

Return Address:

STEVEN F. NELSON
2211 OREGON AVE.
ANACORTES, WA 98221

Land Title and Escrow



201711200128

Skagit County Auditor

\$129.00

11/20/2017 Page

1 of

6 11:29AM

Use dark black ink and print legibly. Documents not legible will be rejected per RCW

Document Title(s) (for transactions contained therein):	
1. PRIVATE ROAD MAINTENANCE AGREEMENT	ACCOMMODATION RECORDING ONLY
2.	
3.	
4.	
Auditor File Number(s) of Documents assigned or released:	
1.	
2.	
3.	
Additional reference numbers can be found on page _____ of document(s)	
Grantor(s)	
1. STEVEN F. NELSON	
2. TARA M. DOWD	
3. RANDY BOEHOLT	
4. MARY KAZINKA	
Additional Names on page _____ of document.	
Grantee(s)	
1. STEVEN F. NELSON	
2. TARA M. DOWD	
3. RANDY BOEHOLT	
4. MARY KAZINKA	
Additional Names on page _____ of document.	
Legal Description (abbreviated i.e. lot, block, plat or section, township, range, OR unit, building and condo name).	
P4th Tr. 8 Anacapa Beach	
Additional legal(s) can be found on page _____ of document.	
Assessor's Property Tax Parcel/Account Number	
P 61820, P 61824	
The Auditor/Recorder will rely on information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.	

NOTICE: RCW 65.04.047. Section 14: eff. 8/1/99

" I AM REQUESTING AN EMERGENCY NONSTANDARD RECORDING FOR AN ADDITIONAL FEE AS PROVIDED IN RCW 36.18.010. I UNDERSTAND THAT THE RECORDING PROCESSING REQUIREMENTS MAY COVER UP OR OTHERWISE OBSCURE SOME PART OF THE TEXT OF THE ORIGINAL DOCUMENT."

SIGNED BY: _____

Private Road Maintenance Agreement

An Agreement made this original date of November 1, 2017, applicable to the undersigned parcel owners and users.

Recitals

Whereas, Drive access to residences at 4607 and 4603 Anaco Beach Road is a private road situated in Skagit County in the City of Anacortes, State of Washington, and

Whereas, the undersigned are parcel owners and user of the Roadway Property situated in Skagit County of Washington State, and described as follows:

(See Attached)

Whereas, the party desire to enter into an Agreement regarding the costs of maintenance and improvements to Driveway access to residence at 4607 and 4603 Anaco Beach Road, and

~~Whereas, it is agreed that future parcel owners or users will add their signatures to this document~~

NOW THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:

1. **Vehicle and Pedestrian Access Easement.** The roadway property shall be subject to a perpetual, nonexclusive easement for ingress and egress granting access to the parcel owners subject to this agreement and their occupants, agents, employees, guests, services and emergency vehicles.
2. **Utility Easement.** The Roadway Property shall be subject to a perpetual, nonexclusive public easement for purpose of permitting above and below ground utilities to be installed and maintained.
3. **Road Maintenance.** Road maintenance and road improvements will be undertaken and made whenever necessary to maintain the road in good operating condition at all times and to insure the provision of safe access by emergency vehicles. Before making any future road improvements, user owners will be notified and agreement upon repairs required. If any parcel owner performs improvements, maintenance, repairs or replacements without the approval of the other owners prior to performing such work, the lot owner performing such work shall become liable for the entire cost thereof, unless such work is deemed an emergency.

4. **Parking.** For the safety of the residents, no machinery, trailers, vehicles or other property may be stored or parked upon Road on a permanent basis.
5. **Cost of Improvements and Repairs.** Road maintenance, snowplowing and road improvements costs are to be divided as one third and two thirds responsibility of the owners at address 4607 and 4603 Anaco Beach Road, respectively.
6. **Future Parcels.** Any additional parcels gaining access to the Private Road by way of splitting existing parcels will be bound by all terms and conditions of this agreement.
7. **Snow Plowing.** The Private Road shall be snowplowed as needed so as to permit year around access as needed. The cost shall be divide as one third and two thirds responsibility of the owners at address of 4607 and 4603 Anaco Beach Road.
8. **Emergency Repairs.** If it is deemed necessary in case of emergency safety conditions on a Private Road an attempt to reach owners and request that necessary repairs be completed immediately. However, if the owners are not able to be reached by authorities emergency repairs as needed without further notification of the residents on the road are to be performed. In such cases, the property owners will be notified after the repairs of the cost and amount due from the residents, as well as the reason for making the emergency repairs.
9. **Effective Term.** This agreement shall be perpetual, and shall encumber and run with the land as long as the road remains private.
10. **Binding Agreement.** This agreement shall be binding upon the parties hereto, their respective heirs, executors, administrators and assigns.
11. **Amendment.** This Agreement may be amended only by agreement and consent of the other party.
12. **Disputes.** If a dispute arises over any aspect of the improvements, maintenance, repairs or replacement, a third party arbitrator shall be appointed to resolve the dispute. The decision of the arbitrator shall be final and binding on all of the lot owners. Contact information for local arbitrators can be obtained through the American Arbitration Association. In selecting a third party arbitrator, each lot shall be entitled to one vote, and the nominee receiving a majority of the votes shall be the arbitrator.
13. **Notices.** Parcel owners under the Agreement shall be notified by mail or in person.
14. **Other Agreements.** This Private Road Maintenance Agreement replaces all previous Private Maintenance Agreements regarding the described Private Road.

15. Recording This Document. Original and amended copies of this document shall be recorded and provided to the Elbert County clerk by owner.

Signed

Steve Zeman

Date

11-1-2017

Signed

Anna Dard

Date

11/1/17

Signed

[Signature]

Date

11-1-17

Signed

Mary B. Kenda

Date

11-1-17

15. Recording this document. original and amended copies of this document shall be recorded and provided to the Skagit County clerk by owner.

~~15. Recording this document. original and amended copies of this document shall be recorded and provided to the Skagit County clerk by owner.~~

Signed

Steve Khan

Date

11-1-2017

Signed

Joia Doud

Date

11/1/17

Signed

[Signature]

Date

11-1-17

Signed

Wanda B. Gordon

Date

11-1-17

The Northwesterly 20 feet of Tract 8, "ANACO BEACH, SKAGIT COUNTY, WASHINGTON," as per plat recorded in Volume 5 of Plats, page 4, records of Skagit County, Washington: