



200903170101

Skagit County Auditor

3/17/2009 Page 1 of 9 4:04PM

AFTER RECORDING RETURN TO:

FURLONG ♦ BUTLER
ATTORNEYS
825 CLEVELAND AVENUE
MOUNT VERNON, WASHINGTON 98273

ACCOMMODATION RECORDING EASEMENT DEDICATION
LAND TITLE OF SKAGIT COUNTY

Reference number of documents assigned or released: N/A
Partial Legal Description: ptns of Section 12, Township 34 N, Range 1 East, W.M.
(full legal descriptions on Exhibit 1 & 2 attached hereto)
Assessor's Parcel/Tax I.D. Number(s): 340112-4-029-0002/P19248; 340112-4-014-0009/P19229; 340112-1-003-0109/P19299

Declarants, William L. Conry and Janine Babich ("Declarants Conry and Babich"), husband and wife, are owners of Lot A, legally described in Exhibit 1 hereto. Declarants, William H. Turner and Sally C. Turner ("Declarants Turner"), husband and wife, are owners of Lots B and C, legally described in Exhibit 2 hereto.

Declarants Conry and Babich hereby dedicate a nonexclusive easement for ingress, egress and utilities over, under and across the easterly 40 feet of Lot A, in favor of Lots B and C.

Declarants Turner hereby dedicate a nonexclusive easement for ingress, egress and utilities over, under and across Lot B in favor of Lot C to William H. Turner and Sally C. Turner, husband and wife.

Said easements (collectively, the "Easement Route") shall run with the land and shall inure to the benefit of and bind all the Declarants and their successors, heirs and/or assigns in perpetuity. Said easements are dedicated subject to the following terms and conditions with respect to road maintenance and installation of utilities which likewise shall run with the land and inure to the benefit of and bind all the Declarants and their successors, heirs and/or assigns. ~~Said dedication is for non consideration~~

cc Said DEDICATION IS FOR THE SUM OF \$2800.00 PAID TO Conry AND BABICH.

All Declarants further declare that all of the property described above is held and shall be held, conveyed, hypothecated or encumbered, leased, rented, used, occupied,

and improved subject to the following limitations, restrictions, conditions, and covenants, all of which are declared and agreed to be in furtherance of a plan for the improvement, and sale of the Lots described herein and are established and agreed upon for the purpose of enhancing and protecting the value, desirability, and attractiveness of the Lots and every part thereof. All of the limitations, restrictions, conditions, and covenants shall run with the land and shall be binding on all parties having or acquiring any right, title, or interest in the described Lots or any part thereof.

Maintenance of said private driveway in the Easement Route ("Roadway") shall be shared in direct usage to said Roadway with each Lot owner's responsibility for maintenance to commence immediately and each being responsible for its fractional share for the labor and costs of all the present and future owners of said Lots as follows:

- Lot B: 40% of shared driveway over Lot A and Lot B.
- Lot C: 60% of shared driveway over Lot A and Lot B.

2. The Roadway shall be maintained by the Lot owners in reasonably appropriate condition consistent with first class residential usage. Any benefitted property damaging the Roadway or allowing or causing debris or mud to be deposited thereon, shall repair such damage/remove such debris or mud immediately and at its sole expense.

3. Any further improvements above and beyond the said requirements to maintain the Roadway in a good workmanlike manner must be agreed upon with the cost share by all parties approved prior to commencement of any work.

4. In the event that any owner fails to pay its proportionate share of maintenance cost, the owner entitled to reimbursement may file a lien against the non-paying owner's real property benefiting from use of the Roadway, which lien, if not satisfied within ninety (90) days of filing, may be foreclosed non-judicially in the manner allowed by law for deeds of trust, with any cure to include all costs and attorney fees. Until paid by the defaulting owner, such enforcement costs shall be considered reimbursable maintenance costs.

5. Each Lot owner shall indemnify and hold the other harmless from and against all common law or statutory liabilities, damages, obligations, losses, claims, civil actions, costs or expenses, including attorney's fees, arising from any act, omission or negligence of the Lot owner or its, contractors, licensees, agents, guests or invitees on or about the Roadway, or arising from any injury or damage to any person or property, including the Roadway, occurring on or about the Roadway as a result of any act or omission of the Lot owner, or its contractors, licensees, agents, guests, or invitees, or arising from any breach hereof.

Easement Dedication

Declarants: William H. Turner & Sally C. Turner, H&W

Declarants: William L. Conry and Janine Babich, H&W

Page 2 of 9



200903170101

Skagit County Auditor

3/17/2009 Page

2 of

9 4:04PM

6. This Declaration may be amended only in writing executed by all Lot owners.

7. This Declaration is perpetual and runs with the owners' respective lands. It shall inure to the benefit of and bind the parties' respective heirs, assigns and successors. Should any portion hereof be found invalid or unenforceable, the remainder hereof shall remain in full force and effect. Venue for any action is exclusively Skagit County Superior Court. Washington law shall apply to any controversy and the prevailing party in any action shall receive its attorney fees and costs, including those incurred on appeal. Time is of the essence in all matters concerning this Declaration.

Further, all Declarants hereby grant and acknowledge a nonexclusive perpetual easement over, under and upon the Easement Route for installation of utilities, specifically these rights are granted to, but not limited to, electricity and telecommunication providers, and any successors and assigns of said companies and to any other the right to enter in, cross under, through and over the described Easement Route to provide utility services to all Lots and any further division and refinements thereof. Any disturbance of the land or improvements caused by such installation shall be promptly restored by the Lot owner(s) benefitted by the installation.

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732
SKAGIT COUNTY - WASHINGTON
Real Estate Excise Tax
2009
MAR 17 2009
Amount Paid 54.84
By *[Signature]*

Easement Dedication

Declarants: William H. Turner & Sally C. Turner, H&W

Declarants: William L. Conry and Janine Babich, H&V



Date: ~~January~~ February 18, 2009

William L. Conry
William L. Conry

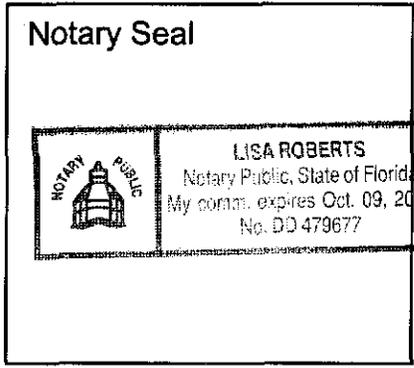
Date: ~~January~~ February, 2009

Janine Babich
Janine Babich

STATE OF FLORIDA)
COUNTY OF Broward) ss.

On this day personally appeared before me William L. Conry and Janine Babich to me 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 18th day of ~~January~~ February 2009.



Lisa Roberts
Notary Public in and for the state of Florida
Residing at Broward County Fla.
My commission expires: 10/9/09
Printed Name: Lisa Roberts

Easement Dedication

Declarants: William H. Turner & Sally C. Turner, H&W
Declarants: William L. Conry and Janine Babich, F



200903170101
Skagit County Auditor

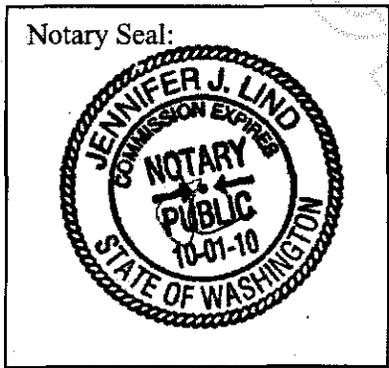
Date: 3/17, 2009 William H. Turner
William H. Turner

Date: 3/17, 2009 Sally C. Turner
Sally C. Turner

STATE OF ~~MASSACHUSETTS~~ Washington)
) ss.
COUNTY OF Skagit)

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

GIVEN under my hand and official seal this 17 day of March 2009.

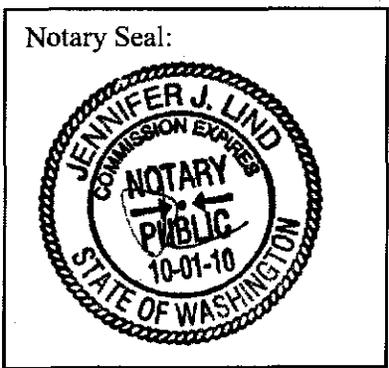


Jennifer J. Lind
Notary Public in and for the state of ~~MASSACHUSETTS~~ Washington
Residing at Bow
My commission expires: 10/01/2010
Printed Name: Jennifer J. Lind

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

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

GIVEN under my hand and official seal this 17 day of March 2009.



Jennifer J. Lind
Notary Public in and for the state of Washington
Residing at Bow
My commission expires: 10/01/2010
Printed Name: Jennifer J. Lind

Easement Dedication
Declarants: William H. Turner & Sally C. Turner, H&W
Declarants: William L. Conry and Janine Babich, H&W



EXHIBIT 1

LOT A:

Those portions of Government Lot 4, Section 12, Township 34 North, Range 1 East, W.M., described as follows:

Beginning at the Northwest corner of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section;

thence East 21 rods; thence South 80 rods, more or less, to the shoreline of Lake Campbell; thence Westerly along said shoreline to the West line of said Government Lot; thence North to the point of beginning,

That portion of Government Lot 4, Section 12, Township 34 North, Range 1 East, W.M., described as follows:

Beginning at a point 660 feet South and 346.5 feet East of the Northwest corner of said Government Lot, said point being the Northeast corner of Parcel B as conveyed to Harry Haugland and Ruth J. Haugland, husband and wife, in deed recorded May 23, 1968, under Auditor's File No. 713954, records of Skagit County, Washington; thence East 15.3 feet, more or less, to an existing North-South fence line; thence Southerly along said existing fenceline, a distance of 312.7 feet, more or less, to the Northerly right of way of Campbell Lake Road; thence Westerly along said Northerly right of way, a distance of 21.2 feet, more or less, to a point 346.5 feet East of the West line of said Government Lot 4; thence North to the point of beginning.

EXCEPT a tract conveyed to Martha A. Giles, described as follows:

Beginning at a point 64 rods, South of the center of said section; thence East 208.71 feet; thence South 208.71 feet; thence West 208.71 feet; thence North 208.71 feet to the point of beginning.

EXCEPT from any of the above described parcel, all roads and/or County right of way;

AND EXCEPT any portion of the above described parcel lying south of Campbell Lake Road;

EXCEPT the following described Parcel:

Beginning at the Northwest Corner of Government Lot 4; thence South on the west line of said Lot 4

South $0^{\circ}24'26''$ West, a distance of 660.00 feet to the True Point of Beginning; thence continuing South on said west line South $0^{\circ}24'26''$ West, a distance of 320.84 feet to the north right of way of Lake Campbell Road; thence east on the north right-of-way of Lake Campbell Road on a non-tangent curve to the Left, which curve's cord bears $S 89^{\circ}09'12''$ East, through a

Easement Dedication

Declarants: William H. Turner & Sally C. Turner, H&V'

Declarants: William L. Conry and Janine Babich, H&

Page 6 of 9



200903170101

Skagit County Auditor

central angle of $1^{\circ}07'33''$, having a radius of 2,334.30 feet, a distance of 45.87 feet to the intersection of the right-of-way and an existing fence line extended South to the north right-of-way of Lake Campbell Road; thence North along the existing fence line North $0^{\circ}17'31''$ West, a distance of 322.47 feet; thence North $86^{\circ}55'50''$ West, a distance of 41.84 feet to the True Point of Beginning.

TOGETHER with the following described Parcel:

Beginning at the Northwest Corner of Government Lot 4; thence South on the west line of said Lot 4

South $0^{\circ}24'26''$ West, a distance of 466.00 feet; thence South $89^{\circ}35'34''$ East to the north extension of an existing fence line, a distance of 40.00 feet; thence South on said fence line South $0^{\circ}07'12''$ East, a distance of 175.57 feet to the True Point of Beginning; thence continuing South on said fence line South $0^{\circ}07'12''$ East, a distance of 20.38 feet; thence South $86^{\circ}55'50''$ East, a distance of 279.66 feet; thence S $89^{\circ}47'53''$ East, a distance of 40.22 feet; thence North $0^{\circ}45'31''$ West, a distance of 20.39 feet; thence North $87^{\circ}17'28''$ West, a distance of 319.29 feet to the True Point of Beginning.

Easement Dedication

Declarants: William H. Turner & Sally C. Turner, H&W

Declarants: William L. Conry and Janine Babich,

Page 7 of 9



200903170101
Skagit County Auditor

EXHIBIT 2

LOT B:

Those portions of Government Lot 4, Section 12, Township 34 North, Range 1 East, W.M., described as follows:

Beginning at the Northwest corner of said Government Lot; thence South on the West line of said lot, 660 feet; thence East parallel with the North line of said lot, 321.5 feet; thence North to the North line of said lot; thence West to the point of beginning.

Beginning at a point 660 feet South and 346.5 feet East of the Northwest corner of said Government Lot, said point being the Northeast corner of Parcel B as conveyed to Harry Haugland and Ruth J. Haugland, husband and wife, in deed recorded May 23, 1968, under Auditor's File No. 713954, records of Skagit County, Washington;

thence East a distance of 15.3 feet, more or less, to an existing North-South fenceline; thence Northerly along said fenceline, and said fenceline extended, a distance of 658.9 feet, more or less, to the North line of said Government Lot 4; thence West along the North line of said Government Lot 4, a distance of 26.9 feet, more or less, to a point 321.50 feet, from the Northwest corner of said Government Lot 4; thence South parallel to the West line of said Government Lot 4, a distance of 660.00 feet; thence East a distance of 25.35 feet, more or less, to the point of beginning.

EXCEPT that portion of the following described portion of said Government Lot 4:

Beginning at the Southeast corner of the West $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 12; thence South along the East line of said West $\frac{1}{2}$ extended 5.3 feet, more or less, to an existing East-West fenceline; thence Westerly along the existing fenceline, a distance of 317 feet, more or less, to an existing fence corner; thence North on an extension of the fenceline heading South, a distance of 15.5 feet, more or less, to the South line of said West $\frac{1}{2}$; thence South $86^{\circ}55'50''$ East, along the South line thereof, a distance of 317.0 feet, more or less, to the point of beginning.

EXCEPT the following described Parcel:

Beginning at the Northwest Corner of Government Lot 4; thence South on the west line of said Lot 4 South $0^{\circ}24'26''$ West, a distance of 466.00 feet to the True Point of Beginning; thence continuing South on said west line South $0^{\circ}24'26''$ West, a distance of 194.00 feet; thence east parallel with the north line of said Government Lot 4 to an existing fence line South $86^{\circ}55'50''$

Easement Dedication

Declarants: William H. Turner & Sally C. Turner, F

Declarants: William L. Conry and Janine Babich,

Page 8 of 9



200903170101
Skagit County Auditor

East, a distance of 41.84 feet; thence North along the existing fence line North 0°07'12" West, a distance of 195.95 feet to a point east of the extension of the north line of the parcel of Land Conveyed to Kurt and Cinthia Petrich as recorded under Auditor's File No. 9905260311; thence west on the said north line extension North 89°35'34" West, 40.00 feet to the west line of Government Lot 4, the True Point of Beginning.

EXCEPT the following described Parcel:

Beginning at the Northwest Corner of Government Lot 4; thence South on the west line of said Lot 4 South 0°24'26" West, a distance of 466.00 feet; thence South 89°35'34" East to the north extension of an existing fence line, a distance of 40.00 feet; thence South on said fence line South 0°07'12" East, a distance of 175.57 feet to the True Point of Beginning; thence continuing South on said fence line South 0°07'12" East, a distance of 20.38 feet; thence South 86°55'50" East, a distance of 279.66 feet; thence S 89°47'53" East, a distance of 40.22 feet; thence North 0°45'31" West, a distance of 20.39 feet; thence North 87°17'28" West, a distance of 319.29 feet to the True Point of Beginning.

LOT C:

The West ½ of the Southwest ¼ of the Northeast ¼ of Section 12, Township 34 North, Range 1 East, W.M.;

EXCEPT that portion of the Northeast ¼, all in Section 12, Township 34 North, Range 1 East, W.M., described as follows:

Beginning at the Southeast corner of the West ½ of the Southwest ¼ of the Northeast ¼ of said Section 12;
thence North 86°55'50" West, along the South line of said Northeast ¼ a distance of 317.0 feet to an extension North of an existing fence line lying to the South in Government Lot 4 of said section;
thence North 0°45'31" West, a distance of 176.06 feet;
thence South 89°41'52" East, 319.87 feet to the East line of said West ½ of the Southwest ¼ of the Northeast ¼;
thence South 0°18'02" West along the East line thereof, 191.34 feet to the point of beginning.

All situated in the County of Skagit, State of Washington.

Easement Dedication

Declarants: William H. Turner & Sally C. Turner, 110111
Declarants: William L. Conry and Janine Babich

