

Return address:

BEN WINKES

PO Box 777

CONWAY, WA 98238



201111220046

Skagit County Auditor

11/22/2011 Page

1 of

5 1:37PM

Document Title:

SETBACK EASEMENT

Reference Number :

Grantor(s):

additional grantor names on page ___

1. RICHARD SMITH

2.

Grantee(s):

additional grantee names on page ___

1. BEN AND SLOANE WINKES

2.

Abbreviated legal description:

full legal on page(s) 3.

TRACT A SHOOT PLAT # 26-84, et al.

Assessor Parcel / Tax ID Number:

additional tax parcel number(s) on page 2 and 4

P 128635

Richard Smith, owner of P 128635, grants to Ben and Sloane Winkes, owners of P 15253 the following rear setback easement:

The owner of P 128635 is limited to building in that setback along the east property line, as described below. Minimum rear setback per county code 14.16.400(5) must be maintained at 35 ft. in agricultural/NRL zoning classification. With the garage for P15253 being over 9 feet from the separating property line, owner of P128635 agrees to build no buildings within 61 feet of that portion of said property line affected by the garage and residence of P 15253, thus maintaining the minimum county setback of 35 feet. This agreement affects ONLY that 120 foot portion of the East property line for P 128635 (that being the west property line of P 15253) that abuts P 15253, starting at 38 feet from the South end of said line (aka. The Southeast corner of P15253) and ending 158 feet from the North end of said line.

The grantor, Richard Smith, hereby grants to Ben and Sloane Winkes, Grantee, an easement as described above to satisfy the Skagit County Code and agrees that no structure will be located in the easement area and that all future setbacks will be measured from the easement lines rather than from the property lines adjacent to this easement. Grantor shall have access to the easement area for normal activities, including agricultural uses.

DATED this 21 day of November, 2011

easement
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX
Richard Smith
Richard Smith

NOV 22 2011

STATE OF WASHINGTON Amount Paid \$ 0
By MF Skagit Co. Treasurer Deputy
COUNTY OF SKAGIT

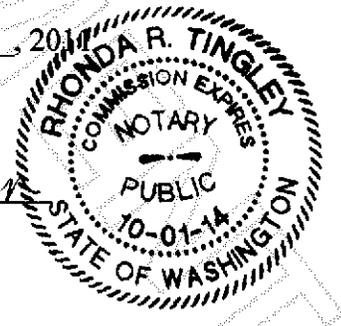
On this day personally appeared before me Richard Smith, know to be the individual(s) described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purpose therein mentioned.

Given under my hand and official seal this 21st day of November, 2011

Notary's signature Rhonda R. Tingley

Notary Public in and for the State of Washington residing at Burlington

My Commission Expires 10-1-14



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Exhibit A Legal Description of Parcel 128635

O/S#53 AF#750296 1973 DR17 DK03 Tract a Short Plat#26-84 AF#8408280031 except the following described portion. That portion of Lot A, Skagit County Short Plat No. 26-84, approved August 28, 1984, and recorded August 28, 1984, under Skagit County Auditor's File No. 8408280031; being a portion of Government Lot 10, Section 1, Township 33 North, Range 3 East, W.M., lying Southerly of the following described line: Beginning at the Southeast corner of said Lot A, Skagit County Short Plat No. 26-84, also being the East 1/4 corner of Section 1, Township 34 North, Range 3 East, W.M.; thence North 0 28' 11" West along the East line of said Lot A, also being the East line of Government Lot 10 of said Section 1, for a distance of 401.23 feet, being the true point of beginning of said line description; thence South 78 12' 28" West for a distance of 342.21 feet, more or less, to an angle point on the Westerly line of said Lot A, Skagit County Short Plat No. 26-84, also being the Easterly most corner of that certain parcel conveyed to Ben M. Winkes and L. Sloan Winkes, husband and wife, by Statutory Warranty Deed recorded under Auditor's File No. 200408240060 and being the terminus of said line.



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Exhibit B (18431 Dike Road, Parcel 15253)

THAT PORTION OF GOVERNMENT LOT 10 IN SECTION 1, TOWNSHIP 33 NORTH, RANGE 3 EAST OF THE WILLIAMETTE MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING TAT THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 10; THENCE NORTH 1-15-32 WEST ALONG THE EAST LINE OF GOVERNMENT LOT 10 A DISTANCE OF 334.01 FEET; THENCE SOUTH 88-44-50 WEST PARALLEL WITH THE SOUTH LINE OF SAID GOVERNMENT LOT 10 A DISTANCE OF 335.56 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 26-48-35 WEST A DISTANCE OF 220.81 FEET; THENCE SOUTH 65-44-10 WEST A DISTANCE OF 205.00 FEET; THENCE NORTH 30-55-50 WEST A DISTANCE OF 99.74 FEET; THENCE NORTH 02-34-00 EAST A DISTANCE OF 4.63 FEET; THENCE SOUTH 88-44-50 WEST A DISTANCE OF 220.00 FEET MORE OR LESS TO THE SKAGIT RIVER; THENCE SOUTHWESTERLY ALONG THE SKAGIT RIVER TO A POINT 20.00 FEET NORTH OF THE SOUTH LINE OF SAID GOVERNMENT LOT 10; THENCE NORTH 88-44-50 EAST PARALLEL WITH AND 20.00 FEET NORTH OF THE SOUTH LINE OF SAID GOVERNMENT LOT 10 A DISTANCE OF 700 FEET, MORE OR LESS, TO A POINT THAT BEARS SOUTH 88-44-50 WEST A DISTANCE OF 361.65 FEET AND NORTH 30 DEGREES 55'50" WEST A DISTANCE OF 23.02 FEET FROM THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 10 ; THENCE NORTH 30-55-50 WEST A DISTANCE OF 266.45 FEET; THENCE NORTH 62-44-00 EAST A DISTANCE OF 188.13 FEET TO THE TRUE POINT OF BEGINNING. EXCEPT THE COUNTY ROAD



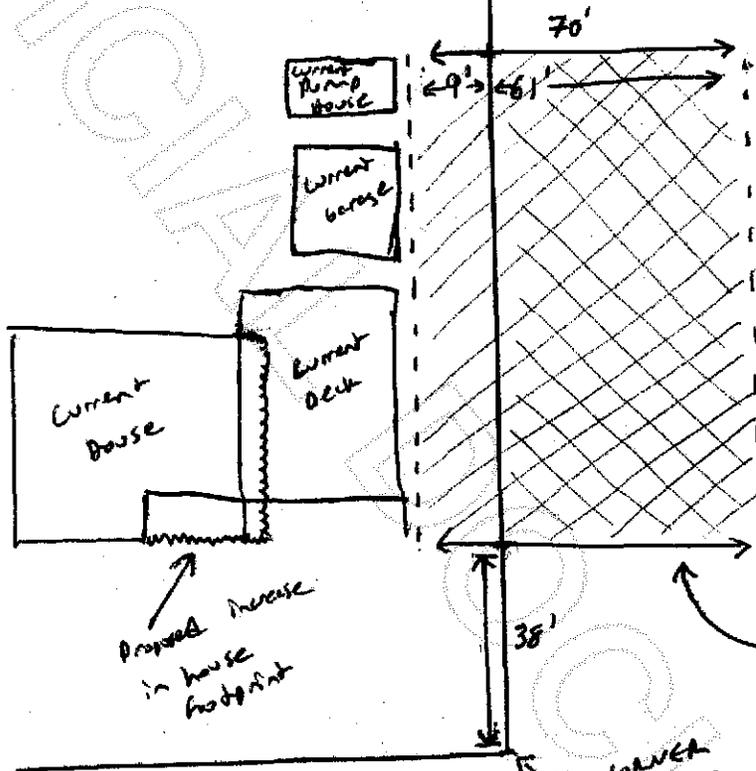
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P15253

Property Line
NE CORNER
OF
P15253

*
DRAWING FOR
CONCEPTUAL
PURPOSES ONLY
AND IS NOT DRAWN
TO SCALE



70' = 35' rear
and front
setback to
meet zoning
[14.16.400(5)]

P128635

Cross-hatch area
= area of
easement
granted

SE CORNER
OF
P15253

EASEMENTS
ONLY AFFECTS
SETBACK LINE
NOT PROPERTY
LINE



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