

When recorded return to:

BW & NS Investments LLC  
PO Box 319  
Anacortes, WA 98221



201709260009

Skagit County Auditor

\$79.00

9/26/2017 Page

1 of

6 8:57AM

**ACCOMMODATION  
RECORDING ONLY**

Document Title:

11-21412  
Landscape Easement and Maintenance Agreement The Highlands  
Lot 6-2712 17<sup>th</sup> Street and Lot 7-2708 17<sup>th</sup> Street

Reference Number:

Grantor(s):

1. BW & NS Investments, LLC

Grantee(s):

1. Kirk and Mary Kennedy

Abbreviated legal description:

(0.4700 ac) LOT 6 OF HIGHLANDS ON FIDALGO ISLAND, RECORDED UNDER AF#200803170001,  
BEING A PORTION OF SOUTHEAST 1/4 OF NORTHEAST 1/4 OF SECTION 23, TOWNSHIP 35  
NORTH, RANGE 1 EAST, W.M.

(0.2400 ac) LOT 7 OF HIGHLANDS ON FIDALGO ISLAND, RECORDED UNDER AF#200803170001,  
BEING A PORTION OF SOUTHEAST 1/4 OF NORTHEAST 1/4 OF SECTION 23, TOWNSHIP 35  
NORTH, RANGE 1 EAST, W.M.

Assessor Parcel/Tax ID Number:

P127425

P127426

**Landscape Easement and Maintenance Agreement**  
**The Highlands**  
**Lot 6-2712 17<sup>th</sup> Street Anacortes, WA 98221**  
**Lot 7-2708 17<sup>th</sup> Street Anacortes, WA 98221**

THIS LANDSCAPE EASEMENT AND MAINTENANCE AGREEMENT, (hereinafter "Agreement") entered into this 6<sup>th</sup> day of September, 2017, is made and executed by and between BW & NS Investments LLC, owner of lot 6 - 2712 17<sup>th</sup> Street Anacortes, WA whose address is PO Box 319 Anacortes, WA 98221 hereinafter "Grantor" and Kirk and Mary Kennedy owner of lot 7-2708 17<sup>th</sup> Street Anacortes, Washington 98221 hereinafter "Grantee".

WHEREAS, BW & NS Investments, LLC is the owner of 2712 17<sup>th</sup> Street Anacortes, Washington 98221 referred to as lot 6 The Highlands.

WHEREAS, Kirk and Mary Kennedy are the owners of 2708 17<sup>th</sup> Street Anacortes, Washington 98221 referred to as lot 7 The Highlands.

WHEREAS, the parties desire to create and establish an Easement and Landscape Maintenance Agreement of said landscaping over and upon the Grantors property as depicted in Exhibit -1 attached hereto for the continued maintenance of improvements placed on the Easterly portion of the access area to lot 6.

WHEREAS, GRANTOR states that it has full authority to enter into the agreement, and that the signatory has authority to execute the agreement.

NOW THEREFORE, in consideration of the hereinabove set forth are the mutual terms and conditions the parties agree as follows:

1. It is agreed that Grantee shall have the right to install, plant, maintain, inspect, remove and replace landscape vegetation, trees and features within said Easement Area. No alterations to the existing drive except within the easement area, no structures, temporary or permanent buildings shall be placed on or over the said Easement Area.
2. It is agreed Grantee shall have a right of entry and access to perform any maintenance, repair or replacement of improvements to the Easement Area.
3. All maintenance, repairs or replacement of the improvements or damage caused to the Grantors property is a financial responsibility of the Grantee.
4. It is agreed that should Grantee fail to maintain the improved area Grantor shall have the right to maintain and/or rescind said agreement and easement.
5. Grantee will hold harmless Grantor (s) from personal injury, property damage or any damage or injury to others, legal liability or loss occurring within or around the easement area shown in Exhibit-1.
6. Grantor reserves the right to rescind a portion or entire improved area and agreement should it interfere with property access or permitting requirements for the future home(s) to be located on Lot(s) 6.

IN WITNESS WHEREOF, the undersigned have agreed for this Landscape Easement and Maintenance Agreement to be executed this 6<sup>th</sup> Day of September, 2017.

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

SEP 26 2017



**Landscape Easement and Maintenance Agreement**

**Owner Signature page**

Kirk Kennedy  
Lot 7  
Kirk Kennedy Owner

09/06/2017  
Dated

Mary Kennedy  
Lot 7  
Mary Kennedy Owner

09/06/2017  
Dated

STATE OF WASHINGTON )

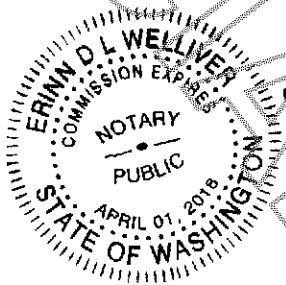
) ss

County of Skagit )

On this day personally appeared before me, Kirk Kennedy,  
Kirk Kennedy

to be known as the individual described in and who executed the within and foregoing instrument and acknowledged that he/she signed the same as his/her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 6th day of Sept, 2017.

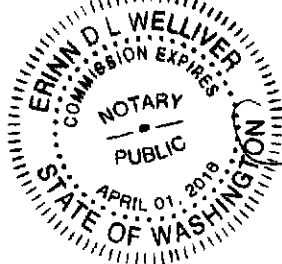


Erinn D.L. Welliver  
NOTARY PUBLIC in and for the State of Washington,  
residing at Anacortes WA

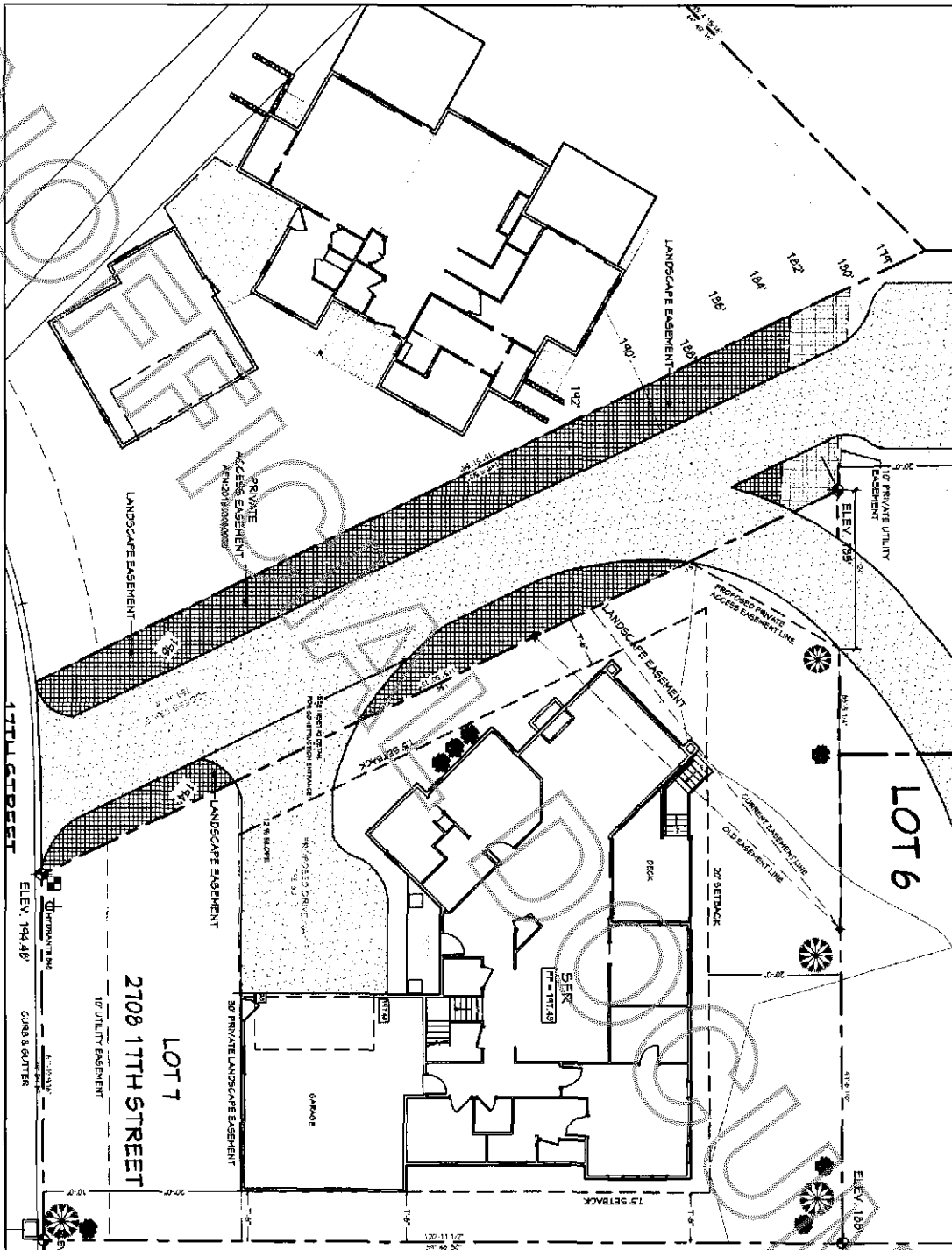
On this day personally appeared before me, Mary Kennedy,  
Mary Kennedy

to be known as the individual described in and who executed the within and foregoing instrument and acknowledged that he/she signed the same as his/her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 6th day of Sept, 2017.



Erinn D.L. Welliver  
NOTARY PUBLIC in and for the State of Washington,  
residing at Anacortes WA



<p><b>LOT 7</b></p> <p><b>2708 11TH STREET</b></p> <p><b>LOT 6</b></p> <p><b>2708 11TH STREET</b></p> <p><b>LOT 5</b></p> <p><b>2708 11TH STREET</b></p> <p><b>LOT 4</b></p> <p><b>2708 11TH STREET</b></p> <p><b>LOT 3</b></p> <p><b>2708 11TH STREET</b></p> <p><b>LOT 2</b></p> <p><b>2708 11TH STREET</b></p> <p><b>LOT 1</b></p> <p><b>2708 11TH STREET</b></p>	<p><b>SITE PLAN SUMMARY</b></p> <p><b>PROJECT ADDRESS:</b></p> <p><b>2708 11TH STREET</b></p> <p><b>ANACORTES, WA 98221</b></p> <p><b>PARCEL # P127426</b></p> <p><b>LOT SIZE: 10,275 sq ft</b></p> <p><b>BUILDING FOOTPRINT: 3,627 sq ft</b></p> <p><b>LOT COVERAGE: 34.69%</b></p>	<p><b>PROJECT / CLIENT INFO</b></p> <p><b>THE KENNEDY RESIDENCE</b></p> <p><b>2708 11TH STREET</b></p> <p><b>ANACORTES, WA 98221</b></p> <p><b>BUILDER INFO:</b></p> <p><b>STRANDBERG DESIGN</b></p> <p><b>5</b></p>	<p><b>CHARTERED</b></p> <p><b>J. STRANDBERG</b></p> <p><b>1/18/17</b></p> <p><b>8:30-17</b></p>
<p><b>EXHIBIT 1</b></p>	<p><b>PROJECT / CLIENT INFO</b></p> <p><b>THE KENNEDY RESIDENCE</b></p> <p><b>2708 11TH STREET</b></p> <p><b>ANACORTES, WA 98221</b></p>	<p><b>STRANDBERG DESIGN</b></p>	<p><b>CHARTERED</b></p> <p><b>J. STRANDBERG</b></p> <p><b>1/18/17</b></p> <p><b>8:30-17</b></p>