



201608120093

Skagit County Auditor

\$81.00

8/12/2016 Page

1 of

9 12:39PM

Return to:  
Todd & Esther Michelle McLean  
14222 Hemlock Pl  
Oncoortes, WA, 98221

SKAGIT COUNTY WASHINGTON  
 REAL ESTATE EXCISE TAX

AUG 12 2016

Amount Paid \$  
 Skagit Co. Treasurer  
 By Ernest A. Kubina

## SETBACK EASEMENT

THIS INSTRUMENT, entered into to satisfy the Skagit Cty (Zoning Dist) yard setback requirements of the Skagit County Code, Permit Number \_\_\_\_\_

## WITNESSETH:

WHEREAS, The Skagit County Codes requires a 85 foot Real (side or rear) yard setback; and

WHEREAS, Section 14.16.810 (5) provides an exception from the Real (side or rear) setback requirement if an easement is provided along the West (N,S,E,W) lot line of the abutting lot, (sufficient enough to leave the minimum required building separation) of 16 feet;

NOW THEREFORE, ERNEST KUBINA & Joella Solus Grantor,  
 hereby grants to Todd & Esther Michelle McLean Grantee, an  
 easement over the following described property: Parcel number P19499 Sec 15 Twn 34 Rng 01

(For Full Legal Description See Exhibit "A")

herein called the "easement area", for Real (side or rear) yard purposes to satisfy the Skagit County Code on the following described real property of the grantee: Parcel number P09938 Sec 15 Twn 34 Rng 01

(For Full Legal Description See Exhibit "B")

herein called the "receiving lot", and agrees that no structure will be located in the easement area and all future setbacks will be measured from the easement lines rather than the property lines adjacent to this easement. Grantee shall have access to the easement area for normal maintenance activities to the structure on the receiving lot.

Additional provisions: N/A

Grantor: Ernest A. Kubina  
 STATE OF WASHINGTON )

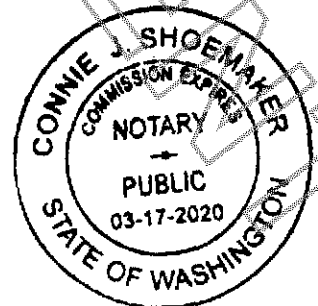
Date: 8-8-16

COUNTY OF SKAGIT )

On this day personally appeared before me ERNEST A Kubina Jr known 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 8 day of August, 2016

Notary's Signature Connie J. ShoemakerNotary Public in and for the State of Washington residing at Mount VernonMy Commission Expires 03-17-2020

last updated 02.23.16





**GUARDIAN NORTHWEST TITLE & ESCROW**

*Formerly First American Title Company of Skagit County*

1301-B Riverside Drive / PO Box 1667, Mount Vernon, WA 98273  
Toll Free: 800-869-7045 Phone: 360-424-0115 Fax: 360-424-5885 [www.gnwttitle.com](http://www.gnwttitle.com)

Michelle McClain  
14222 Hemlock Place  
Anacortes, WA 98221

Re: JM1890

Dear Mrs. McClain:

Attached hereto as Exhibit "A" is the 15 foot description of that portion of the Kubena/Solus property to be encumbered by the proposed Setback Easement. Attached hereto as Exhibit "B" is the legal description of your property that will benefit from the Setback Easement.

The Exhibit "A" legal for the Setback Easement is based upon the three factors:

The existing legal of the Kubena/Solus property.

Your statement that your new building will be 10 feet from the mutual boundary line.

The draft Setback Easement that calls for a 25-foot setback (10 feet plus a new 15 feet).

Our fee for preparing these legal is \$125.00 plus \$10.63 sales tax.

**DISCLAIMER**

**IMPORTANT READ CAREFULLY:** THIS CUSTOMER SERVICE INFORMATION IS PROVIDED "AS IS" WITHOUT WARRANTY OF ANY KIND, EITHER EXPRESS OR IMPLIED, INCLUDING WITHOUT LIMITATIONS ANY WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. THERE IS NO REPRESENTATION OF WARRANTY THAT THIS INFORMATION IS COMPLETE OR FREE FROM ERROR, AND FIRST AMERICAN TITLE / GUARDIAN NW TITLE DOES NOT ASSUME, AND EXPRESSLY DISCLAIMS, ANY LIABILITY TO ANY PERSON OR ENTITY FOR LOSS OR DAMAGE CAUSED BY ERRORS OR OMISSIONS IN THIS INFORMATION WITHOUT A TITLE POLICY. RECIPIENT ACCEPTS THIS PRODUCT WITH THIS LIMITATION AND AGREES THAT FIRST AMERICAN TITLE / GUARDIAN NW TITLE WOULD NOT HAVE ISSUED THIS PRODUCT BUT FOR THE LIMITATION OF LIABILITY DESCRIBED ABOVE.

Sincerely,

John S. Milnor  
Senior Title Officer

EXHIBIT "A"

That portion of the West  $\frac{1}{2}$  of the Northeast  $\frac{1}{4}$  of Section 15, Township 34 North, Range 1 East, W.M. lying both within those premises conveyed to Ernest A. Kubena, Jr. and Joella F. Solus, husband and wife, by deed recorded April 4, 1994 as Skagit County Auditor's File No. 9404040152 and within 15 feet of the West line of Lot 20 of the Plat of "Sunset West" as per plat recorded in Volume 9 of Plats, as Pages 98 and 99, records of Skagit County, Washington.

EXHIBIT "B"

Lot 20 Plat of "Sunset West" as per plat recorded in Volume 9 of Plats, Pages 98 and 99, records of Skagit County, Washington.

"Exhibit A"

Site Search

July 7, 2016

Select Language ▼



Directory

Find It Here

Records

Contact

Select a search option below:

Assessor Home

\* Address

Parcel #

Owner Name (Last First)

Road

XrefID

Treasurer Home

Enter Address:

Clear

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Details

Improvements

Land

Transfers

History

Taxes

Permits

Sales Comps

Clear Prior Searches

Details for Parcel: P19499

P19499

KUBENA ERNEST A JR &  
3625 GREEN CLIFFS ROAD  
Anacortes, WA 98221



Jurisdiction: SKAGIT COUNTY

Zoning Designation:

Skagit County - Rural Reserve

Recorded Documents  
Excise Affidavits  
Septic System

Documents scanned and recorded by the Auditor's office  
Document scans of excise affidavits  
Septic system information

Parcel Number

XrefID

Quarter Section Township Range

P19499

340115-1-004-0501

01

15

34

01

Owner Information

Site Address(es)

Map Links

KUBENA ERNEST A JR & SOLUS JOELLA F  
PO BOX 250  
ANACORTES, WA 98221

3625 GREEN CLIFFS ROAD

[Old Address: 161 GREEN CLIFFS LN]

Skagit County, WA (Jurisdiction, State)

Zip Code Lookup | Site Address Information

Open in iMap

Assessor's Parcel Map:

PDF | DWF

2015 Values for 2016 Taxes\*

Sale Information

2016 Property Tax Summary

Building Market Value \$102,200.00

Deed Type WARRANTY DEED

2016 Taxable Value \$277,200.00

Land Market Value +\$175,000.00

Sale Date 1993-12-22

General Taxes \$2,916.25

Total Market Value \$277,200.00

Sale Price \$ 0.00

Special Assessments/Fees +\$122.90

Assessed Value \$277,200.00

Total Taxes \$3,039.15

Taxable Value \$277,200.00

\* Effective date of value is January 1 of the assessment year (2015)

Legal Description Definitions

SURVEY AF# 200109260015 AKA THAT PORTION OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 15, TOWNSHIP 34 NORTH, RANGE 1 E W.M., DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 22 IN THE PLAT OF "SUNSET WEST" AS RECORDED IN VOLUME 9 OF PLATS AT PAGES 98 AND 99, RECORDS OF SKAGIT COUNTY, WASHINGTON; THENCE SOUTH 88-58-47 EAST ALONG THE SOUTH LINE OF SAID LOT 22 A DISTANCE OF 109.45 FEET; THENCE NORTH 61-41-40 EAST, ALONG THE SOUTH LINE OF LOT 21 IN THE PLAT OF "SUNSET WEST", A DISTANCE OF 46.82 FEET TO THE NORTHWEST CORNER OF LOT 20 IN SAID PLAT; THENCE SOUTH 1-29-07 EAST ALONG THE WEST LINE OF SAID LOT 20 AND THE WEST LINE OF LOT 19 IN SAID PLAT A DISTANCE OF 162.94 FEET TO THE SOUTHWEST CORNER OF SAID LOT 19; THENCE NORTH 88-58-47 WEST, ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION, A DISTANCE OF 31.15 FEET TO THE NORTHEAST CORNER OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION; THENCE SOUTH 1-29-07 EAST ALONG THE EAST LINE OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION, A DISTANCE OF 702.62 FEET; THENCE NORTH 88-58-47 WEST, PARALLEL WITH THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION, A DISTANCE OF 280 FEET; THENCE NORTH 1-2-07 WEST, PARALLEL WITH THE EAST LINE OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION, A DISTANCE OF 842.61 FEET TO A POINT ON THE SOUTH LINE OF LOT 23 IN SAID PLAT, WHICH POINT BEARS SOUTH 88-58-47 EAST A DISTANCE OF 40.30 FEET FROM THE SOUTHWEST CORNER OF SAID LOT 23; THENCE SOUTH 88-58-47 EAST, ALONG THE SOUTH LINE OF SAID PLAT, A DISTANCE OF 139.87 FEET TO THE POINT OF BEGINNING. EXCEPT THAT PORTION OF THE ABOVE DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 22, SUNSET WEST SUBDIVISION LOCATED IN SECTION 15, TOWNSHIP 34 NORTH, RANGE 1 EAST, W.M., SKAGIT COUNTY, WASHINGTON; THENCE SOUTH 88-58-47 EAST ALONG THE SOUTH LINE OF SAID LOT 22 A DISTANCE OF 109.45 FEET; THENCE SOUTH 1-29-07 EAST A DISTANCE OF 5.00 FEET; THENCE NORTH 88-58-47 WEST A DISTANCE OF 124.47 FEET; THENCE NORTH 1-29-07 WEST A DISTANCE OF 5.00 FEET; THENCE SOUTH 88-58-47 EAST A DISTANCE OF 15.02 FEET TO THE POINT OF BEGINNING.

Building Style	ONE STORY		
Year Built	1977	Foundation	POST & PIER
Above Grade Living Area	1,296 Square Feet	Exterior Walls	SIDING
Finished Basement		Roof Covering	COMP
*Total Living Area	1,296 Square Feet	Heat/Air Conditioning	BASEBOARD ELECTRIC
Unfinished Basement		Fireplace	S1 - STEEL
*Total Garage Area		Bedrooms	
Bathrooms	FULL BATH		
For additional information on individual segments see Improvements tab			

\* Land use codes are for assessment administration purposes and do not represent jurisdictional zoning. Please contact the appropriate planning department in your jurisdiction for land use questions.

\* Total living area includes above grade living area and finished basement area.

\* Garage square footage includes all garage areas; basement garages, attached garages, detached garages, etc.

**Assessment data for improvements is based on exterior inspections. Please contact the Assessor's office if the information does not accurately reflect the interior characteristics.**

"Exhibit B"

## Details for Parcel: P69938



**Jurisdiction:** SKAGIT COUNTY  
Skagit County - Rural Intermediate

**Zoning Designation:**

[Recorded Documents](#)  
[Excise Affidavits](#)  
[Septic System](#)

*Documents scanned and recorded by the Auditor's office*  
*Document scans of excise affidavits*  
*Septic system information*

<b>Parcel Number</b>	<b>XrefID</b>	<b>Quarter</b>	<b>Section</b>	<b>Township</b>	<b>Range</b>
P69938	4028-000-020-0006	01	15	34	01

**Owner Information**  
MCCLAIN TODD L & MCCLAIN ESTHER MICHELLE  
14222 HEMLOCK PL  
ANACORTES, WA 98221

**Site Address(es)**  
14222 HEMLOCK PLACE  
(Old Address: 1420 HEMLOCK PL)  
Skagit County, WA (Jurisdiction, State)  
[Zip Code Lookup](#) | [Site Address Information](#)

**Map Links**  
[Open in iMap](#)  
Assessor's Parcel Map:  
[PDF](#) | [DWF](#)

**2015 Values for 2016 Taxes\***

Building Market Value \$144,500.00  
Land Market Value +\$126,500.00  
Total Market Value \$271,000.00  
Assessed Value \$271,000.00  
Taxable Value \$271,000.00

**Sale Information**

Deed Type QUIT CLAIM DEED  
Sale Date 2003-02-23  
Sale Price \$0.00

**2016 Property Tax Summary**

2016 Taxable Value \$271,000.00  
General Taxes \$2,851.02  
Special Assessments/Fees +\$105.00  
Total Taxes \$2,956.02

\* Effective date of value is January 1 of the assessment year (2015)

**Legal Description Definitions**  
(0.3500 ac) SUNSET WEST LOT 20

<b>*Land Use</b>	(110) HOUSEHOLD SFR OUTSIDE CITY	WAC 458-53-030	
<b>Neighborhood</b>	(21FIDALGO) FIDALGO VIEW RESIDENTIAL		
<b>Levy Code</b>	1485	<b>Fire District</b>	F11
<b>School District</b>	SD103	<b>Exemptions</b>	
<b>Utilities</b>	PWR-P,WTR-P,SEP	<b>Acres</b>	0.35
<b>Improvement 1 Attributes Summary</b>			
<b>Building Style</b>	SPLIT ENTRY	<b>Foundation</b>	CONCRETE
<b>Year Built</b>	1973	<b>Exterior Walls</b>	SIDING
<b>Above Grade Living Area</b>	1,330 Square Feet	<b>Roof Covering</b>	COMP
<b>Finished Basement</b>	910 Square Feet	<b>Heat/Air Conditioning</b>	FORCED AIR
<b>*Total Living Area</b>	2,240 Square Feet	<b>Fireplace</b>	DOUBLE 2 STORY
<b>Unfinished Basement</b>	286 Square Feet	<b>Bedrooms</b>	3
<b>*Total Garage Area</b>	286 Square Feet		
<b>Bathrooms</b>	2 FULL BATHS, 3/4 BATH		

**For additional information on individual segments see Improvements tab**

\* Land Use codes are for assessment administration purposes and do not represent jurisdictional zoning. Please contact the appropriate planning department in your jurisdiction for land use questions.

\* Total living area includes above grade living area and finished basement area.

\* Garage square footage includes all garage areas; basement garages, attached garages, detached garages, etc.

**Assessment data for improvements is based on exterior inspections. Please contact the Assessor's office if the information does not accurately reflect the interior characteristics.**

**LEGAL DESCRIPTION:**

That portion of the West  $\frac{1}{2}$  of the Northeast  $\frac{1}{4}$  of Section 15, Township 34 North, Range 1 E W M, described as follows:

Beginning at the Southwest corner of lot 22 in the plat of "SUNSET WEST" as recorded in Volume 9 of plats at pages 98 and 99, records of Skagit County, Washington, thence South  $88^{\circ}58'47''$  East along the South line of said lot 22 a distance of 109.45 feet, thence North  $61^{\circ}41'40''$  East, along the South line of lot 21 in the plat of "SUNSET WEST", a distance of 46.82 feet to the Northwest corner of lot 20 in said plat, thence South  $1^{\circ}29'07''$  East along the West line of said lot 20 and the West line of lot 19 in said plat a distance of 162.94 feet to the Southwest corner of said lot 19, thence North  $88^{\circ}58'47''$  West, along the North line of the Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of said section, a distance of 31.15 feet to the Northeast corner of the West  $\frac{1}{2}$  of the Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of said section, thence South  $1^{\circ}29'07''$  East along the East line of the West  $\frac{1}{2}$  of the Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of said section, a distance of 702.62 feet, thence North  $88^{\circ}58'47''$  West, parallel with the North line of the Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of said section, a distance of 260 feet, thence North  $1^{\circ}29'07''$  West, parallel with the East line of the West  $\frac{1}{2}$  of the Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of said section, a distance of 842.61 feet to a point on the South line of lot 23 in said plat, which point bears South  $88^{\circ}58'47''$  East a distance of 40.30 feet from the Southwest corner of said lot 23, thence South  $88^{\circ}58'47''$  East, along the South line of said plat, a distance of 139.87 feet to the point of beginning

EXCEPT that portion of the above described as follows:

Beginning at the Southwest corner of lot 22, Sunset West subdivision located in Section 15, Township 34 North, Range 1 East, W M, Skagit County, Washington, thence

South  $88^{\circ}58'47''$  East along the South line of said lot 22 a distance of 109.45 feet,

thence

South  $1^{\circ}29'07''$  East a distance of 5.00 feet, thence North  $88^{\circ}58'47''$  West a distance of 124.47 feet, thence North  $1^{\circ}29'07''$  West a distance of 5.00 feet, thence

South  $88^{\circ}58'47''$  East a distance of 15.02 feet to the Point of Beginning

**EASEMENTS:**

A non-exclusive easement and right of ingress and egress for road and utility purposes, including, but not limited to, power, water and sewer line, and the right to construct and maintain said road and said lines, over and across the South 30 feet of the above described real estate Auditor's No. 658499 & 658500, records of Skagit County, Washington

A 15 foot wide easement for a water line as constructed over a portion of said real estate Auditor's No. 803371 & 801503, records of Skagit County, Washington

NOTES:

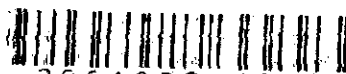
1. This survey was accomplished by field traverse using a Leica TCRA 1103 electronic total station.
2. Basis of bearings is centerline of Madrona Drive at Cedar Way being N 88° 58' 47" W as per plat of SUNSET WEST recorded in volume 9 of plats, pages 98 and 99, records of Skagit County, Washington
3. This survey has depicted existing fence lines and other occupational indicators in accordance with W.A.C. CH 332 130. These occupational indicators may indicate a potential for claims of unwritten title. The legal resolution of ownership based upon unwritten title claims has not been resolved by this boundary survey.

AUDITORS CERTIFICATE

Filed for record this 26 day of Sept  
2001 at 40 minutes past 9 A.M.  
In Skagit County, WA.

*Norma Brummett*

County Auditor or Deputy Auditor  
A.F.#



200109260015

Skagit County Auditor

