

Recording Requested By And  
When Recorded Mail To:

Skagit County Public Works  
Attn: Mike Farthing  
1800 Continental Place  
Mount Vernon, Washington 98273



201005200068  
Skagit County Auditor

5/20/2010 Page 1 of 10 11:13AM

SKAGIT COUNTY  
Contract # C20100227  
Page 1 of 10

DOCUMENT TITLE: Access Easement

REFERENCE NUMBER OF RELATED DOCUMENT: Not Applicable

GRANTOR(S): Linda Oliver, a single person

GRANTEE(S): Skagit County, a political subdivision of the State of  
Washington

ASSESSOR'S TAX / PARCEL NUMBER(S): P40846 (XrefID: 350608-1-018-0102)

ABBREVIATED LEGAL DESCRIPTION:

TRACT "A" OF SHORT PLAT 22-73, BEING A PORTION OF THE NE1/4 OF SEC 8, TWP 35, RNG 6 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; COMMENCING AT AN EXISTING IRON PIPE AT THE NORTHWEST CORNER OF SAID NE1/4, SAID PIPE BEING NORTH 88-35-26 WEST FROM THE NORTHEAST CORNER OF SAID SECTION 8; THENCE SOUTH 1-53-54 EAST ALONG THE WEST LINE OF SAID NE1/4, 751.30 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUE SOUTH 1-53-54 EAST, ALONG SAID WEST LINE 298.29 FEET; THENCE SOUTH 59-16-04 EAST 202.23 FEET; THENCE NORTH 85-41-51 EAST 125 FEET; THENCE NORTH 11-36-44 EAST 191.27 FEET; THENCE SOUTH 82-58-12 WEST 21.11 FEET; THENCE NORTH 11-36-44 EAST 202.89 FEET TO A POINT THAT IS SOUTH 88-39-34 EAST FROM THE TRUE POINT OF BEGINNING; THENCE NORTH 88-39-34 WEST 366.85 FEET TO THE TRUE POINT OF BEGINNING (Complete LEGAL DESCRIPTION provided at *Exhibit "C"*).

**ACCESS EASEMENT**

The undersigned, **LINDA OLIVER, a single person** ("Grantor" herein), and **SKAGIT COUNTY, a Political Subdivision of the State of Washington**, ("Grantee" herein), for good and valuable consideration, receipt and sufficiency of which is hereby acknowledged, hereby grants and conveys to Grantee, and Grantee's successors and assigns, a perpetual, non-exclusive access easement for ingress and egress purposes thereto ("Easement") as follows provided herein. Grantor and Grantee may be individually referred to herein as a "party", and may be collectively referred to herein as the "parties." The terms of this Easement are further provided as follows:

**1. Nature and Location of Easement.** The Easement granted by Grantor herein shall be: a permanent access easement for the benefit of Grantee over, upon, across and through the private roadway located on Grantors' Property commonly described as Carpenter Road for the purposes of providing Grantee with access, ingress, and egress to Grantee's drainage facilities located near Grantors' property (with all necessary vehicles and equipment for said purposes), and for any and all other purposes reasonably related thereto. The Grantee shall have a perpetual right of access to the Easement at all times and without notice to Grantor. Said Easement is legally described on *Exhibit "A"*, and is further described and depicted on *Exhibit "B"*. A legal description for the Grantors' Property is attached hereto as *Exhibit "C"*, and is incorporated herein by this reference. Grantor specifically recognizes and agrees that Grantee is in no way responsible or liable whatsoever for the use of, maintenance of, and/or repair of any private roadway(s) located within or near the Easement area (specifically including the private roadway commonly known as Carpenter Road), and Grantor specifically releases and holds the Grantee harmless from any past or future responsibility and/or liability arising from and/or related to any private roadway(s) located within or near the Easement area. The Grantor further recognizes and agrees that Grantor shall be responsible and/or liable for any use of, maintenance of, and/or repair of any private roadway(s) located within the Easement area, and that any such private roadway(s) located within the Easement area do not become County road(s) by virtue of this Easement. The Grantee agrees that use of this Easement by Grantee shall be at the risk of the Grantee.

**2. Encroachment.** Grantor further agrees that no structure, gate, or obstruction shall be erected over, upon or within the Easement. Grantor shall have full use of the surface of the real property within the Easement, so long as such use does not interfere with the Grantee's use of the Easement.

**3. Binding Effect/ Warranty of Title.** The Easement and the covenants, terms, and conditions contained herein are perpetual in duration, and shall run with the Grantors' Property and shall be binding upon Grantee and Grantor and their respective successors, heirs and assigns. Grantor warrants that Grantor has good title to the Grantor's Property and warrant the Grantee title to and quiet enjoyment of the Easement. The covenants and agreements of this Easement shall be binding upon the successors and assigns of the parties hereto.

**4. Governing Law; Venue.** This Easement shall be construed under the laws of the State of Washington. It is agreed by the parties that the venue for any legal action brought under or relating to the term of this Easement shall be in Skagit County, State of Washington.

**5. Severability.** Should any term or provision of this Easement set forth herein be found to be void or unenforceable by a court of competent jurisdiction, all other terms and provisions of this Easement shall remain enforceable, binding, and in full force and effect.

**6. Neutral Authorship.** Each of the provisions of this Easement have been reviewed and negotiated, and represents the combined work product of both parties hereto. No presumption which would interpret the provisions of this Easement in favor of or against the



party preparing the same shall be applicable in connection with the interpretation of any of the provisions of this Easement. The parties represent that they have had a full and fair opportunity to seek legal advice with respect to the terms of this Easement and have either done so, or have voluntarily decided not to do so. Skagit County does not represent Grantor. The parties represent and warrant that they have fully read this Easement, that they understand its meaning and effect, and that they enter into this Easement with full knowledge of its terms.

**7. Captions and Counterparts.** The captions of this Easement are for convenience and reference only and in no way define, limit, or describe the scope or intent of this Easement. This Easement may be executed in any number of counterparts, and each such counterpart hereof shall be deemed to be an original instrument, but all such counterparts shall constitute but one Easement agreement.

**8. Entire Agreement.** This Easement agreement contains the entire agreement between the parties hereto and incorporates and supersedes all prior negotiations or agreements. It may not be modified or supplemented in any manner for form whatsoever, either by course of dealing or by parol or written evidence of prior agreements and negotiations, except upon the subsequent written agreement of the parties.

**9. Recording.** Upon execution, this Easement shall be recorded with the Skagit County Auditor, and shall become effective immediately upon recording.



**GRANTOR:**

DATED this 5<sup>th</sup> day of MAY, 2010.

  
**LINDA OLIVER**

STATE OF WASHINGTON


COUNTY OF SKAGIT

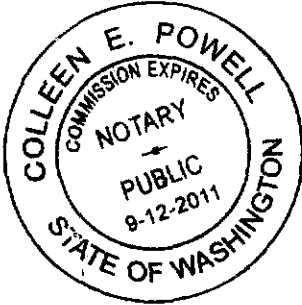
} ss.

I certify that I know or have satisfactory evidence that Linda Oliver is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was duly authorized to execute this instrument and executed the forgoing instrument as his/her free and voluntary act for the uses and purposes herein mentioned.

DATED this 5<sup>th</sup> day of May, 2010.

(SEAL)

  
Notary Public  
Print name: Colleen E. Powell  
Residing at: Anacortes  
My appointment expires: 9-12-2011



*Assignment  
for Consideration*  
SKAGIT COUNTY WASHINGTON  
Real Estate Excise Tax

MAY 20 2010

Account of  
Skagit County Treasurer  
By: *Sp*



**GRANTEE:**

DATED this 17<sup>th</sup> day of May, 2010.

BOARD OF COUNTY COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON

Sharon D. Dillon  
Sharon D. Dillon, Chair

Ron Wesen  
Ron Wesen, Commissioner

Kenneth A. Dahlstedt  
Kenneth A. Dahlstedt, Commissioner

**Recommended by:**

By: Thomas G. Ballard  
Thomas G. Ballard P.E.  
Interim Public Works Director

By: Billie Kadrmas  
Billie Kadrmas  
Risk Manager

By: Trisha Logue  
Trisha Logue, CPA  
Budget/Finance Director

**Approved as to Form:**

By: Stephen Fallquist  
Stephen Fallquist, Deputy Prosecuting Attorney

**ATTEST:**

Linda Hammons  
Linda Hammons, Clerk of the Board  
Skagit County Board of Commissioners

  
201005200068  
Skagit County Auditor

STATE OF WASHINGTON

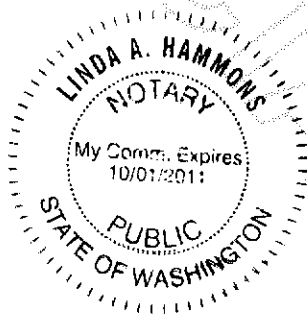
COUNTY OF SKAGIT

} ss.

I certify that I know or have satisfactory evidence that Sharon D. Dillon, Kenneth A. Dahlstedt and/or Ron Wesen is/are the person(s) who appeared before me, and said person(s) acknowledged that she/he/they signed this instrument, on oath stated that she/he/they was/were authorized execute the instrument and acknowledged it as Commissioner(s) of Skagit County, to be the free and voluntary act of such party for the uses and purposes herein mentioned.

DATED this 17 day of May, 2010.

(SEAL)



Linda Hammons  
Notary Public  
Print name: Linda Hammons  
Residing at: Skagit County, WA  
My appointment expires: 10/01/2011



201005200068  
Skagit County Auditor

5/20/2010 Page 6 of 10 11:13AM

## EXHIBIT "A"

### LEGAL DESCRIPTION FOR ACCESS EASEMENT

A strip of land of variable widths, situate in the Northeast Quarter of Section 8, Township 35 North, Range 6 East W.M., situate in the County of Skagit, State of Washington, described as follows:

**COMMENCING** at an existing three-fourths inch iron pipe with yellow plastic cap marked LS#8992 at the Northeast Section Corner of Section 8; **thence** North 88° 35' 26" West for a distance of 1010.07 feet to the centerline of Pipeline Road, a strip of county road 30 feet in width, 15 feet on each side of the following described line: commencing South 44° 47' 54" East for a distance of 254.08 feet, **thence** along the arc of the curve through a central angle of 69° 29' 37" a distance of 669.26 feet; **thence** South 24° 41' 43" West for a distance of 60.17 feet; **thence** leaving said centerline of Pipeline Road, North 15° 33' 42" West for a distance of 23.21 feet to the **TRUE POINT OF BEGINNING**, the centerline of a private ingress and egress road and utility easement (currently named Carpenter Road) as described in the Five Acre Tracts Survey for Rolf Bruun, recorded January 18, 1977 in volume 249, page 497, a strip of land 30 feet in width, 15 feet on each side of the following described line of the Official Records less county road: commencing North 15° 33' 42" West for a distance of 83.62 feet to the beginning of a curve to the left with a radius of 270 feet; **thence** along the arc of the curve through a central angle of 63° 54' 45" a distance of 301.18 feet; **thence** North 79° 28' 27" West for a distance of 43.24 feet to the beginning of a curve to the left with a radius of 200 feet; **thence** along the arc of a curve through a central angle 27° 44' 18" a distance of 96.83 feet; **thence** South 72° 47' 15" West for a distance of 176.47 feet; **thence** South 79° 09' 07" West for a distance of 110.92 feet; **thence** South 74° 11' 17" West for a distance of 433.28 feet; **thence** along said centerline as described in the approved but unrecorded Short Plat 66-72 dated September 1972 and the approved but unrecorded Short Plat 22-73 dated April 1973, a strip of land 60 feet in width, 30 feet on each side of the following described line: commencing South 74° 11' 17" West for a distance of 37.00 feet; **thence** South 59° 59' 37" West for a distance of 174.52 feet to the beginning of a curve to the right with a radius of 90 feet; **thence** along the arc of the curve through a central angle of 48° 29' 35" a distance of 76.17 feet; **thence** North 71° 30' 48" West for a distance of 13.17 feet to the beginning of a curve to the left with a radius of 100 feet; **thence** along the arc of the curve through a central angle of 46° 40' 10" a distance of 81.45 feet; **thence** South 61° 49' 02" West for a distance of 123.40 feet; **thence** South 82° 58' 12" West for a distance of 90.47 feet; **thence** South 64° 35' 21" West for a distance of 160.05; **thence** South 40° 39' 01" West for a distance of 75.54 feet, leaving said strip of land 60 feet in width, 30 feet on each side of the hereinabove described line; **thence** along said centerline, a strip of land 30 feet in width, 15 feet on each side of the following described line: commencing South 40° 39' 01" West for a distance of 33.64 feet to the beginning of a curve to the left with a radius of 72 feet; **thence** along the arc of the curve through a central angle of 104° 57' 00" a distance of 131.88 feet; **thence** South 64° 17' 59" East for a distance of 192.64 feet; **thence** North 64° 17' 59" West for a distance of 192.64 feet to the beginning of a curve to the right with a radius of 72 feet; **thence** along the arc of the curve through a central angle of 104° 57' 00" a distance of 131.88 feet; **thence** North 40° 39' 01" East for a distance of 33.64 feet; **thence** leaving said centerline of Carpenter Road, North 71° 16' 04" West for a distance of 81.46 feet; **thence** North 1° 53' 54" West for a distance of 1049.59 feet to an existing three-fourths inch iron pipe with plug and tack marked with a cedar post and leaning one and one-half inch pipe at the Northwest Section Corner of Section 8; **thence** South 88° 35' 26" East for a distance of 1657.65 feet to the said centerline of Pipeline Road; **thence** South 44° 47' 54" East for a distance of 254.08 feet, **thence** along the arc of the curve through a central angle of 69° 29' 37" a distance of 669.26 feet; **thence** South 24° 41' 43" West for a distance of 60.17 feet; **thence** leaving said centerline of Pipeline Road,



North 15° 33' 42" West for a distance of 23.21 feet to the TRUE POINT OF BEGINNING.

**EXHIBIT "B"**  
**ACCESS EASEMENT DEPICTION**



201005200068

Skagit County Auditor

EXHIBIT "C"  
LEGAL DESCRIPTION FOR GRANTOR'S PROPERTY

Page 1 of 2

Assessor's Parcel Number P40846

That portion of the Northeast  $\frac{1}{4}$  of Section 8, Township 35 North, Range 6, East, W.M., being more particularly described as follows:

Commencing at an existing iron pipe at the Northwest corner of said Northeast  $\frac{1}{4}$ , said pipe being North  $88^{\circ} 35'26''$  West from the Northeast corner of said Section 8; thence South  $1^{\circ} 53'54''$  East, along the West line of said Northeast  $\frac{1}{4}$ , 751.30 feet to the TRUE POINT OF BEGINNING; thence continue South  $1^{\circ} 53'54''$  East, along said West line, 298.29 feet; thence South  $59^{\circ} 16'04''$  East 202.23 feet; thence North  $85^{\circ} 41'51''$  East 125.00 feet; thence North  $11^{\circ} 35'44''$  East 191.27 feet; thence South  $82^{\circ} 58'12''$  West 21.11 feet; thence North  $11^{\circ} 36'44''$  East 202.89 feet to a point that is South  $88^{\circ} 39'34''$  East from the TRUE POINT OF BEGINNING; thence North  $88^{\circ} 39'34''$  West 366.85 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH a non-exclusive easement for ingress, egress and utilities over a strip of land 30 feet in width, the centerline of which is described as follows:

Commencing at an existing iron pipe at the Northwest corner of the Northeast  $\frac{1}{4}$  of Section 8, Township 35 North, Range 6 East, W.M., said pipe being North  $88^{\circ} 35'26''$  West from the Northeast corner of said Section 8; thence South  $1^{\circ} 53'54''$  East along the West line of said Northeast  $\frac{1}{4}$  for a distance of 1,049.59 feet; thence South  $59^{\circ} 16'04''$  East for a distance of 81.46 feet to the true point of beginning of said centerline; thence North  $40^{\circ} 39'01''$  East for a distance of 75.54 feet; thence North  $64^{\circ} 35'21''$  East for a distance of 160.05 feet; thence North  $82^{\circ} 58'12''$  East for a distance of 90.47 feet; thence North  $61^{\circ} 49'02''$  East for a distance of 123.40 feet to a point of curvature; thence along the arc of said curve to the right having a radius of 100.00 feet through a central angle of  $46^{\circ} 40'10''$ , for an arc distance of 81.45 feet to a point of tangency; thence South  $71^{\circ} 30'18''$  East for a distance of 13.12 feet to a point of curvature; thence along the arc of said curve to the left having a radius of 90.00 feet, through a central angle of  $48^{\circ} 29'35''$ , for an arc distance of 76.17 feet to a point of tangency; thence North  $59^{\circ} 59'37''$  East for a distance of 174.52 feet; thence North  $74^{\circ} 11'17''$  East for a distance of 470.28 feet; thence North  $79^{\circ} 09'07''$  East for a distance of 110.92 feet; thence North  $72^{\circ} 47'15''$  East for a distance of 176.47 feet to a point of curvature; thence along the arc of said curve to the right having a radius of 200.00 feet, through a central angle of  $27^{\circ} 44'18''$  for an arc distance of 96.83 feet to a point of tangency; thence South  $79^{\circ} 28'27''$  East for a distance of 43.24 feet to a point of curvature; thence along the arc of said curve to the right having a radius of 270.00 feet, through a central angle of  $63^{\circ} 51'45''$ , for an arc distance of 301.18 feet to a point of tangency; thence South  $15^{\circ} 33'42''$  East for a distance of 83.62 feet to the westerly margin of the C.C.C. Road, (also known as the Pipe Line Road), and the terminus of said easement centerline.

AND ALSO a non-exclusive easement for ingress and egress and utilities, 30 feet in width, the centerline of which is also described as follows:

Beginning again at the true point of beginning of the above described easement; thence South  $40^{\circ} 39'01''$  West along said centerline for a distance of 32.64 feet to a point of curvature; thence along the arc of said curve to the left having a radius of 72.00 feet, through a central angle of  $104^{\circ} 57'00''$ , for an arc distance of 131.88 feet to a point of tangency; thence South  $64^{\circ} 17'59''$  East for a distance of 192.64 feet to a point of curvature; thence along the arc of said curve to the right having a radius of 80.00 feet, through a central angle of  $66^{\circ} 03'55''$ , for an arc distance of 92.25 feet to a point of tangency; thence South  $1^{\circ} 45'56''$  West for a distance of 519.07 feet to a point of curvature; thence along the arc of said curve to the left having a radius of 80.00 feet, through a central angle of  $82^{\circ} 10'54''$ , for an arc distance of 114.75 feet to a point of tangency said point to be hereinafter

9 of 10



201005200068  
Skagit County Auditor

**EXHIBIT "C"**  
**LEGAL DESCRIPTION FOR GRANTOR'S PROPERTY**  
Page 2 of 2

referred to as Point "B"; thence South 80° 24' 58" East for a distance of 1,218.25 feet to an intersection with the Westerly margin of the C.C.C. Road, (also known as the Pipe Line Road), which is the terminus of said easement, said point also to be hereinafter referred to as Point "C";

AND ALSO a non-exclusive easement for ingress and egress and utilities which is described as follows:

Commencing at before mentioned Point "B"; thence South 9° 35' 02" West for a distance of 15.00 feet to the Southerly margin of the above described easement and the true point of beginning of this easement description; thence North 80° 24' 58" West for a distance of 67.71 feet; thence North 1° 45' 56" East to an intersection with the Southerly margin of the above described 30 foot easement; thence Southeasterly along said Southerly margin to the true point of beginning.

AND ALSO a non-exclusive easement for ingress and egress and utilities described as follows:

Commencing at before mentioned Point "C"; thence South 9° 26' 58" East along said Westerly margin of C.C.C. Road for a distance of 15.87 feet to the Southeasterly corner of the above described 30 foot wide easement, said corner being the true point of beginning for this description; thence North 80° 24' 58" West along the Southerly margin of the above described easement for a distance of 308.27 feet; thence South 55° 58' 28" East for a distance of 72.50 feet to an intersection with a line which is 30.00 feet South of as measured at right angles from said Southerly margin of the above described easement; thence South 80° 24' 58" East along a parallel line for a distance of 452.62 feet to the Westerly margin of said C.C.C. Road (also known as the Pipe Line Road); thence North 9° 26' 58" West along said Westerly margin for a distance of 31.73 feet to the true point of beginning.

Situate in the County of Skagit, State of Washington.



201005200068  
Skagit County Auditor

5/20/2010 Page 10 of 10 11:13AM