineated on the face of the plat.

3. The parties believe that it is in their respective best interests and would better serve the present and future owners of said Lot 2 and the adjoining Lot 3, to replace the storm drainage easement in the North 15 feet of Lot 2 with a storm drainage easement in the West 15 feet of the Lot.

### **RELEASE OF EASEMENT**

For the purpose of terminating and relinquishing the storm drainage easement in the North 15 feet of Lot 2, referenced above, in consideration of replacing said easement with a similar easement in the West 15 feet of Lot 2, and for no monetary consideration, the

CITY OF SEDRO-WOOLLEY, a municipal corporation, hereby relinquishes, releases, conveys and quitclaims to LRDTD Johnson Partnership, a Washington partnership, all right, title and interest in the North 15 feet of Lot 2, PLAT OF ANKNEY HEIGHTS.

### **GRANT OF EASEMENT**

LRDTD Johnson Partnership, a Washington general partnership, in consideration of the release of the easement in the North 15 feet of Lot 2, and for no monetary consideration, hereby conveys and quitclaims to the City of Sedro-Woolley, a municipal corporation, an easement for storm drainage as described below:

An easement for installation, maintenance and operation of storm drainage facilities over, under and through the West 15 feet of Lot 2, PLAT OF ANKNEY HEIGHTS, recorded under Auditor's File No. 200108230090, records of Skagit County, Washington.

Situate in the City of Sedro-Woolley, Skagit County, Washington.

The easement and covenants herein shall run with the land and shall be binding on the parties hereto, their heirs, successors or assigns, and all subsequent owners thereof.

### **CREDITOR'S CONSENT AND SUBORDINATION**

Whidbey Island Bank and the City of Sedro-Woolley, a Washington Municipal Corporation agree as follows:

Whidbey Island Bank is the owner and holder of a deed of trust dated August 13, 2007, which is recorded under Auditor's File No. 200710240055, records of Skagit County, Washington, in which LRDTD Johnson Partnership is the Grantor, Whidbey Island Bank is the Beneficiary and Chicago Title Insurance Company is the Trustee. The deed of trust affects the real property described herein.

In consideration of the benefits to Whidbey Island Bank and LRDTD Partnership, receipt and sufficiency of which is hereby acknowledged, and to induce the City of Sedro-Woolley to release its easement in the North 15 feet of Lot 2, Plat of Ankney Heights, described herein, and all agreements in connection herewith, Whidbey Island Bank does hereby unconditionally subordinate the lien of its deed of trust identified above, and all advances or charges made or accruing thereunder, including any extension or renewal thereof, to the storm drainage easement granted by LRDTD Johnson Partnership to the City of Sedro-Woolley herein.

This subordination shall be to the easement granted in this document only, and the lien of the deed of trust on the remaining interest of LRDTD Johnson Partnership in the real property described herein shall not be impaired or subordinated by this agreement.

The heirs, administrators, assigns and successors in interest of Whidbey Island Bank shall be bound by this agreement.

Dated \_\_\_\_\_, 2008.

Johnson/SedroWoolleyReplaceEasement031308

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200804220002  
Skagit County Auditor

LRD TD JOHNSON PARTNERSHIP

By: William Lee Johnson  
William Lee Johnson, Partner

Rita J. Johnson  
Rita J. Johnson, Partner

SKAGIT COUNTY WASHINGTON  
REAL ESTATE LIC. NO. TAX

APR 27 2008

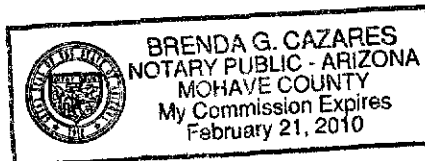
Amount Paid  
Skagit Co. Assessor  
By lp Date 0

STATE OF ~~WASHINGTON~~ Arizona  
COUNTY OF MoHAVE, ss

On this day personally appeared before me, William Lee Johnson and Rita J. Johnson, to me known to be the Partners of LRD TD Johnson Partnership, the partnership that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument and that the seal affixed is the corporate seal of said corporation.

DATED: March 24<sup>th</sup>, 2008.

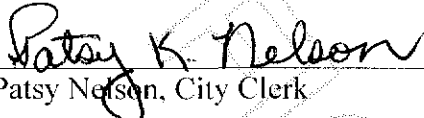
Brenda G. Cazares  
Print name: Brenda G. Cazares  
NOTARY PUBLIC in and for the State of Arizona  
Washington, residing at Bullhead city  
My appointment expires: Feb. 21, 2010



CITY OF SEDRO-WOOLLEY:

  
Mike Anderson, Mayor

ATTEST:

  
Patsy Nelson, City Clerk

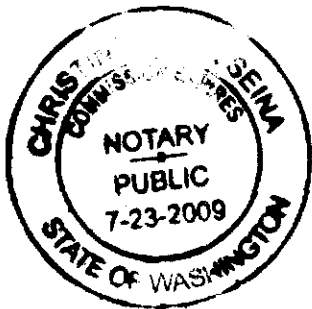
STATE OF WASHINGTON )

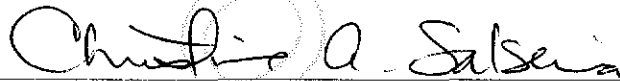
: ss

COUNTY OF SKAGIT )

On this day personally appeared before me, MIKE ANDERSON and PATSY NELSON, to me known to be the Mayor and City Clerk of the City of Sedro Woolley, and acknowledged that they signed the said instrument, on oath stated that they were authorized to execute the instrument, and acknowledged the said instrument to be the free and voluntary act and deed of such entity, for the uses and purposes therein mentioned in said instrument.

DATED: April 4, 2008.





Print name: Christine A. Salseina  
NOTARY PUBLIC in and for the State of  
Washington, residing at Skagit Co.

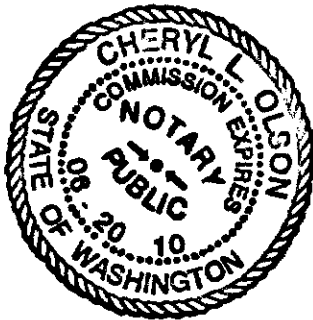
My appointment expires: 7/23/09




By: Alex X Moller

Title: V.P. / MANAGER

DATED: MARCH 14, 2008.



64 \_\_\_\_\_, 2008: \_\_\_\_\_  
  
 \_\_\_\_\_  
 Print name: Cheryl L. Olson  
 NOTARY PUBLIC in and for the State of  
 Washington, residing at \_\_\_\_\_  
 My appointment expires: 6-20-10



200804220002  
Skagit County Auditor