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Skagit County Auditor

**ACCOMMODATION
RECORDING ONLY**

Document Title:

COVENANTS, CONDITIONS AND RESTRICTIONS

Reference Number : M-21889 ✓

Grantor(s):

additional grantor names on page ____.

1. I-5 BURLINGTON, LLC

2.

Grantee(s):

additional grantee names on page ____.

1.

2.

Abbreviated legal description:

full legal on page(s) ____.

PTN NW SE & NE SW 6-34-4

Assessor Parcel / Tax ID Number:

additional tax parcel number(s) on page ____.

P 133059, P 133060, P 133061, P 133062, P 133063

P 133064, P 133065, P 133066, P 133067, P 133068

P 133069

6

ACCOMMODATION
RECORDING ONLY

M-21889 Land Title

CONVENANTS, CONDITIONS AND RESTRICTIONS

Covenants, Conditions and Restrictions entered into this 27th day of December, 2018 by I-5 Burlington, LLC.

WHEREAS, I-5 Burlington, LLC (hereinafter the "Declarant") is the owner of that certain parcel of land within the city limits of the City of Burlington, WA more fully described on Exhibit A attached hereto and made a part hereof (hereinafter the "Property"); and

WHEREAS, the Declarant is seeking to have the Property rezoned from C-1 to C-2 and have the corresponding change to the comprehensive map to reflect the change in zoning; and

WHEREAS, the Declarant has been in discussions with certain neighbors from the Markwood community, which neighbors have properties adjacent to the Property; and

WHEREAS, the discussions with the neighbors has the goal of reducing and / or eliminating certain concerns expressed at the Public Hearing before the Burlington City Council on December 13, 2018; and

WHEREAS, subject to obtaining City Council approval of the rezone to C-2 on December 27, 2018 for the Property and the corresponding change to the comprehensive map of the City, and in order to induce the support of the neighbors with whom Declarant has met and interacted, the Declarant has executed these CC&R's with respect to the Property;

Now therefore, the Declarant hereby establishes the following Covenants, Conditions and Restriction which shall attach to the Property and run with the land:

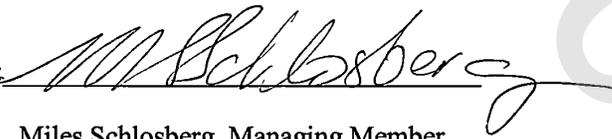
1. Attached hereto and made a part hereof is Exhibit B (the "Landscape Screening and Access Exhibit") which sets forth a limited easement along a portion of the Western Boundary of the Property for ingress and egress access to Andis Road.
2. The Landscape Screening and Access Exhibit also sets forth the area of screening along the Western Boundary of the Property, which screening in part is in excess of what might be required by the City of Burlington, which Declarant shall require any owner of the Property to implement to screen for light and noise for the benefit of the adjacent landowners.
3. Declarant hereby restricts in perpetuity that portion of the Property formerly known as Assessor's Parcel 23746, which parcel is on the Western Boundary of

the Property and, described as a tooth, extends into the Markwood neighborhood, and is delineated on the Landscape Screening and Access Exhibit (the "Residential Parcel") as follows:

- a) the Residential Parcel shall remain a residential property for use as a single family residence, provided however,
 - b) if the Residential Parcel is not used as a single family residence as a result of the house on that parcel being demolished / destroyed and not rebuilt, then the Residential Parcel shall remain as a green belt buffer zone with fencing thereafter in perpetuity.
4. In accomplishing the requirements of this CC&R, Declarant shall retain the consulting services of an arborist to assist in determining the property tree types to accomplish screening and noise buffering.

In witness whereof, I-5 Burlington has executed and recorded this CC&R.

I-5 Burlington, LLC

By: 
Miles Schlosberg, Managing Member

STATE OF WASHINGTON)

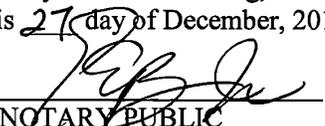
) SS

COUNTY OF SKAGIT)



I certify that I know or have satisfactory evidence that Miles Schlosberg, Managing Member of I-5 Burlington, LLC to me known to be the entity and individual described in and who executed the within and foregoing instrument, and acknowledged that to me it signed the same as its free and voluntary act and deed for the uses and purposes therein mentioned.

SUBSCRIBED AND SWORN TO before me by Miles Schlosberg, Managing Member on behalf of I-5 Burlington, LLC this 27 day of December, 2018.



 NOTARY PUBLIC
 State of Washington
 My commission expires: 4/3/2021

UNOFFICIAL DOCUMENT

*Exhibit A***LEGAL DESCRIPTION:**

Lots C1, C2, C3, C4, C5, C6, C7, C8, C9, C10 and TRACT "A" of Binding Site Plan No. 4-08, approved February 8, 2016, and recorded February 11, 2016 under Auditor's File No. 201602110068, records of Skagit County, Washington; being a portion of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ and of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ in Section 6, Township 34 North, Range 4 East, W.M.

Situate in the City of Burlington, County of Skagit, State of Washington.

TAX PARCEL NUMBERS:

LOT C1; #P133059, #8095-000-001-0000
LOT C2; #P133060, #8095-000-002-0000
LOT C3; #P133061, #8095-000-003-0000
LOT C4; #P133062, #8095-000-004-0000
LOT C5; #P133063, #8095-000-005-0000
LOT C6; #P133064, #8095-000-006-0000
LOT C7; #P133065, #8095-000-007-0000
LOT C8; #P133066, #8095-000-008-0000
LOT C9; #P133067, #8095-000-009-0000
LOT C10; #P133068, #8095-000-010-0000
TRACT "A"; #P133069, #8095-000-999-0000

