

FILED FOR RECORD AT THE
REQUEST OF/RETURN TO:



200811180065

Skagit County Auditor

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EASEMENT

Grantor (s) RICHARD C. SPINK & ANN L. SPINK, husband and wife

Grantee (s) RICHARD C. SPINK & ANN L. SPINK, husband and wife

Additional Grantor(s) on page(s)

Additional Grantee(s) on page(s)

Abbreviated Legal:

Additional Legal on page(s)

Assessor's Tax Parcel No's: P118587; P49417; P49396; P112944; P107133

THIS AGREEMENT is made and entered into this _____ day of _____, 2008,
by RICHARD C. SPINK & ANN L. SPINK, husband and wife, (hereinafter "Grantors"), and
RICHARD C. SPINK & ANN L. SPINK, husband and wife, (hereinafter "Grantees").

WHEREAS, GRANTORS are the owners of the following described real property located in
Skagit County, Washington:

"The Well Parcel"

Lot 1 of Skagit County Short Plat 97-0036, approved April 15, 2002 and
recorded April 16, 2002, under Skagit County Auditor's File No.
200204160051.

TOGETHER WITH

That portion of Lot 2 of Skagit County Short Plat 97-0036, approved April
15, 2002 and recorded April 16, 2002, under Skagit County Auditor's File
No. 200204160051, which is located to the West of Friday Creek, as shown
on the face of said Short Plat 97-0036;

TOGETHER WITH

That portion of Lot 2 of Skagit County Short Plat 97-0036, approved April 15, 2002 and recorded April 16, 2002, under Skagit County Auditor's File No. 200204160051, which is located to the West of Silver Creek, as shown on the face of said Short Plat 97-0036;

Skagit County Assessor's Parcel Numbers: P118587; P49417; P49396
Situating in Skagit County, Washington.

AND WHEREAS, GRANTEES are the owners of the following described real property located in Skagit County, Washington:

"The Residence Parcel"

Lot 1 of Skagit County Short Plat 96-063, approved March 23, 1998 and recorded April 1, 1998, under Skagit County Auditor's File No. 9804010116.

Skagit County Assessor's Parcel Numbers: P107133; P112944
Situating in Skagit County, Washington.

AND WHEREAS, the Residence Parcel currently obtains water from a well installed under that certain easement for recorded under Skagit County Auditor's File Number 9706100097;

AND WHEREAS, the possibility exists that more than one residence may utilize the existing well that services the Residence Parcel

AND WHEREAS, rights to the existing well may have been granted that are superior to the rights granted in Skagit County Auditor's File Number 9706100097;

AND WHEREAS, the Grantors and Grantees wish to provide for possible relocations of the existing well for the Residence Parcel, in the event that, for any reason, such well location(s) become unsuitable for the purposes of the owner(s) of the Residence Parcel.

GRANT OF EASEMENTS

NOW THEREFORE, THE UNDERSIGNED, RICHARD C. SPINK & ANN L. SPINK, husband and wife, in consideration of the mutual covenants contained herein, and in consideration of \$10 and other good and valuable consideration, the receipt and sufficiency of which are hereby



acknowledged, establish, give, grant, warrant and convey to RICHARD C. SPINK & ANN L. SPINK, husband and wife, including any after acquired title, the following described easements:

WELL & WATER LINE EASEMENT

Description of Easement

A non-exclusive, perpetual easement over, under and across the easement area defined below for the purpose of installation, maintenance and repair of a well, water line, related utilities, pump house and related improvements.

Easement Area

Lot 1 of Skagit County Short Plat 97-0036, approved April 15, 2002 and recorded April 16, 2002, under Skagit County Auditor's File No. 200204160051.

TOGETHER WITH

That portion of Lot 2 of Skagit County Short Plat 97-0036, approved April 15, 2002 and recorded April 16, 2002, under Skagit County Auditor's File No. 200204160051, which is located to the West of Friday Creek, as shown on the face of said Short Plat 97-0036;

TOGETHER WITH

That portion of Lot 2 of Skagit County Short Plat 97-0036, approved April 15, 2002 and recorded April 16, 2002, under Skagit County Auditor's File No. 200204160051, which is located to the West of Silver Creek, as shown on the face of said Short Plat 97-0036;

Skagit County Assessor's Parcel Numbers: P118587; P49417; P49396
Situated in Skagit County, Washington.

PROTECTIVE EASEMENT FOR WELL

Description of Easement

A non-exclusive, perpetual easement providing that the Grantors, their heirs, successors and assigns will not construct, maintain, or suffer to be constructed or maintained upon the Easement Area, any potential source of contamination, such as septic tanks and drainfields, sewerlines, underground storage tanks, public roads, railroad tracks,



overnight vehicle parking, structures, (except for well accessory buildings), barns, feed stations, grazing animals, enclosures for maintaining fowl or animal manure, liquid or dry chemical storage, herbicides, insecticides, hazardous waste, or garbage of any kind or description.

Easement Area

An area of land defined by a circle with a 100.00 foot radius, the center of such circle being located at such location as a new well may be drilled, from time to time, for the benefit of the Residence Parcel:

GENERAL:

Grantee shall have a perpetual right to use the easements and all other rights granted to Grantee under this Agreement. The easements granted herein are not intended to supersede or replace those rights granted in Skagit County Auditor's File Number 9706100097, or any other document and instead intended to supplement any such preexisting rights.

The benefits, burdens, and covenants of the easement granted herein shall be deemed to be appurtenant to and shall constitute a covenant and encumbrance running with the land and bind the GRANTORS' property, the GRANTEES' property, the GRANTORS and the GRANTEES, and their respective heirs, successors and assigns, and all persons possessing any of said property by, through, or under the parties hereto, or their respective heirs, successors or assigns.

Grantors hereby assign and convey to Grantees, any and all rights held by the Grantors, whether granted by private party or public entity, which rights allow installation, maintenance, repair and or any other such improvements over, under and across Colony Road.

This Easement shall be construed and governed by the laws of the State of Washington;

This Easement shall not effect a merger of the fee ownership of either the Well Parcel and/or the Residence Parcel and any of the easements contained in this Agreement. The fee and the easements contained herein shall hereafter remain separate and distinct.

The invalidity or unenforceability of any provision hereof shall not affect or impair any other provisions hereof;

This easement may not be modified or amended except by written agreement signed and acknowledged by all parties;

If by reason of any breach or default on the part of either party hereto it becomes necessary for the other party hereto to employ an attorney, then the non-breaching party shall have and recover against the other party in addition to costs allowed by law, reasonable attorneys' fees and litigation-related expenses. The non-breaching party shall be entitled to recover reasonable



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attorneys' fees and costs and expenses, as provided above, regardless of whether litigation is actually commenced, including fees and costs and expenses relating to bankruptcy, appeal or post judgment matters.

The parties hereto do hereby consent to jurisdiction and venue of the Superior Court of Skagit County, State of Washington.

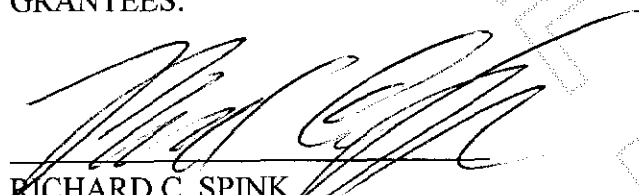
THE PARTIES HEREBY ACKNOWLEDGE THAT THEY HAVE READ THIS DOCUMENT, UNDERSTAND ITS CONTENTS AND AGREE TO BE BOUND BY THE TERMS HEREOF.

GRANTORS:


RICHARD C. SPINK


ANN L. SPINK

GRANTEES:


RICHARD C. SPINK


ANN L. SPINK

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

NOV 13 2008

Amount Paid
By Skagit Co. Treasurer
117



200811180065

Skagit County Auditor

State of Washington)
) ss
County of Skagit)

I certify that I know or have satisfactory evidence that RICHARD C. SPINK is the person who appeared before me and said person acknowledged that he/she signed this instrument and acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in the instrument.



Dated: 11-17-08

Jesusa Annis

(Signature)

NOTARY PUBLIC

Jesusa Annis

Print Name of Notary

My appointment expires: 10-1-12

State of Washington)
) ss
County of Skagit)

I certify that I know or have satisfactory evidence that ANN L. SPINK is the person who appeared before me and said person acknowledged that he/she signed this instrument and acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in the instrument.



Dated: 11-17-08

Jesusa Annis

(Signature)

NOTARY PUBLIC

Jesusa Annis

Print Name of Notary

My appointment expires: 10-1-12

