



200805150051  
Skagit County Auditor

**WHEN RECORDED RETURN TO:**

Pamela McClaran  
Foster Pepper PLLC  
1111 Third Avenue, Suite 3400  
Seattle, Washington 98101

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**BEING RE-RECORDED TO CORRECT  
LEGAL DESCRIPTIONS IDENTIFYING PROPERTY  
OWNED BY GRANTORS AND GRANTEES ON  
PREVIOUSLY RECORDED DOCUMENT**

DOCUMENT TITLE: EASEMENT AGREEMENT WITH JOINT MAINTENANCE PROVISIONS

GRANTORS: HOWARD CLARK and JUDY CLARK, husband and wife, and CONNIE CLARK, as her separate property

GRANTEES: MICHAEL P. GEERTS, as his separate property, and DAVID GEERTS, as his separate property

LEGAL DESCRIPTION: Ptn Gov. Lots 4 &5, 7-35-11

TAX PARCEL NUMBERS: 351107-0-013-0004/P45886, 351107-0-013-0007/P45890

REFERENCE NUMBER: AFN 200310030052

SKAGIT COUNTY WASHINGTON  
REAL ESTATE

MAY 15 2008

Amount Paid to  
Skagit Co. Treasurer  
By *MLM* Deputy

This document is being re-recorded in order to **correct the legal descriptions identifying the property owned by the Grantors and Grantees (Exhibits A and B)** set forth on the attached certified copy of the Easement Agreement With Joint Maintenance Provisions dated September 17, 2003 which was recorded in the Skagit County Auditor's Office on October 3, 2003 under Auditor's No. 200310030052. Said document incorrectly identified the property owned by Grantors and Grantees. The correct identification of the property owned by Grantors and Grantees is as revised on the attached certified copy of the Easement With Joint Maintenance Provisions and as follows:

Clark ("Grantors") is the owner of that certain property described on Exhibit B attached hereto.

Geerts ("Grantees") is the owner of the property described on Exhibit A attached hereto.



200310030052  
Skagit County Auditor

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Parcel No(s): 351107-0-013-0004/P45886; 351107-0-015-0101/P45890  
Legal Desc.: Ptn Gov. Lots 4 & 5, 7-35-11

LAND TITLE COMPANY - SKAGIT COUNTY

m14145

EASEMENT AGREEMENT

WITH JOINT MAINTENANCE PROVISIONS

This agreement is entered into this 17 day of September, 2003 between Howard Clark and Judy Clark, husband and wife, and Connie Clark, as her separate property (hereinafter called "Clark"), and Michael P. Geerts, as his separate property and David Geerts and ~~Judy Geerts, husband and wife~~ (hereinafter referred to as Geerts);

WITNESETH:

Clark is the owner of that certain property described on ~~Exhibit A~~ <sup>Exhibit B</sup> attached hereto.

Geerts is the owner of the property described on ~~Exhibit B~~ <sup>Exhibit A</sup> attached hereto.

Geerts was granted a non-exclusive easement for ingress, egress and utilities over, under and across that portion of the Clark property described on Exhibit C attached hereto.


Clark and Geerts hereby covenant and agree, one with the other, that all maintenance and repair of the roadway described on Exhibit C attached hereto shall be shared between the parties hereto, their heirs, successors and assigns, in direct proportion to their relative use of said roadway.

The parties hereto further covenant and agree that should there be a disagreement as to the necessity of any maintenance or repair, each party shall select a licensed engineer, who together will select a third licensed engineer, and they shall determine whether the disputed maintenance or repair is required to maintain the roadway in a safe and passable manner. The costs of said engineers shall be born exclusively by the non-prevailing party.

The parties hereto further covenant and agree that this agreement shall be binding upon themselves, their heirs, successors and assigns and shall be a covenant running with the lands described herein.

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

OCT 03 2003

Amount Paid  
Skagit Co. Treasurer  
By  Deputy



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Skagit County Auditor

Howard Clark  
Howard Clark

Judy Clark  
Judy Clark

Connie Clark  
Connie Clark

Michael P. Geerts  
Michael P. Geerts

David Geerts  
David Geerts

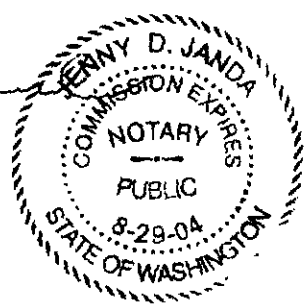
~~Judy Geerts~~  
Judy Geerts

STATE OF WASHINGTON }  
  }  
  }ss  
  }  
County of Skagit }

I certify that I know or have satisfactory evidence that Howard Clark and Judy Clark are the persons who appeared before me, and said persons acknowledged that they signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in this instrument.

Dated this 17 day of September, 2003.

Erny D. Janda  
Notary Public in and for the  
State of Washington, residing  
At MEAD WASH  
My appointment expires 8-29-04



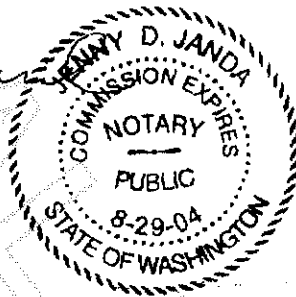
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Skagit County Auditor

STATE OF WASHINGTON }  
 }  
 )ss  
 }  
 County of Skagit }

I certify that I know or have satisfactory evidence that Connie Clark is the person who appeared before me, and said person acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in this instrument.

Dated this 17 day of September, 2003.

[Signature]  
Notary Public in and for the  
State of Washington, residing  
At Markdemont



My appointment expires 8-29-04

Michigan  
STATE OF ~~WASHINGTON~~ }  
 }ss  
 }  
 County of ~~Skagit~~ Muskegon

I certify that I know or have satisfactory evidence that David Geerts and ~~Lady~~ Geerts are the persons who appeared before me, and said persons acknowledged that they signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in this instrument.

Dated this 26 day of September, 2003.

[Signature]  
Notary Public in and for the Michigan  
State of Washington, residing  
At Muskegon

My appointment expires 5-11-2007



Michigan  
STATE OF WASHINGTON }  
}

)ss

County of ~~Skagit~~ Muskegon

I certify that I know or have satisfactory evidence that Michael P. Geerts is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in this instrument.

Dated this 26 day of September, 2003.

Kelly A. Pulsifer  
Notary Public in and for the  
State of ~~Washington~~, residing Michigan  
At Muskegon

My appointment expires 5-11-2007



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Skagit County Auditor

**Exhibit "A"**

The West 720 feet of Government Lot 4, Section 7, Township 35 North, Range 11 East, W.M.

EXCEPT the South 363.80 feet thereof.

Situate in the County of Skagit, State of Washington.



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**Exhibit "B"**

**PARCEL "A":**

That portion of Government Lot 5, Section 7, Township 35 North, Range 11 East, W.M., lying Westerly of the State Highway.

EXCEPT the North 15 feet thereof, and also

EXCEPT all of Short Plat No. 97-0013, approved March 23, 1999 and recorded March 23, 1999, in Volume 14 of Short Plats, pages 11 and 12, under Auditor's File No. 9903230165, and also

EXCEPT that portion lying within Short Plat 26-74, approved July 3, 1974.

**PARCEL "B":**

Government Lot 4, Section 7, Township 35 North, Range 11 East, W.M.

EXCEPT the North 15 feet thereof, and

EXCEPT the West 720 feet thereof, and

EXCEPT that portion lying within the South 363.80 feet of the West 1027.33 feet of said Government Lot 4.

Situate in the County of Skagit, State of Washington



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Skagit County Auditor

Exhibit "C"

PARCEL "A":

A non-exclusive easement for ingress, egress and utilities over, under and across the following described property:

That portion of Lot 1, Short Plat No. 97-0013, approved March 23, 1999, recorded March 23, 1999 in Volume 14 of Short Plats, pages 11 and 12, under Auditor's File No. 9903230165, and being a portion of Government Lot 5, Section 7, Township 35 North, Range 11 East, W.M., lying Northerly of the following described line:

Beginning at a point on the Easterly line of said Lot 1 at a point that is 60 feet South, as measured at right angles, to the North line of said Lot 1; thence North 88°29'23" West, parallel to the North line of said Lot 1, to an intersection with the West line of said Lot 1 and the terminus of this line description.

Situate in the County of Skagit, State of Washington.

PARCEL "B":

A non-exclusive easement for ingress, egress and utilities over, under and across a strip of land 50 feet in width, located in Government Lot 5, Section 7, Township 35 North, Range 11 East, W.M., lying Westerly of the West line of Lot 1, Short Plat No. 97-0013, approved March 23, 1999, recorded March 23, 1999 in Volume 14 of Short Plats, pages 11 and 12, under Auditor's File No. 9903230165, the Northerly line of said 50 foot strip being adjacent to and abutting upon the South line of Lot 2 of said Short Plat No. 97-0013 and said South line extended Westerly to the West line of said Government Lot 5, and the terminus of said 50 foot strip.

Situate in the County of Skagit, State of Washington.

PARCEL "C":

A non-exclusive easement for ingress, egress and utilities over, under and across a strip of land 50 feet in width, located in Government Lot 4, Section 7, Township 35 North, Range 11 East, W.M., the Northerly line of which is the Westerly extension of the South line of Lot 2 of Short Plat No. 97-0013 approved March 23, 1999, recorded March 23, 1999 in Volume 14 of Short Plats, pages 11 and 12, under Auditor's File No. 9903230165, and said South line extended Westerly to the East line of the West 720 feet of said Government Lot 4 and the terminus of said 50 foot strip.

Situate in the County of Skagit, State of Washington.

STATE OF WASHINGTON }  
COUNTY OF SKAGIT } SS

I, Skagit County Auditor, State of Washington, do hereby certify that the foregoing instrument is a true and correct copy of the original now on file in my office.

IN WITNESS WHEREOF, I have set my hand and seal of my office this 15 day of May 2008.

*Janne [Signature]*  
Deputy Auditor



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