

Return Address:

Land Title

ANACORTES



201411070066

Skagit County Auditor

\$78.00

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Document Title:

Native Growth Protection

Reference Number (if applicable):

Easement Agreement

Grantor(s):

☐ additional grantor names on page ____.

1) Channel Landing LLC

2) Neil Strandberg

Grantee(s):

☐ additional grantor names on page ____.

1) City of ANACORTES

2) _____

Abbreviated Legal Description:

☐ full legal on page(s) ____.

Lot 2 City of Ana
SP-05-006

AF# 201009210052

Assessor Parcel /Tax ID Number:

☐ additional parcel numbers on page ____.

P130298

NATIVE GROWTH Protection Easement Agreement
The Reserve at Channel Landing
Anacortes WA, 98221

THIS NATIVE GROWTH Protection Easement Agreement (this "Agreement" is hereby entered into by Channel Landing LLC: Nels Strandberg, its successor and assigns ("Grantor") and the CITY OF ANACORTES ("City") as of the 30th day of October, 2014.

Grantor is the owner of certain real property (the "Property") in Skagit County, Washington, Legally described on Exhibit "A" hereto.

Lot 2 - 4210 Navigator Lane, Anacortes Washington 98221, Skagit County
P130298

The Property is subdivided as VINTAGE INVESTMENTS 9 LOT SHORT recorded September 21, 2010 Under Auditor File NO. 201009210052 Records of Skagit County, Washington, and any amendments, corrections or addenda thereto subsequently recorded from time to time (collectively, the "Plat").

The NGPE is intended to manage native landscape that respects the condition of the property and improves the overall health of the natural habitat, protect the stability of the steep slope, while creating view corridors from the property to the Guemes Channel.

Grantor wishes to record the Agreement for the purpose of establishing and clarifying the terms and conditions of the NGPE and the rights and obligations for City and Grantor.

Terms and Conditions:

- A. At the time this document is recorded "Grantor" will submit "photographic" evidence of "views" and significant trees (within NGPE) from individual lot within the "Property". The vertical elevation of photo will be recorded as well as the location on the lot; this will create a "baseline". "Grantor" and their successors and future owners, shall have the right to maintain the View Window as described above for perpetuity. As vegetation grows, the following guidelines will be used when maintaining the View Windows.
- B. For trees approximately 10 years old or older, no less than every three years the owners of the Easement Property shall cooperate with the Reserve at Channel Landing HOA in preparing a description of view maintenance required. Prior to any work performed, a plan will be prepared for how the maintenance will be completed. Prior to the work being started the plan shall be submitted to the City of Anacortes Parks Department for review and follow up inspections when work is completed.
- C. For "new vegetation" growth that exceeds a height of 4ft (in a horizontal plane) above the height of the top of bank, owners will have the right to maintain such height no



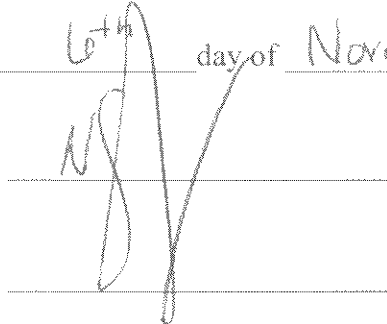
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more often than once per calendar year. As described in 'B' above, a plan for maintenance to be completed shall be submitted to the City of Anacortes for review and follow up inspections when work is completed. New sprouts from a maple stump are not considered mature trees. At no point will the roots of vegetation be disturbed.

- D. Hand removal of non-native or adventitious plants as approved by the Parks Department.
- E. Pacific Yew "Taxus brevifolia" are exempt from cutting unless a specific tree is presented as a hazard tree as determined by the City of Anacortes.
- F. Hazard trees will be identified with the concurrence of the Parks Department. Hazard trees removed or blown down shall be replanted by the landowner, subject to approval of the Parks Department, with a 3-foot minimum appropriate native stock and with one gallon containers for shrubs, which shall be maintained by the land owner until able to survive on their own.
- G. Permitted tree and shrub pruning per "Exhibit B".
- H. Permitted pruning of Bigleaf Maple "Acer macrophyllum" per recommendations and guidelines in Urban Forestry Services, Inc. report dated June 10, 2014 "Exhibit C".
- I. Fallen trees in the NGPE shall only be removed from the site with the approval of the Parks Department.
- J. If the buffer is disturbed, a replanting plan using appropriate native stock shall be submitted to the Parks Department and Planning Director for approval and once approved, shall be implemented by the landowner.
- K. Trails through the NGPE shall not be permitted without the approval of the Parks Department.
- L. Fencing plans along the NGPE must be approved by the Parks and Recreation Director.
- M. No use of pesticides or herbicides in NGPE.
- N. All work within NGPE will be performed by hand, or with a chainsaw.
- O. No dumping of landscape debris or any debris into NGPE.

DATED this 6th day of November, 2014

GRANTOR:



CITY:

CITY OF ANACORTES, WASHINGTON

By: 

ATTEST:

Approved as to from:

By: _____ By: _____

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

NOV 07 2014

Amount Paid \$
Skagit Co. Treasurer
By 1nem Deputy



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\$78.00

EXHIBIT "A"

Legal Description:

Lot 2, CITY OF ANACORTES TRACT PLAT SP-05-006 AF#201009210052, LOCATED IN THE SOUTHEAST ¼ OF SECTION 22, TOWNSHIP 35 NORTH, RANGE 1 EAST. W.M.

Parcel 130298

COMMONLY KNOWN AS: 4210 NAVIGATOR LANE, ANACORTES, WASHINGTON 98221



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EXHIBIT "B"

Permitted Tree and Shrub Pruning Techniques in the NGPE Zone

Tree Trimming and Pruning

Retain a minimum of 70% of the original crown to maintain tree health and vigor. The removal of too much live foliage can reduce the trees ability to supply food to the roots, thereby weakening them. A combination of the following trimming methods can be used:

1. **Crown Windowing (CW):** This pruning practice allows a view "window" through the existing foliage of the tree's canopy. In pruning major limbs and branch whorls, sections that obscure a view are removed.
2. **Crown Thinning (CT):** The removal of entire branch whorls or individual branches throughout the canopy allows more light to pass through, as well as reducing wind resistance of the tree.
3. **Crown Raising (CR):** Limbing the tree up from the bottom to allow a clear line of sight. This technique is useful when the tree in question is located height on the bluff face.

Shrub Trimming and Pruning

There are five basic techniques for pruning shrubs. A combination of the following trimming methods can be used:

1. **Pinching back:** Simply use your fingers to pinch off the terminal bud of the branch. This will encourage lateral branches to form and can be a great way to prevent more pruning later on.
2. **Heading back:** This method removes the terminal bud, resulting in more branches. Cut the branch at an angle, about ¼" above a branch bud and sloping down and away for the bud. The bud nearest the cut determines the direction the branch grows. With the outward facing bud usually resulting in the best shape. If a heading cut is made in the middle of a branch with no bud, the result will be a flush of growth at the site of the cut.
3. **Thinning:** Thinning involves removing branches while leaving the terminal bud. Make the cut just outside the branch collar, which is the bulge where the branch meets the stem, but don't leave a stub. Thinning can produce a more open, shapely plant, without altering its overall size, shape, or growth habit.
4. **Renewal or rejuvenation pruning:** Renewal pruning involves removing the oldest stems and branches at the base, then thinning or heading back the younger stems to promote regrowth. With rejuvenation pruning, the entire shrub is cut to stubs less than 12". This drastic measure is usually done if a shrub has become an overgrown, tangled mass that is not blooming well.
5. **Shearing:** Shearing involves trimming off the tips of branches and is best used only for formal hedges. Shearing alters the shrub's natural shape and promotes thick growth only on the exterior of the plan, which results in dead foliage and lack of growth on the interior branches.



Lot 2



Per Urban Forestry report

Lot 2 - P130298

4210 Navigator Lane Anacortes, WA 98221

Picture Taken on 11/4/2014

Picture Taken 10' in the Air

Midpoint on Lot Top of Bank

Tree Maintenance per Lot 3 NGPE Agreement & Arborist Report

Prior onsite approval COA Planning and Parks Department



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Acknowledgement

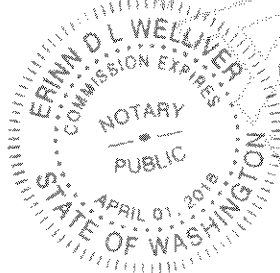
State of Washington

County of Skagit

The foregoing instrument was acknowledged before me on this 6th day of November

By Nels Strandberg, who was personally known to me or who provided sufficient proof of identity.

Witness my hand and official seal.



Erin D L Welliver
Notary Public

My Commission Expires: 4/1/2018

State of Washington

County of _____

The foregoing instrument was acknowledged before me on this _____ day of _____

By _____, who was personally known to me or who provided sufficient proof of identity.

Witness my hand and official seal.

Notary Public

My Commission Expires: _____



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