AFTER RECORDING MAIL TO: Law Office of Cole & Gilday, P.C. P. O. Box 249 Stanwood, WA 98292



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EASEMENT

GRANTOR:

YOLANDA SMITH, a single person

GRANTEE:

YOLANDA SMITH, a single person

LEGAL DESCRIPTION:

Lots 1 and 3 of SP 11-0109, Skagit County

ASSESSOR'S TPN:

P21671

THE GRANTOR, YOLANDA SMITH (hereinafter SMITH), a single person, as owner of those adjoining properties denominated as Lot 1 and Lot 3, legally described as follows:

Lot 1 and Lot 3 of Short Plat NO. 11-0109, records of Skagit County, Washington;

Together with and subject to easements, reservations, restrictions, right of way, covenants and conditions of record;

Situate in the County of Skagit, State of Washington.

hereby establishes the following Easement and Covenants pertaining to said Easement.

- 1. Grantor hereby declares an exclusive easement in favor of Lot 1 over, under and across that portion of Lot 3 as legally described in Exhibit A.
- 2. Lot 1 shall have exclusive use of the easement area and shall be able to use said easement in any manner desired. Lot 3 shall have no rights to the use of the easement area.
- 3. Any dispute between the owners of the Lot 1 and the Lot 3 shall be resolved through arbitration pursuant to Chapter 7.04 RCW. The arbitration shall be heard by one arbitrator whose decision shall be binding and not appealable. The cost of the arbitrator shall be borne by the non-prevailing party.
- 4. Attorney Fees and Costs. In any litigation or proceedings to enforce this Agreement or to determine the rights and obligations of the parties under this Agreement, the substantially prevailing party shall be entitled to recover from the other party all reasonable costs and attorney's fees incurred therein.

- Run with the Land. The easement hereby established, the restrictions hereby imposed, and the agreements herein contained shall run with the land and shall inure to the benefit of, and be binding upon the parties hereto and their respective heirs, successors and assigns, including, without limitation, all subsequent owners of Lot 1 and Lot 3 and all persons and entities claiming under them.
- 6. Termination. This agreement shall be perpetual. It shall terminate only upon a written agreement, signed by the owners of Lot 1 and Lot 3 in the same manner as required for deeds, being recorded with Skagit County.

Dated this 30 day of Quegues, 2012.

SKAGIT COUNTY WASHINGTON REAL ESTATE EXCISE TAX

AUG 3 0 2012

Amount Paid \$

STATE OF WASHINGTON)

SS:

COUNTY OF SNOHOMISH)

On this date YOLANDA SMITH appeared before me and she acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument

SUBSCRIBED AND SWORN to before me this 30 day of August 2012.

TERI L. WILSON NOTARY PUBLIC STATE OF WASHINGTON COMMISSION EXPIRES JUNE 29, 2016

NOTARY PUBLIC in and for the

State of Washington, Residing at 57

My appointment expires:

Skagit County Auditor

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EXHIBIT A

All that portion of the Northwest quarter of the Southeast quarter of Section 13, Township 34 North, Range 3 East, W.M., described as follows:

COMMENCING at the Northwest corner of said Northwest quarter of the Southeast quarter, from which the North quarter corner bears N 1° 26′ 30″ E a distance of 2,498.20 feet; thence N 87° 40′ 33″ E along the North line of said subdivision a distance of 100.22 feet to a point on the East line of the west 100.00 feet of said subdivision; thence S 1° 26′ 30″ W parallel with the West line of said subdivision a distance of 76.38 feet; thence S 60° 03′ 23″ E a distance of 91.02 feet; thence S 1° 26′ 30″ W a distance of 53.64 feet to the TRUE POINT OF BEGINNING; thence continue S 1° 26′ 30″ W a distance of 351.75 feet to the North Right-of-Way of River Bend Road, said point being on a curve, the center of which bears N 29° 21′ 35″ E a distance of 1,325.00 feet; thence in a Southeasterly direction along the arc of said curve through a central angle of 11° 29′ 47″ a distance of 265.86 feet; thence S 72° 08′ 12″ E a distance of 69.81 feet; thence N 17° 17′ 34″ E a distance of 239.40 feet; thence S 71° 05′ 51″ E a distance of 431.77 feet; thence N 18° 22′ 39″ E a distance of 62.69 feet; thence S 71° 05′ 51″ E a distance of 101.31 feet; thence N 17° 33′ 39″ E a distance of 54.09 feet; thence S 71° 05′ 51″ W a distance of 964.38 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO easements, covenants, conditions, restrictions and reservations of record, if any.

Situate in the County of Skagit, State of Washington.

Containing 4.353 acres.





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