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06/25/2020 10:43 AM Pages: 1 of 6 Fees: \$108.50
Skagit County Auditor

Return Address

Nicholas A. Leonovich
17054 Sockeye Drive
Mount Vernon, WA 98274

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

JUN 25 2020

Amount Paid \$
Skagit Co. Treasurer
By *MM* Deputy

Document Title(s) (or transactions contained therein):

1. Declaration of Access Easement

Grantor(s) (Last name, then first name and initials):

1. Leonovich, Carroll C.

Grantee(s) (Last name, then first name and initials):

1. Leonovich, Nicholas A.

Legal Description (abbreviated: i.e. lot, block, plat or section, township, range)

Tract 1 of Skagit County Short Plat NO. 38-79, recorded under AF#7907130008

- Full legal are on page 5 of document

Assessor's Property Tax Parcel/Account Number(s)

P41989 / 3506-291-002-0006; P41990 / 3506-291-002-0105

DECLARATION OF ACCESS EASEMENT

This Access Easement Declaration (this "Declaration") is made as of June 12, 2020 by Carroll C. Leonovich to Nicholas A. Leonovich.

RECITALS

WHEREAS, Nicholas A. Leonovich owns a certain parcel of real property located in Sedro Woolley, Skagit County, Washington, known as 31866 S Skagit Highway, recorded under AF#7907130008, (herein referred to individually by their Parcel #) more separately and legally described as follows:

P41990

(1.0ACRE) TRACT 1 OF SKAGIT COUNTY SHORT PLAT NO. 38-79, APPROVED AND RECORDED JULY 13, 1979, UNDER AUDITOR'S FILE NO. 7907130008, IN VOLUME 3 OF SHORT PLATS, PAGE 146, BEING A PORTION OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 29, TOWNSHIP 35 NORTH, RANGE 6 EAST, W.M.

WHEREAS, Carroll C. Leonovich owns a certain parcel of real property located in Sedro Woolley, Skagit County, Washington, known as 31884 S Skagit Highway, recorded under AF#7907130008, (herein referred to individually by their Parcel #) more separately and legally described as follows:

P41989

(1.9500 ac) TRACT 3 OF SKAGIT COUNTY SHORT PLAT NO. 38-79, APPROVED JULY 13, 1979 AND RECORDED JULY 13, 1979 UNDER AF#7907130008, BEING A PORTION OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 35 NORTH, RANGE 6 EAST, W.M.

WHEREAS, Carroll C. Leonovich wishes to declare and establish an access easement to burden P41989 and benefit P41990, and to establish each Parcel's maintenance obligations with respect thereto.

DECLARATION OF EASEMENT

1. **Easement.** Carroll C. Leonovich, as owner of P41989, does hereby declare and establish of record and grant and convey to P41990, its heirs, successors in interest and assigns, a non-exclusive, perpetual access easement for ingress, egress and turnaround purposes over, across and through that portion of P41989, legally described on the attached Exhibit "A" and graphically depicted on the attached Exhibit "A" (the "Easement Area"). Exhibit "A" is attached hereto and incorporated herein by this reference.
2. **Reservations,** P41989, reserves the right to use the P41989 Easement Area for any purpose not inconsistent with the access right herein granted, provided; that P41989, its hers, successors in interest and assigns shall not construct or maintain any building or

other structure, or permit any obstruction within the Easement Area which would interfere with the exercise of the right of access granted herein.

- 3. **Maintenance and Repair**, From and after the date of this Declaration, except to the extent that such Easement Area might be operated and maintained by public authorities or utilities, the owners of P41989 and P41990, their heirs, successors in interest and assigns shall equally, jointly and mutually perform or cause to be performed and pay all costs associated with all maintenance and repair of the Easement Area.
- 4. **Definitions**, For purposes of this Declaration the following definitions shall apply:
 - a. The terms "maintenance" and "repair" shall include restoring the easement surface area to its approximate original condition; removing snow, brush, tress, or other vegetation which may encroach on the Easement Area; and other tasks appropriate to keeping the Easement Area open and available to the Lots benefited thereby. The term "maintenance" and "repair" shall not include repaving, upgrading, widening, re-routing, or decommissioning the Easement Area.
 - b. The terms "lot owner" or "owner" shall mean all persons holding a legal title or beneficial ownership interest in any of the lots or parcels that are subject hereof. "Lot owner" or "owner" shall not include persons holding a non-ownership interest in a lot or parcel, such as security interests, easements, etc. If a lot is owned jointly by more than one person, such ownership shall be treated as a single ownership for purposes of this Declaration.
- 5. **Successors and Assigns**, This Declaration and the P41989 Easement declared herein shall run with the land and shall be binding upon and shall inure to the benefit of the owners of the Lots subject hereto and all future lot owners, their heirs, successors in interest and assigns.
- 6. The invalidity of any portion of this Declaration will not and shall not be deemed to affect the validity of any other provision. If any provision of this Declaration is held to be invalid, the parties agree that the remaining provisions shall be deemed to be in full force and effect.

IN WITNESS WHEREOF, CARROLL C. LEONOVICH has executed this Declaration on the day and year written below.

Carroll C. Leonovich

Carroll C. Leonovich

6-15-2020

Date

Laronne O. Cook
State of Washington



STATE OF WASHINGTON

COUNTY OF SKAGIT

I hereby certify that I know or have satisfactory evidence that Carroll C. Leonovich are the persons that appeared before me and who on oath is authorized to execute the within and foregoing instrument and acknowledged them as Owners of P41989, and acknowledged that she signed this instrument for the Corporation and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.



Lavonne I Cook

NOTARY PUBLIC in and for the
State of Washington residing at:

Skagit County

Commission expires: *6-30-2021*

EXHIBIT "A"

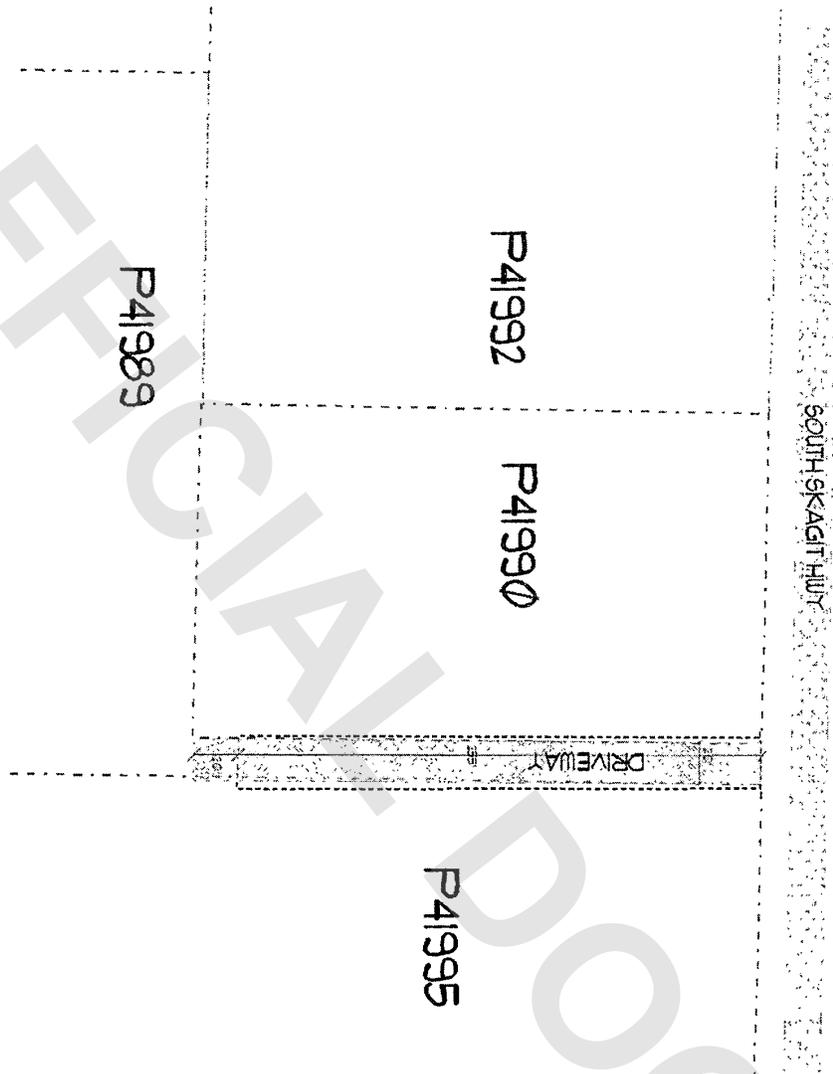
A PORTION OF P41989, AS PER PLAT WITH FINAL APPROVAL NOVEMBER 27, 1979 AND RECORDED JANUARY 30, 1980 UNDER AUDITOR'S FILE NO. 198001300016, RECORDS OF SKAGIT COUNTY, WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST NORTHEASTERLY CORNER OF P41989 OF SAID PLAT; THENCE SOUTH 255°; THENCE WEST 20'; THENCE NORTH 255°; THENCE EAST 20' TO THE TRUE POINT OF BEGINNING.

CONTAINING 5100 ± SQUARE FEET

SITUATED IN CITY OF SEDRO WOOLLEY, SKAGIT COUNTY, WASHINGTON

EXHIBIT "B"



LEGEND

- Property Line - - - - -
- New Easement -

N

Revision #:	Scale:	Landscape Plan:	Landscape Design by:
Date: 2/4/2020	1" = 40'	Leonovich Access Easement	Michaela Stewart BYK Construction Inc.