



201903010001

03/01/2019 08:46 AM Pages: 1 of 5 Fees: \$103.00
Skagit County Auditor

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Document Title: TEMPORARY TURNAROUND EASEMENT
Grantor: Houston Family LLC
Grantee: City of Mount Vernon, Washington
Abbr. Legal: Portion of Lot112 of Digby Heights, AFN 201109190088
Additional Legal Description on Exhibit A of document.

Assessor's Tax/Parcel Number: 6002-000-000-0112 (P130975)

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

~~EASEMENT~~
MAR 01 2019

Amount Paid \$ —
Skagit Co. Treasurer
By *HB* Deputy

TEMPORARY TURNAROUND EASEMENT

THIS TEMPORARY VEHICULAR TURNAROUND EASEMENT (the "Easement") is made this 24th day of February, 2019 by Houston Family LLC ("Grantor") in favor of the City of Mount Vernon, Washington ("Grantee").

RECITALS

WHEREAS, Grantor owns that certain real property in Skagit County Washington, which is more fully described in the legal description attached hereto and made apart hereof as "Exhibit A" (the "Temporary Easement Area"); and

WHEREAS, Grantor is willing to grant a temporary and nonexclusive easement to the Grantee on the terms and conditions stated below.

NOW, THEREFORE, in consideration of the mutual terms, covenants and conditions set forth herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor, for themselves and their respective heirs, administrators, executors, successors and assigns, declare as follows:

1. **Grant of Temporary Easement.**

1.1 Declaration of Temporary Easement. Grantor hereby declares, reserves, grants and conveys to Grantee and to the public a temporary, nonexclusive easement burdening Grantor's Property and benefiting the public, over and across the "Temporary Easement Area".

1.2 Purpose. The Temporary Easement is granted solely for the purpose of, and shall be used by Grantee and its agents, and members of the public for the purpose of vehicular ingress and egress to and from the Temporary Easement Area for turning vehicles at the current terminus of Jeff Street.

1.3 Duration. The Temporary Easement shall automatically terminate the earlier of (a) the date that Jeff Street is extended past the current terminus at the Temporary Easement Area, or (b) in the event Grantee terminates the Easement. Upon the expiration of the term of the Temporary Construction and Fill Easement, all of the rights and benefits of the Grantee and the public in, to and under this Easement with respect to the Temporary Easement Area shall automatically terminate and be of no further force or effect.

8/24/19 This TEMPORARY TURNAROUND
EASEMENT is NOT valid if
the Skagit County recording
date is after March 10, 2019.

2. **Rights of Grantor.**

2.1 Continued Access. Grantor and Grantor's agents, employees, contractors, consultants, tenants, successors and assigns, shall have continuing use and access

along, over, under and across the Temporary Easement Area, provided such use does not unreasonably interfere with Grantee's rights under this Easement.

2.2 Non-Exclusive Use. All right, title and interest in and to the Temporary Easement Area which may be used and enjoyed without unreasonably interfering with the Easement Rights herein conveyed are reserved to Grantor.

3. **Covenants Running with the Land.** The easement, rights and privileges hereby granted, shall be covenants running with the land and shall inure to the benefit of, and be binding upon, the parties hereto and their respective heirs, successors, and assigns including, but without limitation,

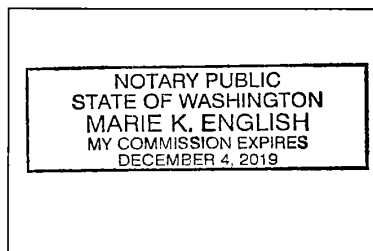
DATED this 24th day of February, 2019.

GRANTOR: Houston Family LLC

By: David B. Johnson
Name: David B. Johnson
Its: Member

STATE OF WASHINGTON)
) ss.
COUNTY OF SNOHOMISH)

I certify that I know or have satisfactory evidence that David B Johnson is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as the Member of Houston Family LLC to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.



(Use this space for notarial stamp/seal)

Marie K English
Print Name Marie K English
Notary Public in and for the State of Washington
Residing at Arlington
My commission expires Dec 4, 2019

Exhibit "A"**Temporary Turnaround Easement Area**

A temporary turnaround easement over, under and across a portion of Lot 112, Plat of Digby Heights Phase III recorded under Skagit County Auditor's File Number 201109190088 being more particularly described as follows:

Commencing at the Southeast corner of Lot 113, said Plat of Digby Heights Phase III;
thence North $1^{\circ}06'31''$ East along the East line of said Lot 113 for a distance of 95.66 feet to the Northeast corner of said Lot 113, also being the Southeast corner of said Lot 112 and being the TRUE POINT OF BEGINNING;
thence continue North $1^{\circ}06'31''$ East along the East line of said Lot 112 for a distance of 5.01 feet to a cusp of a non-tangent curve;
thence along the arc of said curve to the right, concave to the Northwest, having an initial tangent bearing of South $34^{\circ}02'38''$ West, a radius of 28.00 feet, through a central angle of $13^{\circ}26'34''$, an arc distance of 6.57 feet, more or less, to a cusp on the South line of said Lot 112 at a point bearing North $89^{\circ}24'30''$ West from the TRUE POINT OF BEGINNING;
thence South $89^{\circ}24'30''$ East along said South line for a distance of 4.18 feet, more or less, to the TRUE POINT OF BEGINNING.

Situate in the City of Mount Vernon, County of Skagit, State of Washington

SUBJECT TO and TOGETHER WITH easements, reservations, restrictions, covenants, liens, leases, court causes and other instruments of record

The above-described Temporary Turnaround Easement shall be relinquished at such time as Jeff Street is extended to the south.



5-16-17

