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Skagit County Auditor

10/6/2010 Page 1 of 14 12:12PM

RETURN TO:

Patrick M. Hayden
P.O.Box 454
Sedro-Woolley, WA 98284

LAND TITLE OF SKAGIT COUNTY

137524-000 & 137525-000
DOCUMENT TITLE(S) (or transactions contained herein):

Boundary Line Adjustment Deeds and Easement Agreement

REFERENCE NUMBER(S) OF DOCUMENTS ASSIGNED OR RELEASED:

AF# 9501260084
AF# 8804040024

GRANTOR(S) (Last name, first name and initials):

1. Poffenroth, Robert B.
2. Dixon, Jack E, and Dixon, Doris A.

GRANTEE(S) (Last name, first name and initials):

1. Dixon, Jack E, and Dixon, Doris A.
2. Poffenroth, Robert B.

LEGAL DESCRIPTION (Abbreviated: i.e., lot, block, plat or quarter, quarter, section, township and range).

Lot 6, Survey of Campbell Park Estates, Recorded AF# 805634
Lot 7, Survey of Campbell Park Estates, Recorded AF# 805634

ASSESSOR'S PARCEL/TAX I.D. NUMBER:

P 20092 / 340207-1- 002-1807
P 20093 / 340207-1- 002-1806

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

3056

OCT 06 2010

Amount Paid \$0
Skagit Co. Treasurer
By *mm* Deputy

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

3057

OCT 06 2010

Amount Paid \$0
Skagit Co. Treasurer
By *mm* Deputy

ORIGINAL

UNOFFICIAL DOCUMENT

BOUNDARY LINE ADJUSTMENT DEEDS AND EASEMENT AGREEMENT

I. Quit Claim Deed No. 1.

Grantor, Robert B. Poffenroth, a single man, hereby conveys and quit claims to Grantees, Jack E. Dixon and Doris A. Dixon, husband and wife, the following described real property situated in Skagit County, Washington, including any after-acquired title of Grantor:

That real property legally described on the attached Exhibit A-1.

Said real property shall be combined with adjacent property of Grantees, and shall not constitute a separate building lot without compliance with the Skagit County subdivision ordinance.

II. Quit Claim Deed No. 2.

Grantors, Jack E. Dixon and Doris A. Dixon, husband and wife, hereby conveys and quit claims to Grantee, Robert B. Poffenroth, a single man, the following described real property situated in Skagit County, Washington, including any after-acquired title of Grantors:

That real property legally described on the attached Exhibit A-2.

BOUNDARY LINE ADJUSTMENT

Said real property described in I and II above shall be combined with adjacent property of Grantees, and shall not constitute a separate building lot without compliance with the Skagit County subdivision ordinance.

Reviewed and approved in accordance with SCC Chapter 14.18.700 on March
24, 2010.

Grace Roeder, Senior Planner
Name/Title Grace Roeder, Senior Planner
Skagit County Planning and Development Services

III. Termination of Pond Encroachment Easement.

Robert B. Poffenroth, a single man, and Jack E. Dixon and Doris A. Dixon, husband and wife, hereby terminate the pond encroachment agreement set forth in the Statutory Warranty Deed recorded under Skagit County Auditor File No. 8804040024, as part of the boundary line adjustment.

IV. Easement Agreement.

Grantor, Robert B. Poffenroth, a single man, hereby conveys and quit claims to Grantees, Jack E. Dixon and Doris A. Dixon, husband and wife, an easement over and across the following described real property situated in Skagit County, Washington, including any after-acquired title to Grantor in said easement:



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That real property legally described on the attached Exhibit B (the "Poffenroth property"), for the use and benefit of that real property described on Exhibit C (the "Dixon property").

The easement is situated on the as-build driveway situated on the Poffenroth property (Exhibit B), illustrated on the attached Exhibit D.

This easement is granted subject to the following terms and conditions:

- A. **This easement modifies and replaces that easement over Lot 6, CAMPBELL PARK ESTATES, recorded in Skagit County Auditor's File No. 9501260084, which shall be subject to the rights and conditions stated herein.**
- B. The easement shall be permanent and appurtenant to, and shall run with the land.
- C. The easement shall be for use only when snow, ice and other conditions make access to the residence driveway on the Dixon property (Exhibit C) difficult, and during such times the owners of the Dixon property (Exhibit C) and their guest have the right to use the easement for a driveway.
- D. The easement is not exclusive, but shall be a non-exclusive easement.
- E. The users of the driveway shall contribute to its maintenance it in proportion to their respective use, and shall use it in a safe and reasonable manner, as a residential driveway.
- F. The owner of the Poffenroth property (Exhibit B) shall have the right to place a gate on the easement, but shall provide a key for the owner of the Dixon property (Exhibit C) if he does so. If requested, the Owner of the Dixon property (Exhibit C) shall keep the gate shut or locked when not used.
- G. The rights and obligations of the parties shall be appurtenant to their respective properties, shall be a covenant running with the land, and shall be binding on their heirs, successors and assigns.
- H. The easement shall not be extended by the owner of the Dixon property (Exhibit C) to serve other lots or more than one residence without the consent of the owner of the Poffenroth property (Exhibit B).
- I. This Easement Agreement shall be binding upon and inure to the benefit of parties and their respective personal or legal representatives, successors and assigns, and shall be deemed a covenant running with and binding upon the land as appurtenances to the dominant estates. This agreement may be specifically enforced.
- J. This Easement shall be governed by the laws of the State of Washington. Venue for any action in law or equity arising out of this Declaration shall be in Skagit County Superior Court.
- K. Nothing in this document is intended to terminate the easement over Lot 5 CAMPBELL PARK ESTATES, recorded in Skagit County Auditor's File No. 9501260084.

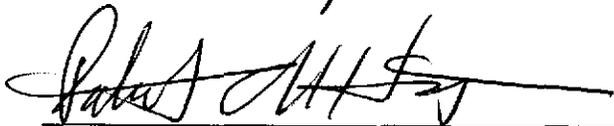


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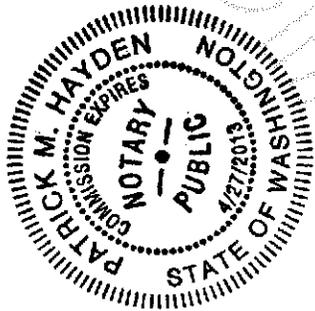
STATE OF WASHINGTON)
) SS.
COUNTY OF SKAGIT)

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

GIVEN under my hand and official seal this 11 day of August,
20 10.



Notary Public in and for the State of
Washington, residing at Sedro-Walley
My Commission Expires: 4.27.13
Print Name: Patrick M. Hayden



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EXHIBIT "A" -1

Proposed Robert B. Poffenroth Boundary Line Adjustment
Ptn. Tax Parcel No. P20092 being Aggregated to P20093

PARCEL'S BEING CONVEYED TO JACK DIXON

LEGAL DESCRIPTION

That portion of Lot 6 of Survey entitled CAMPBELL PARK ESTATES, as recorded August 30, 1974 in Volume 1 of Surveys, page 83, under Auditor's File No. 805634, records of Skagit County, Washington; being a portion of Section 7, Township 34 North, Range 2 East of the Willamette Meridian, described as follows:

PARCEL "A":

Beginning at the Southwest corner of said Lot 6;
thence South $88^{\circ}34'16''$ East along the South line of said Lot 6, a distance of 154.42 feet;
thence North $51^{\circ}14'51''$ West, a distance of 184.99 feet, more or less, to a point on the West line of said Lot 6, which point bears North $05^{\circ}09'40''$ East, a distance of 112.40 feet from the Point Of Beginning;
thence South $05^{\circ}09'40''$ West along the West line of said Lot 6, a distance of 112.40 feet to the Point Of Beginning, and containing 8,680 square feet, more or less.

PARCEL "C":

Commencing at the Southwest corner of said Lot 6;
thence North $05^{\circ}09'40''$ East along the West line of said Lot 6, a distance of 565.94 feet to the TRUE POINT OF BEGINNING of this property description;
thence North $36^{\circ}30'20''$ East, a distance of 123.71 feet;
thence North $87^{\circ}19'37''$ East, a distance of 149.92 feet, more or less, to a point on the South line of the private road commonly referred to as Deer Lane;
thence North $02^{\circ}06'21''$ East, a distance of 30.16 feet, more or less, to a point on the North line of said Lot 6, being also the centerline of that 60 feet wide private road known as Deer Lane;
thence Westerly along the North line of said Lot 6 and the centerline of said Deer Lane on the following courses and distances:
South $86^{\circ}12'01''$ West, a distance of 44.90 feet to the PC of a curve to the right;
thence along said curve to the right having a radius of 195.763 feet and a central angle of $46^{\circ}56'23''$, an arc length of 160.384 feet to the PT of said curve and the Northwest corner of said Lot 6;
thence South $05^{\circ}09'40''$ West along the West line of said Lot 6, a distance of 237.84 feet, more or less to the Point Of Beginning, and containing 18,489 square feet, more or less.

ALL SUBJECT TO AND TOGETHER WITH a non-exclusive easement for ingress, egress and utilities as delineated on the face of said Survey and as set forth in the Dedication of Easement recorded October 2, 1974, under Auditor's File No. 808252, records of Skagit County, Washington.

AND SUBJECT TO that Declaration of Easement providing exclusive rights for the benefit of Jack E. Dixon and Doris A. Dixon for ingress and egress over and across an existing driveway upon Lots 5 and 6 of said CAMPBELL PARK ESTATES, serving Lot 7 subject to those conditions as stipulated by said



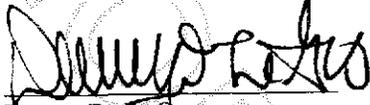
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instrument dated January 13th, 1995 and recorded January 26, 1995 under Auditor's File No. 9501260084,
records of Skagit County, Washington.

AND FURTHER SUBJECT TO easements, restrictions, reservations and covenants of record.

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



Denny D. LeGro
Professional Land Surveyor
LEGRO & ASSOCIATES
April 24, 2009



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EXHIBIT "A" - 2

Proposed Jack E. Dixon, Etal. Boundary Line Adjustment
Ptn. Tax Parcel No. P20093 being Aggregated to P20092

PARCEL BEING CONVEYED TO ROBERT B. POFFENROTH

LEGAL DESCRIPTION

That portion of Lot 7 of Survey entitled CAMPBELL PARK ESTATES, as recorded August 30, 1974 in Volume 1 of Surveys, page 83, under Auditor's File No. 805634, records of Skagit County, Washington; being a portion of Section 7, Township 34 North, Range 2 East of the Willamette Meridian, described as follows:

PARCEL "B":

Beginning at the Southeast corner of said Lot 7;
thence North 05°09'40" East along the East line of said Lot 7, a distance of 112.40 feet to the TRUE POINT OF BEGINNING of this property description;
thence continuing North 05°09'40" East along the East line of said Lot 7, a distance of 453.54 feet;
thence South 36°30'20" West, a distance of 169.43 feet;
thence South 01°21'11" East, a distance of 272.60 feet;
thence South 51°14'51" East, a distance of 68.67 feet, more or less to the Point Of Beginning, and containing 27,146 square feet, more or less.

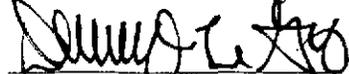
SUBJECT TO AND TOGETHER WITH a non-exclusive easement for ingress, egress and utilities as delineated on the face of said Survey and as set forth in the Dedication of Easement recorded October 2, 1974, under Auditor's File No. 808252, records of Skagit County, Washington.

AND SUBJECT TO that Declaration of Easement providing exclusive rights for the benefit of Jack E. Dixon and Doris A. Dixon for ingress and egress over and across an existing driveway upon Lots 5 and 6 of said CAMPBELL PARK ESTATES, serving Lot 7 subject to those conditions as stipulated by said instrument dated January 13th, 1995 and recorded January 26, 1995 under Auditor's File No. 9501260084, records of Skagit County, Washington;

AND SUBJECT TO the extension of said exclusive rights for the benefit of Jack E. Dixon and Doris A. Dixon for ingress and egress over and across the existing driveway upon that portion of said Lot 7 described hereinabove as Parcel "B", per those same conditions as stipulated under Auditor's File No. 9501260084, records of Skagit County, Washington.

AND FURTHER SUBJECT TO easements, restrictions, reservations and covenants of record.

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



Denny D. LeGro
Professional Land Surveyor
LEGRO & ASSOCIATES
April 24, 2009



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EXHIBIT "B"

Proposed Robert E. Poffenroth Property
Ptn. Tax Parcel No. P20092

AFTER BOUNDARY LINE ADJUSTMENT

LEGAL DESCRIPTION

Lot 6 of Survey entitled CAMPBELL PARK ESTATES, as recorded August 30, 1974 in Volume 1 of Surveys, page 83, under Auditor's File No. 805634, records of Skagit County, Washington; being a portion of Section 7, Township 34 North, Range 2 East of the Willamette Meridian; EXCEPT the following described Parcel's "A" and "C":

PARCEL "A":

Beginning at the Southwest corner of said Lot 6;
thence South 88°34'16" East along the South line of said Lot 6, a distance of 154.42 feet;
thence North 51°14'51" West, a distance of 184.9 feet, more or less, to a point on the West line of said Lot 6, which point bears North 05°09'40" East, a distance of 112.40 feet from the Point Of Beginning;
thence South 05°09'40" West along the West line of said Lot 6, a distance of 112.40 feet to the Point Of Beginning, and containing 8,680 square feet, more or less.

PARCEL "C":

Commencing at the Southwest corner of said Lot 6;
thence North 05°09'40" East along the West line of said Lot 6, a distance of 565.94 feet to the TRUE POINT OF BEGINNING of this property description;
thence North 36°30'20" East, a distance of 123.71 feet;
thence North 87°19'37" East, a distance of 149.92 feet, more or less, to a point on the South line of the private road commonly referred to as Deer Lane;
thence North 02°06'21" East, a distance of 30.16 feet, more or less, to a point on the North line of said Lot 6, being also the centerline of that 60 feet wide private road known as Deer Lane;
thence Westerly along the North line of said Lot 6 and the centerline of said Deer Lane on the following courses and distances:
South 86°12'01" West, a distance of 44.90 feet to the PC of a curve to the right;
thence along said curve to the right having a radius of 195.763 feet and a central angle of 46°56'23", an arc length of 160.384 feet to the PT of said curve and the Northwest corner of said Lot 6;
thence South 05°09'40" West along the West line of said Lot 6, a distance of 237.84 feet, more or less to the Point Of Beginning, and containing 18,489 square feet, more or less.

AND TOGETHER WITH the following described Parcel "B":

PARCEL "B":

Beginning at the Southeast corner of said Lot 7;



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thence North 05°09'40" East along the East line of said Lot 7, a distance of 112.40 feet to the TRUE POINT OF BEGINNING of this property description;
thence continuing North 05°09'40" East along the East line of said Lot 7, a distance of 453.54 feet;
thence South 36°30'20" West, a distance of 169.43 feet;
thence South 01°21'11" East, a distance of 272.60 feet;
thence South 51°14'51" East, a distance of 68.67 feet, more or less to the Point Of Beginning, and containing 27,146 square feet, more or less.



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EXHIBIT "C"

Proposed Jack E. Dixon, Etal. Property
Ptn. Tax Parcel No. P20093

AFTER BOUNDARY LINE ADJUSTMENT

LEGAL DESCRIPTION

Lot 7 of Survey entitled CAMPBELL PARK ESTATES, as recorded August 30, 1974 in Volume 1 of Surveys, page 83, under Auditor's File No. 805634, records of Skagit County, Washington; being a portion of Section 7, Township 34 North, Range 2 East of the Willamette Meridian;

EXCEPT that portion of said Lot 7 described as Parcel "B":

PARCEL "B":

Beginning at the Southeast corner of said Lot 7;
thence North 05°09'40" East along the East line of said Lot 7, a distance of 112.40 feet to the TRUE POINT OF BEGINNING of this property description;
thence continuing North 05°09'40" East along the East line of said Lot 7, a distance of 453.54 feet;
thence South 36°30'20" West, a distance of 169.43 feet;
thence South 01°21'11" East, a distance of 272.60 feet;
thence South 51°14'51" East, a distance of 68.67 feet, more or less to the Point Of Beginning, and containing 27,146 square feet, more or less.

AND TOGETHER WITH those portions of Lot 6 of said CAMPBELL PARK ESTATES described as Parcel's "A" and "C":

PARCEL "A":

Beginning at the Southwest corner of said Lot 6;
thence South 88°34'16" East along the South line of said Lot 6, a distance of 154.42 feet;
thence North 51°14'51" West, a distance of 184.9 feet, more or less, to a point on the West line of said Lot 6, which point bears North 05°09'40" East, a distance of 112.40 feet from the Point Of Beginning;
thence South 05°09'40" West along the West line of said Lot 6, a distance of 112.40 feet to the Point Of Beginning, and containing 8,680 square feet, more or less.

PARCEL "C":

Commencing at the Southwest corner of said Lot 6;
thence North 05°09'40" East along the West line of said Lot 6, a distance of 565.94 feet to the TRUE POINT OF BEGINNING of this property description;
thence North 36°30'20" East, a distance of 123.71 feet;
thence North 87°19'37" East, a distance of 149.92 feet, more or less, to a point on the South line of the private road commonly referred to as Deer Lane;



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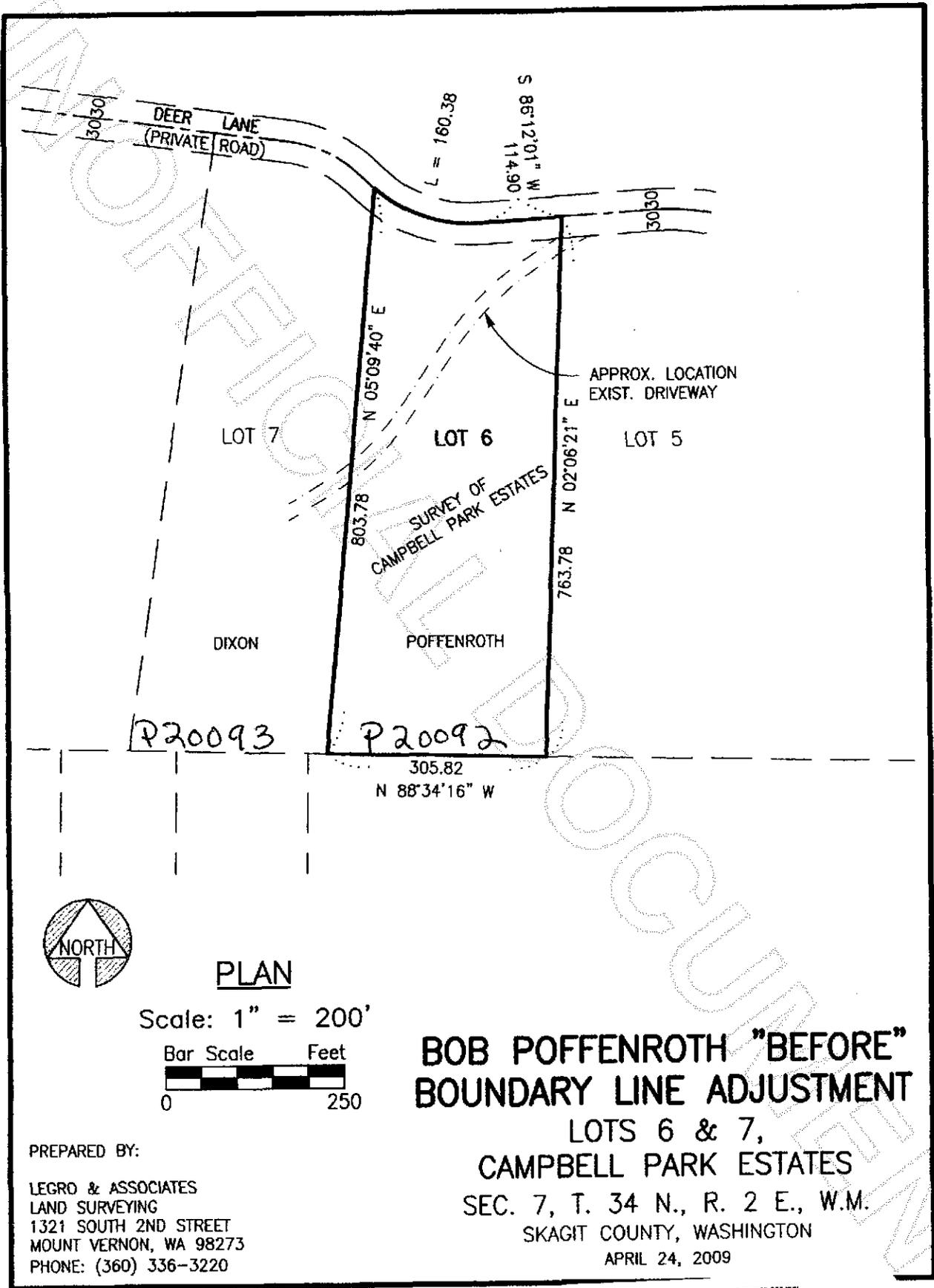
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thence North $02^{\circ}06'21''$ East, a distance of 30.16 feet, more or less, to a point on the North line of said Lot 6, being also the centerline of that 60 feet wide private road known as Deer Lane;
thence Westerly along the North line of said Lot 6 and the centerline of said Deer Lane on the following courses and distances:
South $86^{\circ}12'01''$ West, a distance of 44.90 feet to the PC of a curve to the right;
thence along said curve to the right having a radius of 195.763 feet and a central angle of $46^{\circ}56'23''$, an arc length of 160.384 feet to the PT of said curve and the Northwest corner of said Lot 6;
thence South $05^{\circ}09'40''$ West along the West line of said Lot 6, a distance of 237.84 feet, more or less to the Point Of Beginning, and containing 18,489 square feet, more or less.



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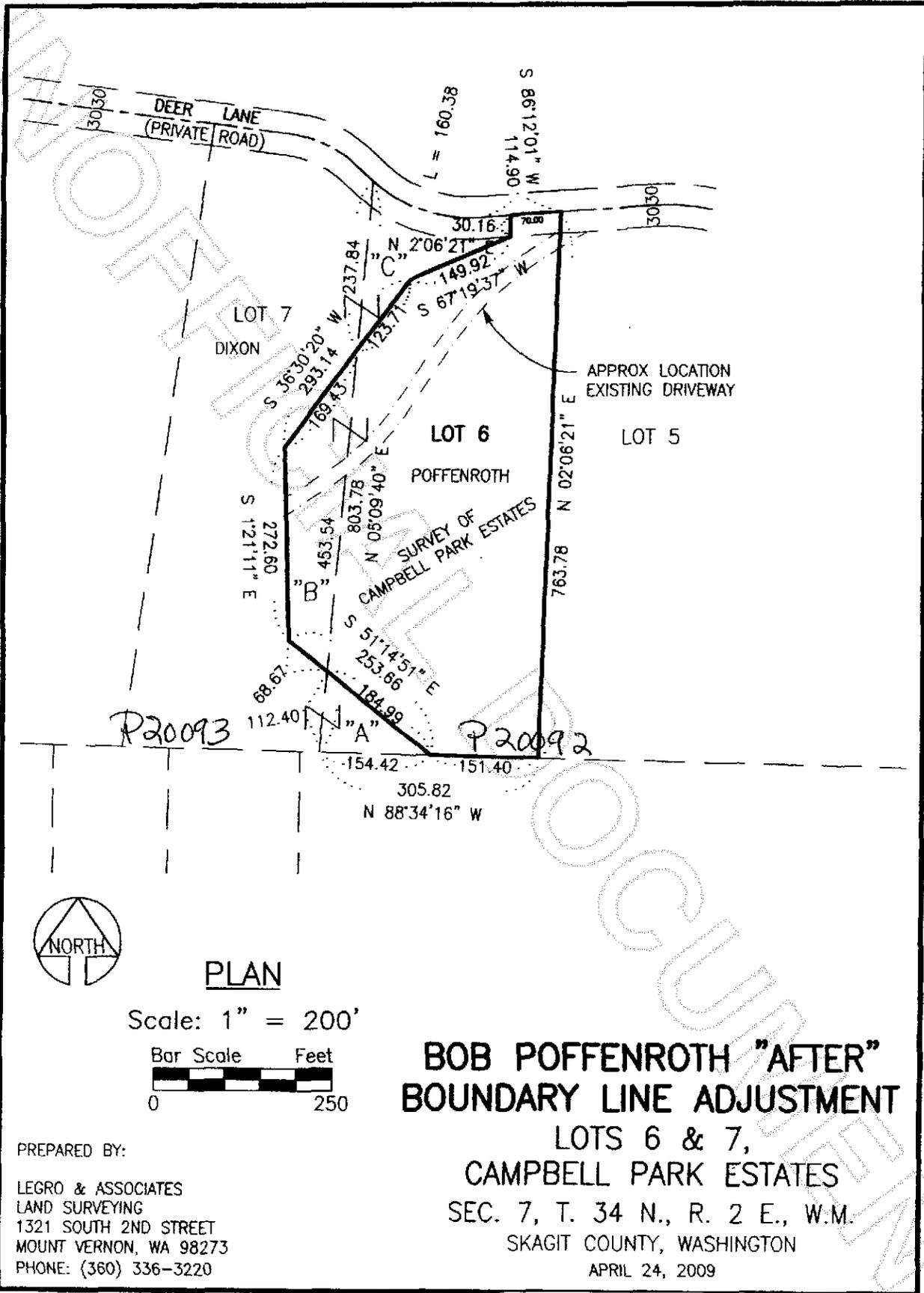
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PREPARED BY:
 LEGRO & ASSOCIATES
 LAND SURVEYING
 1321 SOUTH 2ND STREET
 MOUNT VERNON, WA 98273
 PHONE: (360) 336-3220



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