



201005050058

Skagit County Auditor

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Document Title:

Protected Critical Area Easement (PCA) Corrected

Reference Number : 200001210011

Grantor(s):

additional grantor names on page ____.

1. Connie Stewart Trust (Charles Grable Trustee)

2.

Grantee(s):

additional grantee names on page ____.

1. Skagit County

2.

Abbreviated legal description:

full legal on page(s) ____.

SE 1/4, SW 1/4, SEC 11, T 35 N, RGE 5 EWM
NE 1/4, NW 1/4, SEC 14, T 35 N, RGE 5 EWM

Assessor Parcel / Tax ID Number:

additional tax parcel number(s) on page ____.

350511-3-005-0300, 350511-3-005-0400, 350514-0-014-0028

PROTECTED CRITICAL AREA EASEMENT (PCA)

Corrected

In consideration of Skagit County Code (SCC) 14.06.145, requirements for recording of protected critical area easements (PCA), for areas included under S.P. 99-0022 and mutual benefits herein, Grantor(s), project, does hereby grant, convey and warrant to Skagit County, a political subdivision of the State of Washington, a non-exclusive perpetual easement establishing a PCA over, along and across those portions of the project, denoted as Protected Critical Area Easement and described on the attached legal description (Exhibit A), together with the right of ingress and egress to and from this easement for the purpose of monitoring and enforcing proper operation and maintenance of the PCA described herein.

The easement is granted to and conditioned upon the following terms, conditions and covenants:

1. The PCA legal description is as follows (or noted if attached):

Protected Critical Area, as shown on Skagit County Short Plat No. 99-0022 approved 01/21/2000 and recorded 01/21/2000 under Skagit County Auditor's File No. 200001210010, records of Skagit County, Washington, being in a portion of the Southwest $\frac{1}{4}$ of Section 11, Township 35 N., Range 5 East, W.M. and the Northwest $\frac{1}{4}$ of Section 14, Township 35 N., Range 5 East, W.M.

2. Grantor(s) shall hereafter be responsible for maintaining and repairing PCA areas as described herein and is hereby required to leave PCA areas undisturbed in a natural state. No clearing, grading, filling, logging or removal of woody material, building, construction or road construction of any kind or planting of non-native vegetation within the PCA areas except as specially permitted by Skagit County on a case-by-case basis consistent with SCC 14.06.
3. Grantor(s) and Skagit County agree to the following special conditions requested by the Grantor(s) or required as part of mitigation pursuant to SCC 14.06:
 - a. Grantor has placed white PVC plastic pipe markers at each angle point in the boundaries of Lot "C" Open Space (OSPA) as permanent buffer edge markers to satisfy the requirements of SCC 14.06.145 (1)(d). These markers are located at lot corners for said Lot "C" Open Space (OSPA) as set by the surveyor and shown on sheet 1 of 2 of said Short Plat No. 99-0022, in accordance with the requirements of SCC 14.06.145 (1)(d)(ii).
4. Grantor(s) retains the right to use and possession of the real property over which the easement is granted to the extent permitted by Skagit County as low impact uses and activities which are consistent with the purpose and function of the PCA and do not detract from its integrity may be permitted with the PCA depending on the sensitivity of the habitat involved. Examples of uses and activities which may be permitted in appropriate cases, with prior County written approval separate from this agreement, include pedestrian trails, viewing platforms, stormwater management facilities and utility



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EXHIBIT "A"

November 15, 1999 (corrected May 5, 2010)

LEGAL DESCRIPTION FOR: Open Space Protected Area

That portion of Section 11 and Section 14, Township 35 North, Range 5 East, W.M., described as follows:

Commencing at the South one Quarter corner of said Section 11; **thence** North 0° 57' 28" West, along the North/South centerline of said Section 11, a distance of 420.05 feet to the **TRUE POINT OF BEGINNING**; **thence** continue North 0° 57' 28" West, 176.68 feet; **thence** South 34° 24' 34" West, 129.77 feet; **thence** South 56° 48' 19" West, 71.66 feet; **thence** South 45° 52' 19" West, 49.06 feet; **thence** South 76° 52' 09" West, 124.90 feet; **thence** South 71° 26' 10" West, 112.30 feet to the Easterly right-of-way of Bacus Road; **thence** Southwesterly along a non-tangent curve, concave to the Northwest, whose radius point bears North 56° 38' 14" West, 209.05 feet through a central angle of 15° 09' 13", an arc distance of 55.29 feet; **thence** South 48° 30' 59" West, 18.43 feet; **thence** leaving said right-of-way South 22° 46' 23" East, 68.47 feet; **thence** South 3° 34' 19" East, 69.10 feet; **thence** South 1° 40' 59" West, 80.07 feet; **thence** South 58° 45' 02" West, 54.22 feet; **thence** South 6° 36' 30" West, 92.10 feet; **thence** South 20° 18' 12" East, 50.91 feet; **thence** South 16° 18' 00" West, 97.07 feet; **thence** South 5° 58' 57" East, 104.42 feet; **thence** South 8° 24' 14" East, 75.20 feet; **thence** South 29° 46' 34" West, 19.37 feet to the Northerly easement line of Highway 20; **thence** along said easement line, South 72° 12' 20" East, 70.80 feet; **thence** North 17° 47' 40" East, 100.00 feet; **thence** leaving said easement line, North 26° 22' 49" West, 135.55 feet; **thence** North 21° 05' 43" East, 180.77 feet; **thence** North 23° 05' 01" East, 84.13 feet; **thence** North 47° 59' 26" East, 227.13 feet; **thence** North 35° 30' 43" East, 82.08 feet; **thence** North 22° 50' 49" East 61.37 feet; **thence** North 45° 52' 19" East, 35.86 feet; **thence** North 56° 48' 19" East, 87.83 feet to the **TRUE POINT OF BEGINNING**.

Said parcel is also known as Lot "C" Open Space (OSPA), as shown on that certain proposed Skagit County Short Plat No. 99-0022.

Containing 2.94 acres.



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