

After Recording Return To:

James Eyler
124 South 198th PL
Des Moines WA 98148



201401100034

Skagit County Auditor

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\$77.00

6 11:44AM

EASEMENT AGREEMENT

**SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX**

GRANTOR: JEFFREY L. EYLER and TERESA A. EYLER

JAN 10 2014

GRANTEE: JAMES T. EYLER

LEGAL DESCRIPTION(S)

Amount Paid \$
Skagit Co. Treasurer
By *[Signature]* Deputy

Abbreviated Form: A. LOT 6, BLOCK 2, LAKE CAVANAUGH SUBDIVISION, DIVISION #2,
AS PER PLAT RECORDED IN VOLUME 5 OF PLATS, PAGES 49 AND
50. EXCEPT THE EASTERLY 25 FEET THEREOF
B. LAKE CAVANAUGH SUB DIV 2, BLOCK 2, LOT 1 TO 5 AND
EASTERLY 25 FEET OF LOT 6

Full Legal Description(s): See Exhibits A and B attached hereto.

TAX PARCEL NOS. P66643; P66642

THIS AGREEMENT is dated this 7th day of January, 2014, between JAMES H. EYLER, a single man (EYLER), and JEFFREY L. EYLER and TERESA A. EYLER, a married couple (together "JT"). In consideration of the mutual agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. **EYLER Property.** EYLER is the fee simple owner of a single family residence located at 34914 South Shore Drive, Mt. Vernon, Washington 98274, which is legally described on Exhibit A attached hereto (the "EYLER Property").
2. **JT Property.** JT are the fee simple owners of the single family residence located at 34934 South Shore Drive, in Mt. Vernon, Washington 98274, which is legally described on Exhibit B attached hereto (the "JT Property").
3. **Purpose of Easement Agreement.** The easterly portion of JT Property adjacent to the Eyler Property has been replanted with vegetation and maintained by EYLER for several years.

Further, EYLER has placed several improvements that encroach upon the JT Property. EYLER and JT desire to confirm the rights of EYLER to continue to use the portion of the JT Property. JT consents to the presence of the vegetation and improvements on the JT Property and EYLER and JT desire to confirm such agreement in writing herein.

4. **Grant of Easement by JT.** For good and valuable consideration, JT hereby grants to EYLER an easement over across and under the portion of the JT Property legally described on Exhibit C attached hereto (the Easement) and consents to EYLER's installation, maintenance and or removal of vegetation and improvements on the easement portion of the JT Property.
5. **Maintenance and Repair.** EYLER acknowledges that JT have no obligation to maintain or repair the improvements or vegetation that encroaches on the JT Property.
6. **Easements Running with the Land.** These easements are appurtenant and shall run with the land and shall be binding on the parties' heirs, successors, and assigns.

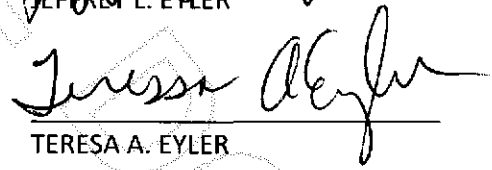
IN WITNESS WHEREOF, the Parties have executed this Agreement on the date first mentioned above.

EYLER:

JT:


JAMES H. EYLER


JEFFREY L. EYLER


TERESA A. EYLER

[NOTARY BLOCKS FOLLOW]



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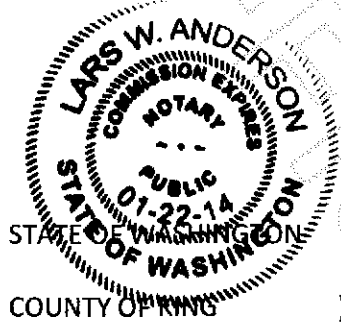
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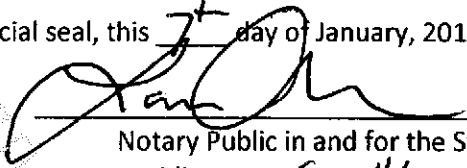
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STATE OF WASHINGTON)
) ss
COUNTY OF KING)

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

GIVEN under my hand and official seal, this 7th day of January, 2014.



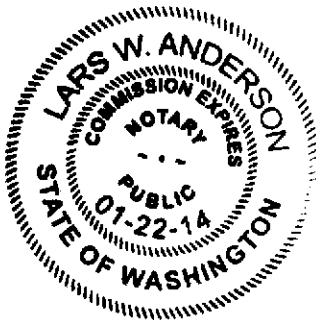


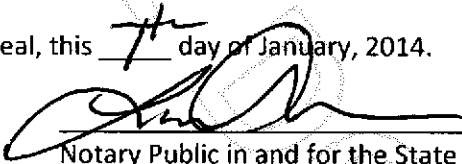
Notary Public in and for the State of Washington,
Residing at: Sea Hle
My appointment expires: 1/22/14

STATE OF WASHINGTON)
) ss
COUNTY OF KING)

On this day personally appeared before me JEFFREY L. EYLER and TERESA A. EYLER, to me known to be the individuals 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 purposes therein mentioned.

GIVEN under my hand and official seal, this 7th day of January, 2014.





Notary Public in and for the State of Washington,
Residing at: Seattle
My appointment expires: 1/22/14



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EXHIBIT A

Eyler Property Legal Description
34914 South Shore Drive, Mt. Vernon, Washington 98274
Skagit County Parcel No. P66643

LOT 6, BLOCK 2, LAKE CAVANAUGH SUBDIVISION, DIVISION #2, AS PER PLAT RECORDED IN VOLUME 5 OF PLATS, PAGES 49 AND 50. EXCEPT THE EASTERLY 25 FEET THEREOF, AS MEASURED AT RIGHT ANGLES TO AND PARALLEL WITH THE EASTERLY LINE THEREOF. ALSO, LOT 7, BLOCK 2, LAKE CAVANUGH SUBDIVISION, DIVISION #2; EXCEPT THAT PORTION DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWESTERLY CORNER OF SAID LOT 7; THENCE SOUTHEASTERLY, ALONG THE NORTHERLY LINE OF SAID LOT A DISTANCE OF 20 FEET; THENCE SOUTHERLY ON A STRAIGHT LINE TO A POINT ON THE SOUTH LINE OF SAID LOT 7 WHICH IS 17.13 FEET FROM THE SOUTHWESTERLY CORNER THEREOF; THENCE NORTHWESTERLY 17.13 FEET TO SAID SOUTHWESTERLY CORNER; THENCE NORTH ALONG THE WEST LINE OF SAID LOT 7 TO THE POINT OF BEGINNING.



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EXHIBIT B

JT Property Legal Description
34934 South Shore Drive, Mt. Vernon, Washington 98274
Skagit County Parcel No. P66642

LAKE CAVANAUGH SUB DIV 2, BLOCK 2, LOT 1 TO 5 AND EASTERLY 25 FEET OF LOT 6



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EXHIBIT C

Easement Area

All that portion of the East 25.00 of Lot 6, Block 2, Lake Cavanaugh Subdivision, Division Number 2, as per the plat thereof recorded in Volume 5 of Plats, Page 49 and 50, Records of Skagit County, Washington, lying Westerly of the following described line:

COMMENCING at the Southeast corner of said Lot 6; thence N 64° 59' 00" W along the South line thereof a distance of 25.17 feet to the TRUE POINT OF BEGINNING of herein described line; thence N 1° 24' 07" E a distance of 170.69 feet; thence N 2° 09' 00" W a distance of 53.30 feet; thence N 0° 00' 02" E a distance of 135.22 feet to the North line of said Lot 6 at a point which bears N 50° 55' 30" W a distance of 26.58 feet from the Northeasterly corner of said Lot 6 and the terminus of herein described line.

Situate in the County of Skagit, State of Washington.



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