



201209180029

Skagit County Auditor

9/18/2012 Page

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3 11:37AM

DECLARATION OF COVENANT

I the undersigned, owner in fee simple of the land described herein hereby declare this covenant and place same on record.

I, the grantor herein, am the owner in fee simple of the following described real estate situated in Skagit County, State of Washington, as per plat of "Town of McMurray" recorded in Volume 2 of Plats, page 107, records of Skagit County, Washington:

Parcels P75104 describes as Lots 9, 10, 11, 12 and 13, Block 10, together with the east half of the alley adjacent to the west line of said Lot 9, also together with the south half of the alley adjacent to the north line of said Lots 9, 10, 11, 12 and 13;

Parcel P75106 describes as Lots 14 and 15, Block 10, together with the south half of the alley adjacent to the north line of said Lots 14 and 15, also together with the railroad right-of-way adjacent to the east line of said lot 15, together with the south half of the alley,

on which the grantor owns and operates a well and waterworks supplying water for public use located on said real estate, at 22809 State Route 9, Mount Vernon, WA 98273, and grantor is required to keep the water supplied from said well free from impurities which might be injurious to the public health.

It is the purpose of these grants and covenants to prevent certain practices hereinafter enumerated in the use of said grantor water supply.

NOW, THEREFORE, the grantor agree and covenant that said grantor, her heirs, successors and assigns will not construct, maintain, or suffer to be constructed or maintained upon the said land of the grantor and within **Wellhead Protection Area** of the well herein described and shown on **Exhibit A**, so long as the same is operated to furnish water for public consumption, any potential source of contamination, such as septic tanks and drainfields, sewer lines, underground storage tanks, roads, railroad tracks, vehicles, barns, feed stations, grazing animals, enclosures for maintaining fowl or animal manure, liquid or dry chemical storage, herbicides, insecticides, hazardous waste, or garbage of any kind or description.

ALSO, the grantor agree and covenant that said grantor, her heirs, successors and assigns will not construct, maintain, or suffer to be constructed or maintained upon the said land of the grantor and within **100 (One Hundred) feet Sanitary Area** of the well herein described and shown on **Exhibit A**, so long as the same is operated to furnish water for public consumption, any new potential source of contamination, such as septic tanks and drainfields, sewer lines, underground storage tanks, roads, railroad tracks, vehicles, barns, feed stations, grazing animals, enclosures for maintaining fowl or animal manure, liquid or dry chemical storage, herbicides, insecticides, hazardous waste, or garbage of any kind or description.

These covenants shall run with the land and shall be binding to all parties having or acquiring any right, title, or interest in the land described herein or any part thereof, and shall inure to the benefit of each owner thereof.

WITNESS this 12 day of Sep, 2012

Grantor

Yumiko J. Cogger

Yumiko J. Cogger

State of Washington)
County of SKAGIT)

I, the undersigned, a Notary Public in and for the above named County and State, do hereby certify that on this 12 day of SEPTEMBER, 2012, personally appeared before me

YUMIKO J. COGER

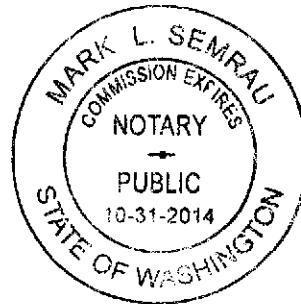
to me known to be the individual described in and who executed the within instrument, and acknowledge that he (they) signed and sealed the same as free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal the day and year last above written.

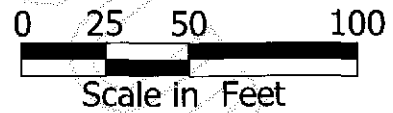
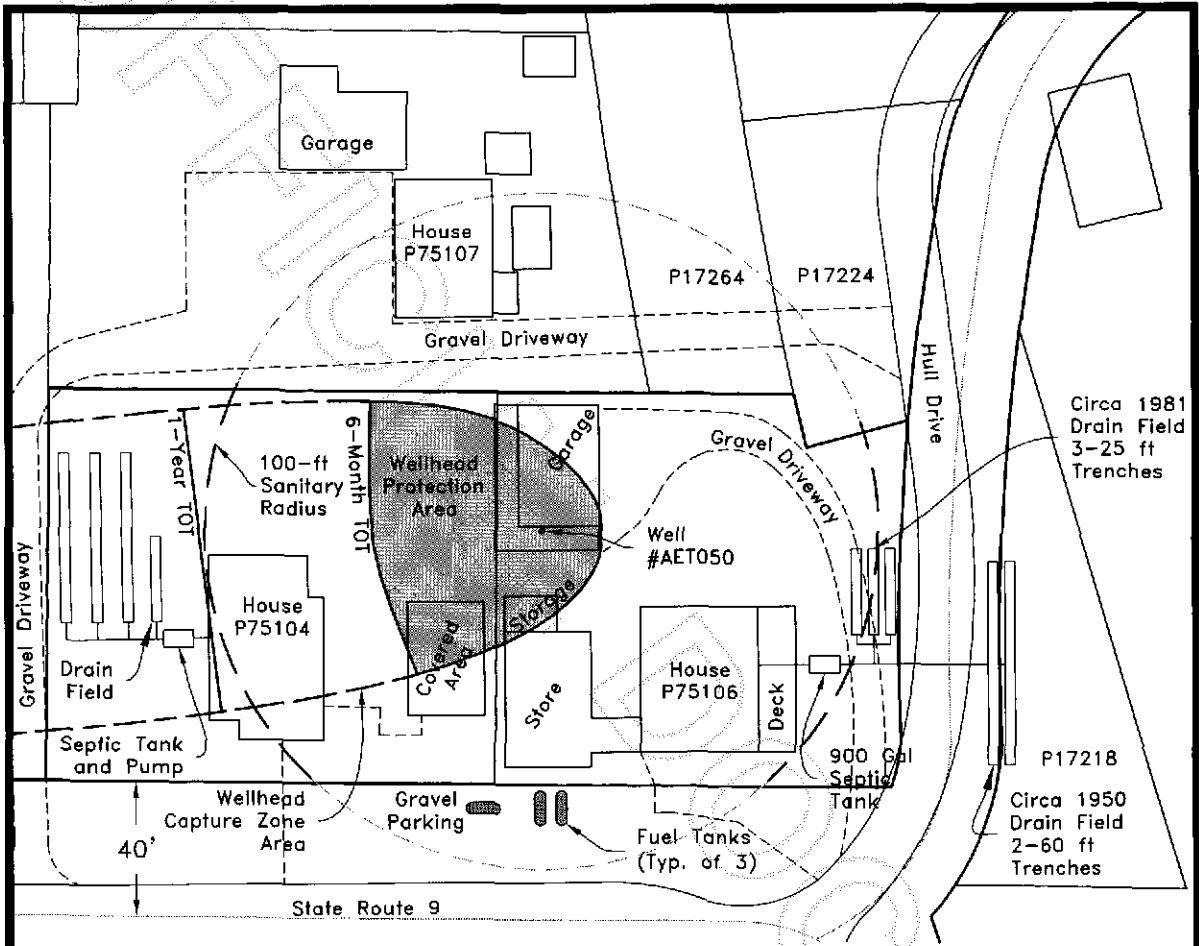
Mark L. Semrau MARK L. SEMRAU
Notary Public in and for the State of Washington, residing at

3608 MOHAWK DRIVE, MOUNT VERNON, WA 98273

My Commission Expires: 10/31/2014



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**Exhibit A:
Lake McMurray Store
Wellhead Protection Area and Sanitary Control Radius**



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