

After Recording Return to:

**ELLIOTT W. JOHNSON**  
Attorney at Law  
711 S. First St.  
Mount Vernon, WA 98273



200907240110  
Skagit County Auditor

7/24/2009 Page 1 of 2 2:46PM

**Restrictive Covenant and**

☐ ~~Agreement to Not Protest a Future LID~~

**X Agreement to Connect to Sewer**

*pursuant to Skagit County Code 14.16.215, Bayview Ridge Urban Growth Area*

**Grantor(s):** Dahlstedt Family Properties LLC

**Grantee:** Skagit County, Washington

**Property owner:** Dahlstedt Family Properties LLC

**Property legal description:**

DR19 DK12) LOT 1 S/P #94-035 RECORDED AF#9505260005 BEING PORTION NW1/4 SW1/4 SECTION 9, TOWNSHIP 34, RANGE 3. EXCEPT ROAD RIGHT-OF-WAY TO COUNTY PER AF#9906170003

**Property ID number(s):** P21293

**Assessor tax number(s):** 340309-3-005-0007

**Property address/location:** 13527 Farm to Market Road, Mount Vernon

**Comp plan/zoning designation:** Bayview Ridge- Heavy Industrial (BR-HI)

**Skagit County permit number:** BP09-0304

Grantor, in consideration of the approval, and exceptions to the standard requirements for approval, to be granted by Skagit County in approving the development permit(s) referenced above, hereby makes the following promises and declaration of restrictive covenants, and binds Grantor to the land use restrictions identified below.

Grantor covenants that it owns the property described above and has lawful right to convey the interests described herein. Grantor agrees that these covenants shall run with the land and shall be binding on all parties having or acquiring any right, title, or interest in the land described above, or any part thereof, as they are binding on Grantor.

Check one or both of the following as required:

☒ Stormwater

Grantor agrees to not protest a future Local Improvement District ("LID") or other *pro rata* sharing of costs to upgrade the surface water management system for the Bayview Ridge Urban Growth Area. Alternately, Grantor agrees to install additional urban standard stormwater management improvements for the property indicated above within 20 years, if Skagit County determines such are necessary as part of surface or stormwater management standards in the Bayview Ridge Subarea Plan process.

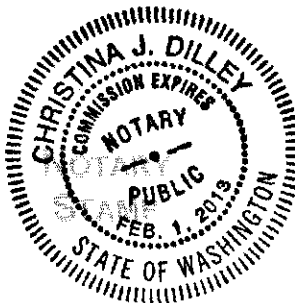
In calculating the amount obligated, credit shall be provided for prior contributions and improvements already made or completed by the property owners (or their predecessor(s) in interest) for the particular urban public facility or service contemplated by the Subarea Plan or LID, including but not limited to, stormwater drainage facilities, or dedication of property for public facilities that are included in the Subarea facilities plan.

#### X Sanitary Sewer Service

Grantor agrees to discontinue use of its on-site sewage system and, additionally, to connect its structures served by the on-site sewage system to public sewer, at such time as public sewer is available. For the purposes of this provision, public sewer is considered available when a sewer line is present within 200 feet of the residential structure, as measured along the usual or most economically-feasible route of access. Additionally, Grantor agrees to pay all connection charges applicable at the time of actual connection to the public sewer system.

Grantor Signature: Norman H. Dahlstedt

Date: 7-23-09



STATE OF WASHINGTON, COUNTY OF SKAGIT. ON THIS 23<sup>rd</sup> DAY OF July, YEAR OF 2009 BEFORE ME Christina J. Dilley NOTARY PUBLIC, PERSONALLY APPEARED Dahlstedt, Norman H. PERSONALLY KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THIS INSTRUMENT, AND ACKNOWLEDGED THAT HE/SHE EXECUTED IT. WITNESS MY HAND AND OFFICIAL SEAL:

NOTARY'S SIGNATURE Christina J. Dilley

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON RESIDING AT Sedro Woolley Washington MY COMMISSION EXPIRES: 2-1-2013

