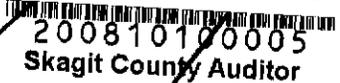




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WHEN RECORDED RETURN TO:

City of Anacortes  
P.O. Box 547  
Anacortes, WA 98221

**EASEMENT**

LAND TITLE OF SKAGIT COUNTY

132963-PEE

Grantors: William H. Turner and Sally C. Turner, husband and wife  
Grantee: City of Anacortes  
Abbreviated Legal: PTN NE 1/4 & PTN Gov Lot 4, 12-34-1E W.M.  
Assessor's Tax Parcel No.: P19299

**\*Re-Record to correct legal description\***

THE UNDERSIGNED GRANTOR, **BILL TURNER AND SALLY TURNER**, husband and wife, as a gift and for no other consideration, hereby convey and quit claim a perpetual, nonexclusive easement to GRANTEE, **CITY OF ANACORTES**, a Washington municipal corporation, over, and across the following described property situate in Skagit County, Washington:

SEE ATTACHED SCHEDULE "A"

for the purpose of the operation, maintenance and repair of a non-motorized public recreational trail and pedestrian walkway and with right, privilege and authority, to Grantee to enter the premises herein described with materials, workers, or agents, to construct, maintain, replace and reconstruct said trail and pedestrian walkway across the said premises, and to cut and remove from said premises any trees and other obstructions which may endanger the safety or interfere with the use of said trail and pedestrian walkway; and the right of ingress and egress over and across the premises described herein at any and all times for the purposes of doing anything reasonably necessary or useful of convenient for the enjoyment of the easement hereby granted; and the right of conveyance of said easement and privileges.

- Use of Easement.** The easement granted herein shall be for the operation, maintenance and repair of a public, non-motorized recreational trail and pedestrian walkway by Grantee, at Grantee's sole cost and expense.
- Indemnification.** To the extent permitted by law, Grantee shall indemnify and hold Grantor harmless from any and all claims, actions, damages or liability occasioned wholly or in part by any act or omission by Grantee, its agents or invitees, relating to the use, construction, maintenance, operation or repair of the trail located within the easement area, except to the extent attributable to the acts or omissions of Grantor, its agents or invitees.
- Reservation to Grantor.** Grantor shall have the right to use the easement area for any purpose not inconsistent with the full use and enjoyment by Grantee, its successors and assigns, of the rights and privilege herein granted. Grantee is responsible for operating and maintaining the above described improvements. Grantor shall not place any buildings or fencing on the easement area or impair Grantee's access to the easement area.

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

APR 15 2009

Amount Paid \$  
Skagit Co. Treasurer  
By *Lp* Deputy

~~CLERK OF COUNTY  
REAL ESTATE TAX~~

~~OCT 10 2009~~

~~By *MF*~~

4. **Reversionary Interest.** In the event that the easement granted herein shall no longer be used for the public purposes as set forth herein, the easement shall be extinguished and the rights granted hereunder shall cease.

IN WITNESS WHEREOF this easement is executed as of this 9<sup>th</sup> day of September, 2008.

WILLIAM H. TURNER

*William H. Turner*

SALLY C. TURNER

*Sally C. Turner*

CITY OF ANACORTES

By *H. Dean Maxwell*  
H. Dean Maxwell, Mayor

Attest: *Steve Ho*  
City Clerk

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF SKAGIT )

I certify that I know or have satisfactory evidence that William H. Turner 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 the instrument.

Dated: 9-9-08

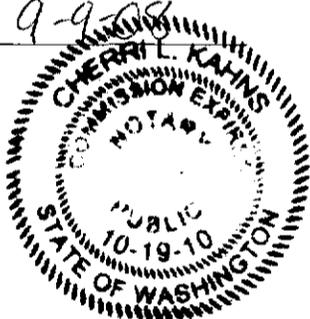


*Cherril L. Kahns*  
Notary Public in and for the State of Washington,  
Residing at Mount Vernon  
Print Name Cherril L. Kahns  
My commission expires 10-19-10

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF SKAGIT )

I certify that I know or have satisfactory evidence that H. Dean Maxwell is the person who appeared before me, and said person acknowledged that he signed this instrument, and on oath stated that he was authorized to execute the instrument and acknowledged it as the Mayor of the City of Anacortes to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 9-9-08

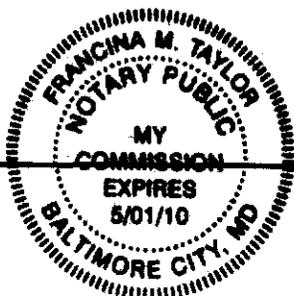


*Cherril L. Kahns*  
Notary Public in and for the State of Washington,  
Residing at Mount Vernon  
Print name Cherril L. Kahns  
My commission expires: 10-19-10

STATE OF MARYLAND )  
 ) ss.  
COUNTY OF Baltimore )

I certify that I know or have satisfactory evidence that Sally C. Turner 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 the instrument.

Dated: 9-18-08



*Francina M. Taylor*  
Notary Public in and for the State of Maryland,  
Residing at 3121 St Paul Street  
Print Name Francina M Taylor  
My commission expires May 1, 2010



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Skagit County Auditor

SCHEDULE A

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Two existing trails maintained by the City of Anacortes; the South Mt. Erie Trail which runs east to west over the below described parcel at approximately the <sup>450</sup>350 foot elevation. The Sunrise Trail which runs north to south from the South Mt. Erie Trail to the Anacortes Community Forest Lands from approximately the <sup>450</sup>350 elevation mark north to the Anacortes city limits.

Said trails are located on and access the following described parcel, situate in the County of Skagit, State of Washington:

The South 990 feet as measured perpendicular to the north line of that parcel described in the record of survey recorded in Auditor's file No. 200712030138, dated November 30, 2007, and located in the west one half of the east one half of section 12, township 34, range 1, east, Willamette Meridian.



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