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Skagit County Auditor

WHEN RECORDED RETURN TO:

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BELCHER SWANSON LAW FIRM, P.L.L.C.
900 Dupont Street
Bellingham, WA 98225

Document Title:	Termination of Easement
Grantor/borrower:	Colony Mountain Community Club, a Washington non-profit corporation
Grantees/assignees/beneficiaries:	Alec Schlemmer and Elizabeth A. Schlemmer, husband and wife
Legal Description:	Tracts 62-64 Colony Mountain
Assessor's Tax Parcel ID#s:	360322-1-001-4206 / P48036; 360322-1-110-2002 / P48014; 360322-1-001-1707 / P48011; and 360322-1-001-1004 / P48004
Reference Nos.:	791555, 793602, 800130, 808995, and 8005190033

TERMINATION OF EASEMENT

THIS TERMINATION OF EASEMENT (hereinafter the "Termination"), is made this 6th day of August 2019, by and between Colony Mountain Community Club, a Washington non-profit corporation, ("Grantor") Alec Schlemmer and Elizabeth A. Schlemmer, husband and wife, ("Grantee").

RECITALS

- A. Grantor is responsible for the operation and maintenance of a series of private roads and a Group A water system (the "Infrastructure").
- B. Grantor is the successor in interest under those certain documents recorded at Skagit County Auditor's File Nos. 791555, 793602, 800130, 808995, and 8005190033 (the "Easement Documents").
- C. The Easement Documents are in place to allow Grantor the ability to operate and maintain the Infrastructure.
- D. Grantee owns that certain real property situated in Skagit County, Washington, legally described as follows:

350322-1-001-4206 / P48036 and 360322-1-110-2202 / P48014

A TRACT OF LAND IN SECTION 22, TOWNSHIP 36 NORTH, RANGE 3 EAST, W.M., SKAGIT COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERLY LINE OF SAID SECTION 22, A DISTANCE OF 2053.03 FEET ON A BEARING OF SOUTH 0°55'15" EAST FROM THE NORTHEAST CORNER OF SAID SECTION 22; THENCE CONTINUING ON SAID EASTERLY LINE SOUTH 0°55'15" EAST, 265.00 FEET; THENCE SOUTH 66°27'20" WEST, 801.29 FEET; THENCE NORTH 33°00'00" WEST, 248.00 FEET; THENCE NORTH 66°27'25" EAST, 943.97 FEET TO THE POINT OF BEGINNING; EXCEPT ROADS AS CONVEYED BY AUDITOR'S FILE NO. 8005190033. (ALSO KNOWN AS TRACT 62 OF COLONY MOUNTAIN, AN UNRECORDED PLAT.)

SITUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON.

360322-1-001-1707 / P48011

A TRACT OF LAND IN SECTION 22, TOWNSHIP 36 NORTH, RANGE 3 EAST, W.M., SKAGIT COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST ¼ CORNER OF SAID SECTION 22; THENCE SOUTH 65°39'56" WEST, 630.31 FEET; THENCE NORTH 33°00'00" WEST, 303.58 FEET; THENCE NORTH 66°27'20" EAST, 801.29 FEET TO THE EASTERLY LINE OF SAID SECTION 22; THENCE SOUTH 0°55'15" EAST ALONG SAID EASTERLY LINE, 315.00 FEET TO THE POINT OF BEGINNING. (ALSO KNOWN AS TRACT 63 OF COLONY MOUNTAIN, AN UNRECORDED PLAT.)

EXCEPT THAT PORTION THEREOF, IF ANY, LYING WITHIN THAT CERTAIN TRACT OF LAND CONVEYED TO SKAGIT COUNTY FOR ROAD PURPOSES BY DEEDS DATED APRIL 9, 1962, AND NOVEMBER 16, 1984, AND RECORDED APRIL 11, 1962, AND NOVEMBER 19, 1984, AND JANUARY 4, 1985, UNDER AUDITOR'S FILE NOS. 620123, 8411190079 AND 8501040050.

ALSO EXCEPT ALL MINERAL RIGHTS RESERVED BY DEED DATED AUGUST 4, 1966, AND RECORDED JANUARY 2, 1969, AS AUDITOR'S FILE NO. 721935.

360322-1-001-1044 / P48004

A TRACT OF LAND IN THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 22, TOWNSHIP 36 NORTH, RANGE 3 EAST W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST ¼ CORNER OF SECTION 22; THENCE SOUTH 0°28'18" EAST ALONG THE EASTERLY LINE OF SAID SECTION 22, A DISTANCE OF 473.35 FEET; THENCE SOUTH 73°20'37" WEST, 432.53 FEET TO AN INTERSECTION WITH A CURVE HAVING A RADIUS OF 462 FEET, THE CENTER OF WHICH CURVE BEARS SOUTH 82°55'00" WEST, THENCE NORTHWESTERLY ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 25°55'00", AN ARC DISTANCE OF 208.98 FEET; THENCE NORTH 33°00'00" WEST, 170.43 FEET; THENCE NORTH 65°39'56" EAST, 630.31 FEET TO THE POINT OF BEGINNING; EXCEPT ALL MINERALS, OILS, AND

GASES OF ANY NATURE WHAT SO EVER AS RESERVED BY L.K. HEINER, ET UX, BY CONTRACT DATED AUGUST 4, 1966 AND RECORDED AUGUST 8, 1966 UNDER AUDITOR'S FILE NO. 686520, RECORDS OF SKAGIT COUNTY, AND EXCEPT THAT PORTION, IF ANY, LYING WITHIN THE BOUNDARIES OF THAT CERTAIN 60 FOOT WIDE COUNTY ROAD KNOWN AS WOOD ROAD NO. 472, AS CONVEYED TO SKAGIT COUNTY BY DEED DATED APRIL 9, 1962 AND RECORDED APRIL 11, 1962 UNDER AUDITOR'S FILE NO. 620123, RECORDS OF SKAGIT COUNTY. (ALSO KNOWN AS TRACT 64 OF THE UNRECORDED SURVEY OF COLONY MOUNTAIN.)

Collectively, hereinafter, the "Grantee's Properties."

E. The Easement Documents encumber the Grantee's Properties.

F. Pursuant to that certain Membership Share Agreement, which is recorded at Skagit County Auditor's File No. 201901280088 (the "Membership Share Agreement"), Grantor and Grantee intend to terminate the Easement Documents as to the Grantee's Properties.

G. The purpose of this Termination is to extinguish, terminate, revoke, and vacate the Easement Documents as to the Grantee's Properties, such that the Easement Documents have no further force or effect against the Grantee's Properties.

NOW, THEREFORE, in consideration of the covenants contained herein and in the Membership Share Agreement and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **Terminate the Easement Documents as to the Grantee's Properties.** Grantor and Grantee hereby terminate the Easement Documents noted above, effective immediately, as to those areas being more particularly described in Exhibit A and depicted on Exhibit B hereto, which burden the Grantee's Properties. The Easement Documents are extinguished, terminated, revoked, and vacated as to the Grantee's Properties, and the Easement Documents shall have no further force or effect against the Grantee's Properties. The parties forever and irrevocably release one another, their heirs, devisees, successors and assigns from any interest, claim, right or obligation conferred under the Easement Documents. This Termination shall not apply to any area or properties other than the property legally described in Exhibit A on the Grantee's Properties.


– Signatures on the following page –

IN WITNESS, WHEREOF, the parties have executed this document as of
the date first above written.

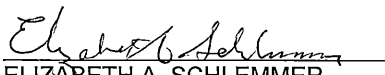
GRANTOR:

GRANTEE:

COLONY MOUNTAIN COMMUNITY
CLUB


By: MARK JACOBSEN
Its: President


ALEC SCHLEMMER


ELIZABETH A. SCHLEMMER

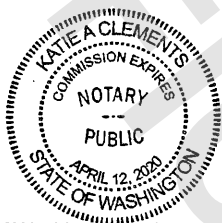
- Notaries on the following page -

State of Washington)
) §
County of Skagit)

I certify that I know or have satisfactory evidence that MARK JACOBSEN is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the PRESIDENT of COLONY MOUNTAIN COMMUNITY CLUB to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated this 10 day of August 2019.

Katie A. Clements
Notary Public in and for the state of Washington.
My appointment expires: 4/12/2020.

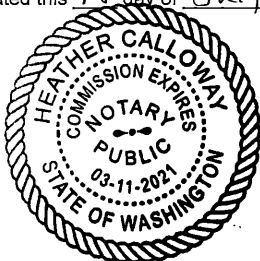


State of Washington)
) §
County of Whatcom)

I certify that I know or have satisfactory evidence that ALEC SCHLEMMER is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated this 18 day of July 2019.

Heather Calloway
Notary Public in and for the state of Washington.
My appointment expires: 3/11/2021.



State of Washington)
) §
County of Whatcom)

I certify that I know or have satisfactory evidence that ELIZABETH SCHLEMMER is the person who appeared before me, and said person acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.

Dated this 18 day of July 2019.

Heather Calloway
Notary Public in and for the state of Washington.
My appointment expires: 3/11/2021.



EXHIBIT "A"

DESCRIPTION OF EASEMENT TERMINATION AREA

The termination of an existing 60-foot wide easement for ingress, egress and utilities, over, under and across Tracts 62, 63 and 64, lying within un-recorded Plat of Colony Mountain also being a portion of the Southeast quarter of the Northeast quarter and the Northeast quarter of the Southeast quarter of Section 22, Township 36 North, Range 3 East of W.M.; described under Skagit County Auditor's File Nos. 791555, 793602, 800130, 808995 and 8005190033, the areas of the easement to be terminated will be 30 feet on both sides of the following described centerline:

Commencing at the Northeast corner of said Section 22; thence South 00° 55' 15" East along the East line of said Section 22 a distance of 2053.03 feet to the Northeast corner of said Tract 62, per the un-recorded Plat of Colony Mountain; thence South 66° 27' 25" West along the North line of said Tract 62 a distance of 194.96 feet to the centerline of said existing 60-foot wide easement and the **true point of beginning**; thence the following four (4) courses:

1. South 08° 00' 00" West a distance of 90.77 feet;
2. South 18° 42' 00" East a distance of 270.44 feet;
3. South 26° 23' 00" East a distance of 189.23 feet;
4. South 00° 28' 18" East parallel with and 30.00 feet Westerly of the East line of said Section 22 a distance of 468.79 feet to the South line of said Tract 64 of said un-recorded Plat of Colony Mountain and the **terminus** of this termination easement description.

Also, the termination of that additional 10-foot wide easement for ingress, egress and utilities, over under and across said Tracts 62, 63 and 64, parallel to the above described existing 60-foot wide road easement as described under Skagit County Auditor's File No. 8005190033.

Side lines to be lengthened or shortened as necessary.

As depicted on Exhibit "B" attached hereto and by reference incorporated within.

Situate in Skagit County, Washington.

Subject to and together with all easements, covenants, restrictions and/or agreements of record or otherwise.



