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Skagit County Auditor

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Parcel Nos.: P128441 through P128470  
Legal Desc.: All of Digby Heights Phase 1

### DECLARATION OF EASEMENTS


Whereas: **Cedar Heights, LLC, a Washington limited liability company (hereinafter called Cedar Heights)**, is the fee title owner of the following property situate in the City of Mount Vernon, County of Skagit, State of Washington, to wit:

All of the Plat of Digby Heights Phase 1, LU007-013, as per plat recorded April 15, 2009, under Auditor's File No. 200904150063, records of Skagit County, Washington.

And, Whereas: Cedar Heights desires to create and establish certain easements that will be for the use and benefit of all future owners of lots within said property,

Now, therefore, Cedar Heights, LLC does hereby convey, grant, establish and declare permanent and non-revocable easements for private storm drainage, mailboxes over, under, across and through those properties more particularly described on Exhibits "A" through "E" attached hereto and by reference made a part hereof.

This Declaration of Easements is executed this 4<sup>th</sup> day of February, 2011.

  
Joseph D. Woodmansee, Managing Member  
Cedar Heights, LLC

*easement*  
SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

FEB 04 2011

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

STATE OF WASHINGTON

}  
}  
} ss  
}  
}

County of Skagit

I hereby certify that I know or have satisfactory evidence that Joseph D. Woodmansee is the person who personally appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Managing Member of Cedar Heights, LLC, to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Dated this 4<sup>th</sup> day of February, 2011.

  
Notary Public in and for the State of Washington, residing  
at Mount Vernon

My appointment expires

7-14-12

BRUCE G. LISSER  
STATE OF WASHINGTON  
NOTARY --- PUBLIC  
My Commission Expires 7-14-2012



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**LISSER & ASSOCIATES, PLLC**

320 Milwaukee St, PO Box 1109, Mount Vernon WA 98273 (360) 419-7442 FAX (360) 419-0581

**Exhibit "A"**

February 3, 2011

**Private Storm Drainage and Mailbox Easement**

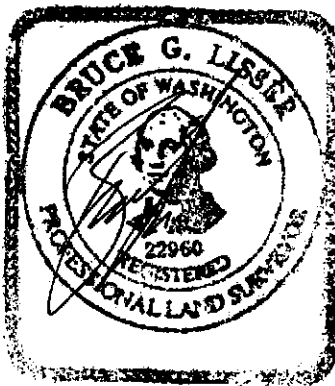
A private storm drainage and mailbox easement is hereby reserved for the benefit of all lots and tracts over, under and across those certain areas designated as "12-foot Utilities and Sidewalk Easement" fronting along the exterior front boundaries of all lots and tracts within the Plat of Digby Heights Phase 1, LU-07-013 as per plat recorded under Skagit County Auditor's File No. 200904150063, records of Skagit County, Washington.

SUBJECT TO and TOGETHER WITH easements, reservations, restrictions, covenants, liens, leases, court causes and other instruments of record.

Situate in the City of Mount Vernon, County of Skagit, State of Washington.

This easement is for the purpose of conveying local storm water runoff and installation and access to any installed mailbox and is hereby granted in favor of all abutting private lot owners. The maintenance of private easements established and granted herein shall be the responsibility of, and the costs thereof shall be borne equally by the present and future owners of the abutting private lot owners and their heirs, owners' personal representatives and assigns.

The City of Mount Vernon is hereby granted the right to enter said easements for emergency purposes at its own discretion.



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**Exhibit "B"**

February 3, 2011

**Private Storm Drainage Easement**

A 10-foot wide non-exclusive mutually beneficial private storm drainage easement over, under and across portions of Lot 56 and Tract X, Plat of Digby Heights Phase 1, LU-07-013 as per plat recorded under Skagit County Auditor's File No. 200904150063, records of Skagit County, Washington for the mutual benefit of said Lot 56 and Tract X, together with any future lots that may be platted within said Tract X (future Plat of Digby Heights, Phase 2), and being more particularly described as follows:

Commencing at the Southwest corner of said Lot 56, also being the Northwest corner of said Tract X;  
thence South  $0^{\circ}59'27''$  West along the West line of said Tract X, also being the Easterly right of way margin of Digby Road for a distance of 172.00 feet, being the proposed future common corner of Lots 59 and 60, Digby Heights Phase 2;  
thence South  $89^{\circ}24'30''$  East along the future common line between said Lots 59 and 60 for a distance of 18.37 feet to the TRUE POINT OF BEGINNING;  
thence North  $7^{\circ}02'29''$  West for a distance of 51.10 feet;  
thence North  $00^{\circ}18'56''$  West for a distance of 53.16 feet;  
thence North  $1^{\circ}10'36''$  East for a distance of 62.71;  
thence North  $2^{\circ}32'32''$  East for a distance of 64.58 feet;  
thence North  $87^{\circ}55'05''$  East for a distance of 54.55 feet;  
thence North  $5^{\circ}05'39''$  East for a distance of 5.49 feet, more or less, to a point on a non-tangent curve on the North line of said Lot 56, also being the Southerly right of way margin of LeAnn Street;  
thence along the arc of said curve to the left, concave to the North, having an initial tangent bearing of North  $88^{\circ}52'28''$  East, a radius of 189.00 feet, through a central angle of  $1^{\circ}39'25''$  an arc distance of 5.47 feet to a point of reverse curvature;  
thence along the arc of said curve to the right, concave to the Southwest, having a radius of 25.00 feet, through a central angle of  $10^{\circ}30'44''$  an arc distance of 4.59 feet;  
thence South  $5^{\circ}05'39''$  West for a distance of 15.19 feet;  
thence South  $87^{\circ}55'05''$  West for a distance of 54.92 feet;  
thence South  $7^{\circ}32'32''$  West for a distance of 55.58 feet;  
thence South  $1^{\circ}10'36''$  West for a distance of 62.02 feet;



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thence South 0°18'56" East for a distance of 52.88 feet;  
thence South 2°02'29" East for a distance of 51.41 feet, more or less, to a  
point bearing South 89°24'30" East from the TRUE POINT OF  
BEGINNING;  
thence North 89°24'30" West for a distance of 10.01 feet, more or less, to  
the TRUE POINT OF BEGINNING.

SUBJECT TO and TOGETHER WITH easements, reservations, restrictions, covenants,  
liens, leases, court causes and other instruments of record.

Situate in the City of Mount Vernon, County of Skagit, State of Washington.

This easement is for the purpose of conveying local storm water runoff and is hereby  
granted in favor of all abutting private lot owners. The maintenance of private easements  
established and granted herein shall be the responsibility of, and the costs thereof shall be  
borne equally by the present and future owners of the abutting private lot owners and  
their heirs, owners' personal representatives and assigns.

The City of Mount Vernon is hereby granted the right to enter said easements for  
emergency purposes at its own discretion.



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**Exhibit "C"**

February 3, 2011

**Private Storm Drainage Easement**

A 10-foot wide non-exclusive mutually beneficial private storm drainage easement over, under and across portions of Lots 12, 13, 14 and 15, Plat of Digby Heights Phase 1, LU-07-013 as per plat recorded under Skagit County Auditor's File No. 200904150063, records of Skagit County, Washington for the mutual benefit of Lots 11, 12, 13, 14, and 15 of said Plat of Digby Heights Phase 1, LU-07-013 and being more particularly described as follows:

BEGINNING at the Southeast corner of said Lot 15;  
thence North 88°39'21" West along the South line of said Lot 15 for a distance of 5.00 feet;  
thence North 0°59'27" East parallel with the East line of said Lot 15 for a distance of 134.50 feet, more or less, to the North line of said Lot 15;  
thence South 88°39'21" East along the North line of Lots 15, 14, 13 and 12 for a distance of 178.04 feet, more or less, to the Northeast corner of said Lot 12;  
thence South 0°59'27" West along the East line of said Lot 12 for a distance of 10.00 feet;  
thence North 88°39'21" West parallel with the North line of said Lots 12, 13 and 14 for a distance of 168.04 feet, more or less, to a point that is 5.00 feet East (as measured perpendicular) of the West line of said Lot 14;  
thence South 0°59'27" West parallel with said West line of Lot 14 for a distance of 104.50 feet, more or less, to the South line of said Lot 14;  
thence North 89°39'21" West along the South line of said Lot 14 for a distance of 5.00 feet, more or less, to the Southwest corner of said Lot 14, also being on the East line of said Lot 15 at a point bearing North 0°59'27" East from the POINT OF BEGINNING;  
thence South 0°59'27" West along said East line for a distance of 20.00 feet, more or less, to the POINT OF BEGINNING.

**SUBJECT TO and TOGETHER WITH** easements, reservations, restrictions, covenants, liens, leases, court causes and other instruments of record.

Situate in the City of Mount Vernon, County of Skagit, State of Washington.



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This easement is for the purpose of conveying local storm water runoff and is hereby granted in favor of all abutting private lot owners. The maintenance of private easements established and granted herein shall be the responsibility of, and the costs thereof shall be borne equally by the present and future owners of the abutting private lot owners and their heirs, owners' personal representatives and assigns.

The City of Mount Vernon is hereby granted the right to enter said easements for emergency purposes at its own discretion.



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**Exhibit "D"**

February 3, 2011

**Private Storm Drainage Easement**

A non-exclusive mutually beneficial private storm drainage easement over, under and across portions of Lots 1, 2, 3, 4, 5, and 6, Plat of Digby Heights Phase 1, LU-07-013 as per plat recorded under Skagit County Auditor's File No. 200904150063, records of Skagit County, Washington for the mutual benefit of Lots 1, 2, 3, 4, 5, 6 and 7 of said Plat of Digby Heights Phase 1, LU-07-013 and being more particularly described as follows:

BEGINNING at the Northwest corner of said Lot 1;  
thence South 88°39'21" East along the North line of said Lot 1, also being the Southerly right of way margin of East Division Street for a distance of 36.12 feet to a point of curvature;  
thence along the arc of said curve to the right, concave to the Southwest, having a radius of 35.00 feet, through a central angle of 12°14'14", an arc distance of 7.48 feet;  
thence South 9°53'38" West for a distance of 14.25 feet;  
thence North 88°51'49" West for a distance of 31.32 feet, more or less, to a point that is 10.00 feet East (as measured perpendicular) of the West line of said Lot 1;  
thence South 0°59'27" West parallel with the West line of said Lots 1, 2, 3, 4, 5 and 6 for a distance of 417.02 feet, more or less, to the South line of said Lot 6;  
thence North 88°39'21" West along said South line for a distance of 10.00 feet, more or less, to the Southwest corner of said Lot 6 at a point bearing South 0°59'27" West from the POINT OF BEGINNING;  
thence North 0°59'27" East along the West line of said Lots 6, 5, 4, 3, 2 and 1 for a distance of 432.02 feet, more or less, to the POINT OF BEGINNING.

**SUBJECT TO and TOGETHER WITH** easements, reservations, restrictions, covenants, liens, leases, court causes and other instruments of record.

Situate in the City of Mount Vernon, County of Skagit, State of Washington.

This easement is for the purpose of conveying local storm water runoff and is hereby granted in favor of all abutting private lot owners. The maintenance of private easements



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established and granted herein shall be the responsibility of, and the costs thereof shall be borne equally by the present and future owners of the abutting private lot owners and their heirs, owners' personal representatives and assigns.

The City of Mount Vernon is hereby granted the right to enter said easements for emergency purposes at its own discretion.



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**Exhibit "E"**

February 3, 2011

**Private Storm Drainage Easement**

A private storm drainage easement is hereby reserved over, under and across Tracts A and B as shown on the face of the Plat of Digby Heights, Phase 1, LU-07-013, as per plat recorded under Skagit County Auditor's File Number 200904150063, records of Skagit County, Washington for the benefit of current and future lots within the Digby Heights Development for the conveyance of stormwater directly to said Tract A and B (stormwaters are for the benefit of providing hydration to the critical areas).

SUBJECT TO and TOGETHER WITH easements, reservations, restrictions, covenants, liens, leases, court causes and other instruments of record.

Situate in the City of Mount Vernon, County of Skagit, State of Washington.

This easement is for the purpose of conveying local storm water runoff and is hereby granted in favor of all abutting private lot owners. The maintenance of private easements established and granted herein shall be the responsibility of, and the costs thereof shall be borne equally by the present and future owners of the abutting private lot owners and their heirs, owners' personal representatives and assigns.

The City of Mount Vernon is hereby granted the right to enter said easements for emergency purposes at its own discretion.



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