

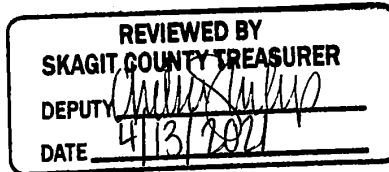
Filed at the Request of/Return to:

Port of Skagit County  
15400 Airport Drive  
Burlington, WA 98233



**202104130160**

04/13/2021 03:29 PM Pages: 1 of 7 Fees: \$109.50  
Skagit County Auditor



**DECLARATION OF EASEMENT**  
**for**  
**INGRESS, EGRESS, and UTILITIES**

GRANTOR/  
DECLARANT:

**PORT OF SKAGIT COUNTY**, a Washington public  
port district and municipal corporation

GRANTEE/  
BENEFICIARY:

**PORT OF SKAGIT COUNTY**, a Washington public port district  
and municipal corporation

Abbreviated Legal:

A portion of Lot 72 of the Amended Skagit Regional Airport Binding  
Site Plan, Phase 1, AF 200303040030, NE ¼, Section 03, Township  
34N, Range 3 E.

Servient Parcel No.:

P121177

THIS DECLARATION OF EASEMENT for INGRESS, EGRESS, and UTILITIES is  
made and entered into by the PORT OF SKAGIT COUNTY, a Washington public port district  
and municipal corporation”) as “**Declarant**” and “**Beneficiary**”.

**RECITALS**

A. Declarant/Beneficiary is the owner of real property encumbered by the easement  
dedicated herein, the “Servient Parcel,” legally described as:

Lot 72 of the Amended Skagit Regional Airport Binding Site Plan, Phase 1, AF  
200303040030, NE ¼, Section 03, Township 34N, Range 3 E.

Situate in Skagit County, Washington.

B. Beneficiary is also the owner of real property benefitting from the easement dedicated herein, the "Dominant Parcels," legally described as follows:

Amended Skagit Regional Airport Binding Site Plan, Phase 1, AF 200303040030, NE ¼, Section 03, Township 34N, Range 3 E.

Situate in Skagit County, Washington.

C. Declarant has determined that it is in its best interest to dedicate a non-exclusive perpetual easement for ingress, egress, and utilities over, under, and across a strip of Servient Parcel.

**NOW, THEREFORE**, the Declarant hereby declares and dedicates the following non-exclusive easement:

1. Dedication of Easement. Declarant hereby dedicates and grants to Beneficiary, without warranty, a non-exclusive, perpetual easement for ingress, egress, and utilities, over, under, and across a portion of Lot 72 of Amended Skagit Regional Airport Binding Site Plan, Phase 1, Auditor's File No. 200303040030 (the "Easement Area") and being more particularly described in **Exhibit A** and attached hereto and incorporated herein by this reference.

2. Intent of Easement. The intent of this easement is to provide access from the edge of Higgins Airport Way right-of-way to benefit the portion of the Servient Parcel not in the Easement Area and the Dominant Parcel and those other parcels owned by Declarant as described herein.

3. Use of Easement. The Declarant/Beneficiary, the Declarant's employees, invitees and agents, the public and any tenant of the Declarant/Beneficiary, including employees, agents and invitees thereof, may use the easement in a reasonable manner that does not interfere with the use of the easement area by any tenant of either the Dominant Parcels or the Servient Parcel. Declarant/Beneficiary shall have exclusive authority to approve the placement, or to place, improvements in the easement area consistent with the terms hereof.

4. Site Map. A map showing the Easement Area, the Servient Parcel and the Dominant Parcels is attached hereto as **Exhibit B** and incorporated herein by this reference.

5. Change of Legal Description. Declarant intends to modify the boundary between Lots 72 and 77 of the Amended Skagit Regional Airport Binding Site Plan, Phase 1, Auditor's File No. 200303040030. At the time such modification is recorded, this declaration will be re-recorded with a modified legal description that takes into account the modification to the Lot 72/Lot 77 boundary.

6. Non-Waiver of Breach. The failure of Declarant to insist upon strict performance of any of the covenants or agreements of this easement in one or more instances shall not be

**PORT OF SKAGIT COUNTY**  
**DECLARATION OF EASEMENT**

construed to be a waiver or relinquishment of any such covenant or agreement, but the same shall be and remain in full force and effect during the term of this easement.

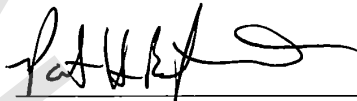
6. Easement Runs with Land. The benefits, burdens, and covenants of the easement declared herein shall be deemed to be appurtenant to and run with the land and shall bind the Declarant's/Beneficiary's Property, the Declarant/Beneficiary, and all entities and persons possessing or leasing the Servient Parcel.

7. Applicable Law. This Agreement shall be construed according to the laws of the State of Washington.

**IN WITNESS WHEREOF**, the Declarant/Beneficiary has executed this Easement on the day, month and year last written below.

**DECLARANT/BENEFICIARY**

**PORT OF SKAGIT COUNTY**



Patricia H. Botsford-Martin

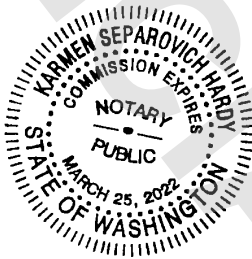
Executive Director

Date 4/13/21

STATE OF WASHINGTON )  
 ) SS.  
COUNTY OF SKAGIT )

On this 13<sup>th</sup> day of April, 2021, before me personally appeared Patricia H. Botsford-Martin, to me known to be the Executive Director of the PORT OF SKAGIT COUNTY, a municipal corporation, the corporation that executed the foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that she was duly authorized to execute the same and that the seal affixed is the corporate seal of said corporation.

**IN WITNESS WHEREOF** I have hereunto set my hand and affixed my official seal the day and year first above written.



Karmen Separovich Hardy  
(Signature)

Karmen Separovich Hardy  
(Print Name)

Notary Public in and for the State of Washington,  
residing at Anacortes  
My appointment expires: 03/25/2021

## Exhibit 'A'

### ACCESS EASEMENT LEGAL DESCRIPTION



**Pacific Surveying & Engineering, Inc**  
 land surveying • civil engineering • consulting • environmental  
 909 Squalicum Way #111, Bellingham, WA 98225  
 Phone 360.671.7387 Facsimile 360.671.4685 Email [info@psurvey.com](mailto:info@psurvey.com)

AN EASEMENT FOR INGRESS & EGRESS LOCATED WITHIN A PORTION OF LOT 72, AMENDED SKAGIT REGIONAL AIRPORT BINDING SITE PLAN, PHASE 1, ACCORDING TO THE MAP THEREOF, RECORDED UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 200303040030, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

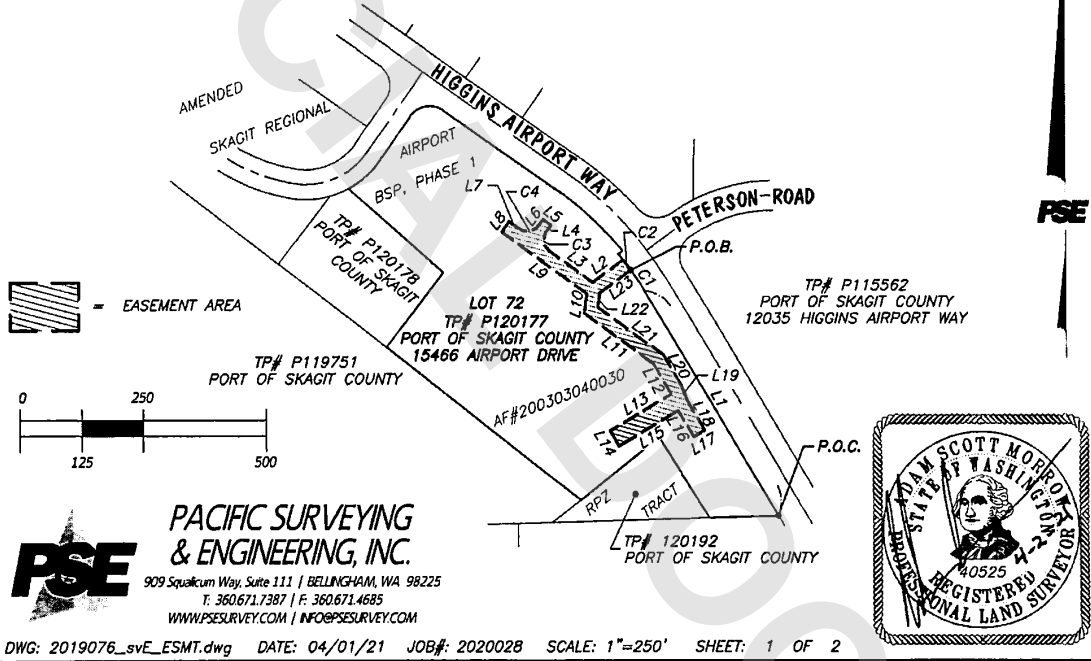
COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 72; THENCE ALONG THE EASTERLY LINE THEREOF, NORTH 31°00'00" WEST, 523.30 FEET TO A POINT OF CURVATURE FROM WHICH THE RADIUS POINT BEARS SOUTH 59°00'00" WEST A DISTANCE OF 650.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 4°26'05" AN ARC DISTANCE OF 50.31 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUING NORTHWESTERLY ALONG SAID CURVE FROM WHICH THE RADIUS POINT BEARS SOUTH 54°33'55" WEST A DISTANCE OF 650.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 2°17'31" AN ARC DISTANCE OF 26.00 FEET; THENCE DEPARTING SAID EAST LINE, SOUTH 53°25'11" WEST, 88.48 FEET; THENCE NORTH 53°48'37" WEST 105.62 FEET TO A POINT OF CURVATURE FROM WHICH THE RADIUS POINT BEARS NORTH 36°11'23" EAST A DISTANCE OF 30.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" AN ARC DISTANCE OF 47.12 FEET; THENCE NORTH 36°11'23" EAST 14.00 FEET; THENCE AT RIGHT ANGLES, NORTH 53°48'37" WEST 20.00 FEET; THENCE AT RIGHT ANGLES, SOUTH 36°11'23" WEST 14.00 FEET TO A POINT OF CURVATURE FROM WHICH THE RADIUS POINT BEARS NORTH 53°48'37" WEST A DISTANCE OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE CF 90°00'00" AN ARC DISTANCE OF 47.12 FEET; THENCE NORTH 53°48'37" WEST 23.24 FEET; THENCE AT RIGHT ANGLES SOUTH 36°11'23" WEST 26.00 FEET; THENCE AT RIGHT ANGLES, SOUTH 53°48'37" EAST 212.83 FEET; THENCE SOUTH 08°21'51" WEST 39.03 FEET; THENCE SOUTH 53°48'37" EAST 172.63 FEET; THENCE SOUTH 31°02'56" EAST 69.84 FEET; THENCE SOUTH 59°20'54" WEST 143.36 FEET; THENCE SOUTH 30°38'56" EAST 35.00 FEET; THENCE NORTH 59°20'54" EAST 138.58 FEET; THENCE SOUTH 31°02'56" EAST 60.97 FEET; THENCE NORTH 59°20'54" EAST 26.00 FEET; THENCE NORTH 31°02'56" WEST 69.97 FEET; THENCE NORTH 21°34'26" WEST 30.53 FEET; THENCE NORTH 31°02'56" WEST 71.11 FEET; THENCE NORTH 53°48'37" WEST 162.19 FEET; THENCE NORTH 08°21'51" EAST 28.82 FEET; THENCE NORTH 53°25'11" EAST, 77.70 FEET, MORE OR LESS, TO THE **POINT OF BEGINNING**.

SITUATE IN SKAGIT COUNTY, WASHINGTON



**EXHIBIT 'B'**

SITUATE IN A PORTION OF THE SE 1/4 OF THE SW 1/4 OF SECTION 34, TOWNSHIP 35 NORTH, AND THE NE 1/4 OF THE NW 1/4 OF SECTION 3, TOWNSHIP 34 NORTH, RANGE 3 EAST, W.M., SKAGIT COUNTY, WASHINGTON



## EXHIBIT 'B'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N31°00'00"W	523.30
L2	S53°25'11"W	88.48
L3	N53°48'37"W	105.62
L4	N36°11'23"E	14.00
L5	N53°48'37"W	20.00
L6	S36°11'23"W	14.00
L7	N53°48'37"W	23.24
L8	S36°11'23"W	26.00
L9	S53°48'37"E	212.83
L10	S8°21'51"W	39.03
L11	S53°48'37"E	172.63
L12	S31°02'56"E	69.84
L13	S59°20'54"W	143.36
L14	S30°38'56"E	35.00
L15	N59°20'54"E	138.58

LINE TABLE		
LINE	BEARING	LENGTH
L16	S31°02'56"E	60.97
L17	N59°20'54"E	26.00
L18	N31°02'56"W	69.97
L19	N21°34'26"W	30.53
L20	N31°02'56"W	71.11
L21	N53°48'37"W	162.19
L22	N8°21'51"E	28.82
L23	N53°25'11"E	77.70

CURVE TABLE			
CURVE	RADIUS	DELTA	LENGTH
C1	650.00'	4°26'05"	50.31'
C2	650.00'	2°17'31"	26.00'
C3	30.00'	90°00'00"	47.12'
C4	30.00'	90°00'00"	47.12'



**PACIFIC SURVEYING  
& ENGINEERING, INC.**

909 Squakum Way, Suite 111 | BELLINGHAM, WA 98225  
T: 360.671.7387 | F: 360.671.4685  
WWW.PSESURVEY.COM | INFO@PSESURVEY.COM

DWG: 2019076\_svE\_ESMT.dwg DATE: 04/01/21 JOB#: 2020028 SCALE: N/A SHEET: 2 OF 2

