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04/20/2021 12:20 PM Pages: 1 of 6 Fees: \$212.00
Skagit County Auditor

AFTER RECORDING, RETURN TO:

Robin Cully
P.O. Box 1247
Burlington, WA 98233

ACCESS & UTILITY EASEMENT AND MAINTENANCE AGREEMENT

GRANTORS: ROBERT D. HILLIER, a married man, as his sole and separate property; and CREDIT TRUST u/w OF CHERI A. HILLIER DATED JULY 29, 1999;

GRANTEES: RICHARD D. CULLY and JACQUELINE J. CULLY, husband and wife.

LEGAL DESCRIPTION: Ptn. of SW1/4 of Section 32, Township 36 N, Range 4 E, W.M.
(see page 2 for full legal description)

ASSESSOR'S PROPERTY TAX PARCEL NOS: P50497 and P50496

REVIEWED BY
SKAGIT COUNTY TREASURER
DEPUTY [Signature]
DATE 4-20-21

THIS AGREEMENT is made this Second day of April, 2021, by and between ROBERT D. HILLIER, a married man, as his sole and separate property, and CREDIT TRUST u/w OF CHERI A. HILLIER DATED JULY 29, 1999 ("Grantors"); and RICHARD D. CULLY and JACQUELINE J. CULLY, husband and wife, ("Grantees").

RECITALS

WHEREAS, Grantor ROBERT D. HILLIER is the owner of the property described in a Deed recorded under Skagit County Auditor's File No. 201204170108, recorded April 17, 2012, in Skagit County, Washington;

[Signature]

RDH

jc

WHEREAS, Grantor CREDIT TRUST u/w OF CHERI A. HILLIER DATED JULY 29, 1999 is the owner of the property described in a Deed recorded under Skagit County Auditor's File No. 201506240038, recorded June 24, 2015, in Skagit County, Washington;

WHEREAS, Grantees RICHARD D. CULLY and JACQUELINE J. CULLY are the owners of contiguous property described in a Deed recorded under Skagit County Auditor's File No. 201310220034, recorded June 4, 2013, in Skagit County, Washington;

WHEREAS, Grantees RICHARD D. CULLY and JACQUELINE J. CULLY desire the non-exclusive right, privilege and authority to access, use, traverse, improve and maintain a portion of parcels P50497 and P50496, to be used for purposes of ingress and egress to contiguously situated property to the north (P50499);

WHEREAS, Grantors desire to convey and grant to Grantees, its successors, assigns, and permittees, the non-exclusive right, privilege, and authority to access, use, traverse, improve and maintain portions of parcels P50497 and P50496, to be used and maintained as described below.

The parties covenant and agree as follows:

1. Cully Easement. Grantors hereby convey and quit claim to Grantees RICHARD D. CULLY and JACQUELINE J. CULLY, its successors, assigns, and permittees, a perpetual Easement (the "Cully Easement") for the non-exclusive right, privilege and authority to access, use, traverse, improve and maintain a portion of parcels P50497 and P50496, to be used for purposes of utilities, ingress and egress to contiguously situated property to the north (P50499). Said Easement is legally described as follows:

A non-exclusive easement for ingress, egress, and any utilities over and across the South 25 feet of the North 50 feet of that portion of the Northeast quarter of the Southwest quarter of Section 32, Township 36 North, Range 4 East, West Meridian, lying west of a line that is 30 feet East of the North and South center line of said Northeast quarter of the Southwest quarter, and access to road described in Auditor's File No. 748357. The described strip of realty lies directly South of an existing easement described in that certain Real Estate Contract recorded under Skagit County Auditor File No. 808240, and is in no way meant to alter, replace, or substitute any existing easement to P50499. Situate in the County of Skagit, State of Washington.

2. Improvement, Maintenance and Operation. The improvement, maintenance, and operation of the Cully Easement shall be the sole responsibility and at the sole expense of the Grantees, respectively; PROVIDED, that Grantors covenant and agree to indemnify and hold Grantees harmless from any and all loss, damage, or injury caused by or arising out of Grantors' access and/or use of the Cully Easement. If at any time the Grantors or Grantee propose changes or improvements within the boundaries of the Cully Easement, such changes, improvements, or



additions shall be constructed or implemented only upon joint consent of both Grantors and Grantee.

3. Term of Easements. The Cully Easement shall be perpetual and is intended by Grantors to run with the land. In consideration of the mutual benefits conferred herein,

4. Consideration. The consideration for this Easement Agreement shall be the mutually beneficial terms and conditions identified herein.

5. Partial Vacation of Existing Easement. Grantee agrees to vacate any right, title, interest, or ownership over that certain 25 foot easement described in Skagit county Auditor File No. 808240 upon recording and establishment of the Cully Easement described in Paragraph 1 above. All necessary action to vacate the prior 25 foot easement shall be undertaken by Grantor and shall be coordinated and done at the sole expense of Grantor. Grantee shall approve and sign all related documents upon the earlier of the following:

- i. After the development of parcels P50497 and P50496 AND
- ii. Parcel P50499 obtains a building permit without need of the prior easement.

OR

- 2. Seven years pass from the date of this agreement without use or need of prior easement.

GRANTORS:

By: Robert D Hillier
ROBERT D. HILLIER, individually

By: Robert D Hillier
ROBERT D. HILLIER, Trustee, CREDIT TRUST u/w OF
CHERI A. HILLIER DATED JULY 29, 1999

GRANTEES:

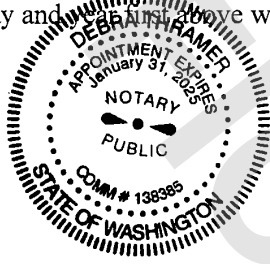
By: Richard D Cully
RICHARD D. CULLY

By: Jacqueline J Cully
JACQUELINE J. CULLY

STATE OF WASHINGTON)
)
) ss.
COUNTY OF SKAGIT)

On this 19th day of April, 2021, before me personally appeared ROBERT D. HILLIER, to me known to be the individual named herein, who executed the within and foregoing instrument, and acknowledged the said instrument to be his free and voluntary act and deed, for the uses and purposes therein mentioned.

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

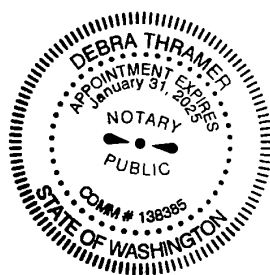


Signature: Debra L Thramer
Print Name: Debra L Thramer
Notary Public for Washington
Residing in: Sedro Woolley WA
My Appointment Expires: 01/31/2025

STATE OF WASHINGTON)
)
) ss.
COUNTY OF SKAGIT)

On this 19th day of April, 2021, before me personally appeared ROBERT D. HILLIER to me known to be the Trustee of the CREDIT TRUST u/w OF CHERI A. HILLIER DATED JULY 29, 1999, Grantor named herein, who executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said special purpose district, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute the said instrument, and that the seal affixed is the corporate seal of said special purpose district.

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

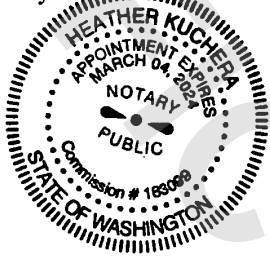


Signature: Debra L Thramer
Print Name: Debra L Thramer
Notary Public for Washington
Residing in: Sedro Woolley WA
My Appointment Expires: 01/31/2025

STATE OF WASHINGTON)
)
) ss.
COUNTY OF SKAGIT)

On this 17th day of April, 2021, before me personally appeared RICHARD D. CULLY, to me known to be the individuals named herein, who executed the within and foregoing instrument, and acknowledged the said instrument to be their free and voluntary act and deed, for the uses and purposes therein mentioned.

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

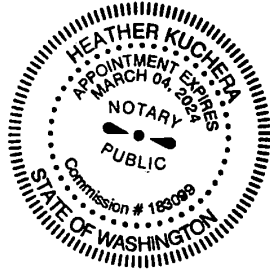


Signature: Heather Kuchera
Print Name: Heather Kuchera
Notary Public for Washington
Residing in: Sedro Woolley
My Appointment Expires: March 4, 2024

STATE OF WASHINGTON)
)
) ss.
COUNTY OF SKAGIT)

On this 17th day of April, 2021, before me personally appeared JACQUELINE J. CULLY, to me known to be the individuals named herein, who executed the within and foregoing instrument, and acknowledged the said instrument to be their free and voluntary act and deed, for the uses and purposes therein mentioned.

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



Signature: Heather Kuchera
Print Name: Heather Kuchera
Notary Public for Washington
Residing in: Sedro Woolley
My Appointment Expires: March 4, 2024

Section 4 legal description:

A non-exclusive easement for ingress, egress, and any utilities over and across the South 25 feet of the North 50 feet of that portion of the Northeast quarter of the Southwest quarter of Section 32, Township 36 North, Range 4 East, West Meridian, lying west of a line that is 30 feet East of the North and South center line of said Northeast quarter of the Southwest quarter, and access to road described in Auditor's File No. 748357. The described strip of realty lies directly South of an existing easement described in that certain Real Estate Contract recorded under Skagit County Auditor File No. 808240, and is in no way meant to alter, replace, or substitute any existing easement to P50499. Situate in the County of Skagit, State of Washington.

~~Grantor~~ ~~Buyer~~ Initials Richard D Milhe

~~Grantor~~ ~~Buyer~~ Initials Richard D Milhe

~~Grantor~~ ~~Buyer~~ Initials Jaime Cully 4/16/21