After Recording Return To: SKAGIT LAW GROUP, PLLC P. O. Box 336 Mount Vernon, WA 98273

06/16/2021 12:18 PM Pages: 1 of 21 Fees: \$537.50 Skagit County Auditor

REVIEWED BY
SKAGIT COUNTY TREASURER
DEPUTY 1-2-1

AGREEMENT FOR TERMINATION OF EASEMENTS FOR SEPTIC SYSTEM

Re-record to add additional signature page & notary block

GRANTORS:

CHAD B. FISHER and COLLEEN M. FISHER,

husband and wife:

JOHN D. CARROLL, LLC, a Washington limited liability company;

JASON L. JOHNSON and STEPHANIE L. JOHNSON,

husband and wife;

RUSSELL LEONARD, LLC, a Washington limited liability

company;

FISHER COMPANIES, INC., a Washington corporation

PETER WOLTERS and BONNIE WOLTERS, husband and wife:

HERITAGE BANK, a Washington bank corporation;

DIVINE BOVINE, LLC, a Washington limited liability company; VICTORY LAND INVESTMENTS, LLC, a Washington limited

liability company

GRANTEE:

CHAD B. FISHER and COLLEEN M. FISHER,

husband and wife;

JOHN D. CARROLL, LLC, a Washington limited liability company:

JASON L. JOHNSON and STEPHANIE L. JOHNSON,

husband and wife:

RUSSELL LEONARD, LLC, a Washington limited liability

company;

FISHER COMPANIES, INC., a Washington corporation

PETER WOLTERS and BONNIE WOLTERS, husband and wife;

HERITAGE BANK, a Washington bank corporation:

DIVINE BOVINE, LLC, a Washington limited liability company; VICTORY LAND INVESTMENTS, LLC, a Washington limited

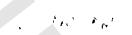
liability company

Legal Description:

Abbreviated Form:

Lots 1, 2, 3, 4, 5, 6, and Ptn Tract A, Fisher Commercial Park, Div. 1

Lots 1-A, 1-B, 2 and 3, Fisher Commercial Park, Div. 2



Additional on: Exhibit A

Assessors Tax Parcel No. 4462-000-002-0001; P82933; 4462-000-001-0002; P82932;

4462-000-003-0000; P82934; 4462-000-004-0009; P82935; 4462-000-005-0008; P82936; 4462-000-006-0007; P82937; 4462-000-007-0105; P82939; 4499-000-001-0009; P83467; 4499-000-002-0008; P83468; 4462-000-007-0303; P82941;

4462-000-007-0204; P82940

THIS AGREEMENT for termination of septic system easements (the "Termination Agreement"), including but not limited to septic drainfield easements and septic pressure line easements, is given this ___ day of _____, 2018, by the property owners identified in **Exhibit A** attached hereto and incorporated herein by this reference with respect to the parcels of property legally described therein.

RECITALS

WHEREAS, the initial plat for what would later become Fisher Commercial Park was recorded August 1, 1979, under Skagit County Auditor's File No. 7908010003; the notes for the short plat state: "At such time that sanitary sewers are constructed to within 800 feet of any lot in this short plat buildings on the lots must connect to the sanitary sewer;"

WHEREAS, the short plat establishing Division No. 1 of Fisher Commercial Park was recorded on November 9, 1983, under Skagit County Auditor's File No. 8311090025 (the "1983 Plat"), identifying Tract A, Lots 1, 2, 3, 4, 5 and 6 of Division No. 1, and the 1983 Plat also established septic drainfield easements and septic system pressure line easements;

WHEREAS, Tract A of Fisher Commercial Park, Division No. 1, was subsequently divided into Tracts A-1 and A-2 as shown on City of Burlington, Short Plat No. BURL-1-83, approved November 22, 1983, and recorded February 14, 1984, as Auditor's File No. 8402140090 in Volume 6 of Short Plats, page 118, records of Skagit County, Washington;

WHEREAS, Tract A-1 of Fisher Commercial Park, Division No. 1, was subsequently divided into Lots 1, 2, and 3 as shown on City of Burlington, Revised Short Plat No. 1-83, approved April 16, 1985, and recorded December 22, 1986, as Auditor's File No. 8612220059 in Volume 7 of Short Plats, page 149, records of Skagit County, Washington (the "1986 Plat");

WHEREAS, Lot 1 created under the 1986 Plat was later divided into Lots 1-A and 1-B as shown on the Plat of Fisher Commercial Park, Division No. 2, recorded on September 26, 1988, as Auditor's File No. 8009260036 in Volume 14 of Plats, page 54, records of Skagit County, Washington (the "1988 Plat");

WHEREAS, the properties within Fisher Commercial Park were subsequently connected to the City of Burlington's sanitary sewer system thereby eliminating any future need or purpose for the septic drainfield easements and septic system pressure line easements; and

WHEREAS, the parties to this Agreement, representing all owners of the benefited and burdened lots within the Fisher Commercial Park, desire by this Agreement to extinguish the septic drainfield easements and septic system pressure line easements referenced in Recital #2 above.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual promises and covenants set forth below and other good and valuable consideration (the adequacy and receipt of which is hereby acknowledged) and intending to be legally bound, the owners of the burdened and benefitted Lots agree as follows:

- 1. <u>Recitations</u>. The foregoing recitations are true and correct and are incorporated herein by this reference.
- 2. Termination of the Easements. The owners hereby confirm the termination, release, and relinquishment of all easements and other rights established in or created under the 1983 Plat and subsequent plats for the septic system, including but not limited to the septic drainfield easements and septic system pressure line easements. The termination, however, shall except any rights granted under that certain Modification/Termination Agreement dated June 4, 2013, and recorded under Skagit County Auditor's File No. 201306050020, allowing for continued easement on the west twenty (20) feet of Lots 1 and 2 of Fisher Commercial Park, Division No. 1, to be used for storm drainage purposes as provided therein.
- 3. <u>Binding Effect</u>. The covenants contained in this Agreement are not personal but shall run with the land, shall be binding, and inure to the benefit of the fee simple owners of lots within Fisher Commercial Park, Division No. 1 and Division No. 2, their respective heirs, personal representatives, transferees, successors, and assigns.
- 4. <u>Counterparts</u>. This Agreement may be executed contemporaneously in any number of counterparts, each of which shall be deemed an original and all of which shall constitute one and the same instrument.

IN WITNESS WHEREOF this Agreement has been signed effective as of the date of the last party's signature.

Dated:	, 2018	
		CHAD B. FISHER
Dated:	, 2018	
		COLLEEN M FISHER

Signature page continues on page 4.

202106160051 06/16/2021 12:18 PM Page 4 of 21

Dated: <u>4 ~ ? ~</u> , 201	JOHN D. CARROLL, LLC	
	By	Member
Dated:, 201	JASON L. JOHNSON	
Dated:, 201	STEPHANIE L. JOHNSON	
Dated:, 201	RUSSELL LEONARD, LLC	
	Ву	
Dated:, 201	FISHER COMPANIES, INC.	
	Ву	
Dated:, 201	PETER WOLTERS	
Dated:, 201	BONNIE WOLTERS	
	HERITAGE BANK	
	Ву	
Dated:, 201	CROOKED COW, LLC	
	Ву	
Dated:, 201	VICTORY LAND INVESTMEN	TS, LLC
	By	

STATE OF WASHINGTON	1	SS.
COUNTY OF SKAGIT	}	33.

I certify that I know or have satisfactory evidence that CHAD B. FISHER and COLLEEN M. FISHER are the persons who appeared before me, and said persons acknowledged that they signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in the instrument.

Given Under My Hand an	D OFFICIAL SEAL this day of, 2018.
	Printed Name NOTARY PUBLIC in and for the State of Washington My Commission Expires
TE OF WASHINGTON ONTY OF SKAGIT	SS.

STA COU

I certify that I know or have satisfactory evidence that John D. Carroll 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 John D. Carroll, LLC, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

GIVEN UNDER MY HAND AND OFFICIAL SEAL this 4 day of April , 2018.

Janis Fabiszak Printed Name _ NOTARY PUBLIC in and for the State of Washington My Commission Expires 11-09-20

Dated:	, 2018	JOHN D. CARROLL, LLC
		By
Dated:	_, 2020	JASON D. JOHNSON
Dated:	_, 2020	STEPHANIE L. JOHNSON
Dated:	_, 2020	RUSSELL LEONARD, LLC
		Ву
Dated:	_, 2018	FISHER COMPANIES, INC.
		Ву
Dated:	_, 2018	PETER WOLTERS
Dated:	_, 2018	BONNIE WOLTERS
		HERITAGE BANK
		Ву
Dated:	_, 2018	DIVINE BOVINE, LLC
		BySTEVE VERBARENDSE, Member
Dated:	_, 2018	VICTORY LAND INVESTMENTS, LLC
		Ву

STEPHANIE L. JOHNSON are the p	persons who appeared before me, and said persons nent and acknowledged it to be their free and voluntary the instrument.
Print No.	CIAL SEAL this Aday of February, 2020. RUTH DAVIDSON FARY PUBLIC in and for the State of Washington Commission Expires 8 2 22
STATE OF WASHINGTON ss.	
COUNTY OF KING	
instrument, on oath stated that he was auth	and said person acknowledged that he signed this corized to execute the instrument and acknowledged it Leonard , LLC, to be the free and voluntary act of
GIVEN UNDER MY HAND AND OFFIC	CIAL SEAL this day of, 2020.
Not	ted Name ARY PUBLIC in and for the State of Washington Commission Expires

I certify that I know or have satisfactory evidence that JASON L. JOHNSON and

STATE OF WASHINGTON

COUNTY OF SKAGIT

202106160051 06/16/2021 12:18 PM Page 8 of 21

Dated:	, 2018	JOHN D. CARROLL, LLC
		By
Dated:	, 2018	JASON L. JOHNSON
Dated:	, 2018	STEPHANIE L. JOHNSON
Dated:	, 2018	RUSSELL LEONARD, LLC
Dated: MAY	14 ⁴⁴ , 2018	FISHER COMPANIES, INC. By - Phasion I
Dated:	, 2018	PETER WOLTERS
Dated:	, 2018	BONNIE WOLTERS
		HERITAGE BANK By
Dated:	, 2018	CROOKED COW, LLC
		Ву
Dated:	, 2018	VICTORY LAND INVESTMENTS, LLC
		Pro

STATE OF WASHINGTON	
COUNTY OF SKAGIT	SS.
I certify that I know or have	satisfactory evidence that DAN POWERS
is the person who appeared before	me, and said person acknowledged that he signed this sauthorized to execute the instrument and acknowledged it
•	ies, Inc., to be the free and voluntary act of such party for
the uses and purposes mentioned in the	
Curry Harry My Harry are	OFFICE STATE 14th In & May 2018
GIVEN UNDER MY HAND AND	OFFICIAL SEAL this 4 day of 7
LINE BURNAO	Chul pullbla
E S NOTARY	Printed Name TRIN C BURKHOLDER
PUBLIC A	NOTARY PUBLIC in and for the State of Washington
77. 09.91.2023	My Commission Expires $\omega(1,20)$
OF WASHING	
· mm.	
STATE OF WASHINGTON	SS.
COUNTY OF SKAGIT	
	we satisfactory evidence that PETER WOLTERS and
	s who appeared before me, and said persons acknowledged acknowledged it to be their free and voluntary act for the
uses and purposes mentioned in the in	
GIVEN UNDER MY HAND AND	Official Seal thisday of, 2018.
_	
	Printed Name
	NOTARY PUBLIC in and for the State of Washington My Commission Expires
	AND COMMISSION DAPHOD

Dated:	, 2018	JOHN D. CARROLL, LLC
		By
Dated:	, 2018	JASON L. JOHNSON
Dated:	, 2018	STEPHANIE L. JOHNSON
Dated:	, 2018	RUSSELL LEONARD, LLC
		Ву
Dated:	, 2018	FISHER COMPANIES, INC.
Dated: May 25	, 2018	Peder Wolden -
Dated: May 25	, 2018	Bonnie Wolters BONNIE WOLTERS
,		HERITAGE BANK
	, and the second	Ву
Dated:	, 2018	DIVINE BOVINE, LLC
		By STEVE VERBARENDSE, Member
Dated:	, 2018	VICTORY LAND INVESTMENTS, LLC
		D.:

STATE OF WASHINGTON ss.
COUNTY OF SKAGIT
I certify that I know or have satisfactory evidence that 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 Fisher Companies, Inc., to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.
GIVEN UNDER MY HAND AND OFFICIAL SEAL this day of, 2018.
Printed Name NOTARY PUBLIC in and for the State of Washington My Commission Expires
STATE OF WASHINGTON ss.
COUNTY OF SKAGIT
I certify that I know or have satisfactory evidence that PETER WOLTERS and BONNIE WOLTERS are the persons who appeared before me, and said persons acknowledged that they signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in the instrument.
GIVEN UNDER MY HAND AND OFFICIAL SEAL this 25 day of May, 2018.
GIVEN UNDER MY HAND AND OFFICIAL SEAL this 25 day of May, 2018.

VIRGINIA S. VOIGT

Printed Name VIRGINIA S. VOIGT

NOTARY PUBLIC in and for the State of Washington

My Commission Expires 6 1 2

IRGINIA S. LO

NOTARY

PUBLIC

OF WASHING

06/16/2021 12:18 PM Page 12 of 21

Dated:, 2018	JOHN D. CARROLL, LLC
	By JOHN D. CARROLL, Manager/Member
Dated:, 2018	JASON L. JOHNSON
Dated:, 2018	STEPHANIE L. JOHNSON
Dated:, 2018	RUSSELL LEONARD, LLC
	Ву
Dated:, 2018	FISHER COMPANIES, INC.
	Ву
Dated:, 2018	PETER WOLTERS
Dated:, 2018	BONNIE WOLTERS
,	HERITAGE BANK By Jon Wecks, SVP Tacilities
Dated: 1/26, 2018	STEVE VERBARENDSE
Dated:, 2018	VICTORY LAND INVESTMENTS, LLC
	n.

STATE OF WASHINGTON		
COUNTY OF Pierce	SS.	
is the person who appeared before	e satisfactory evidence that <u>kor</u> <u>which</u> re me, and said person acknowledged that he sign was authorized to execute the instrument and acknowledged	ed this
as the Senior VP - Facilities party for the uses and purposes men	of Heritage Bank to be the free and voluntary act ationed in the instrument.	of sucl
GIVEN UNDER MY HAND AN	id Official Seal this 26 day of 3014, 20	18. voct
NO TO	Printed Name	<u></u> 9
STATE OF WASHINGTON	SS.	
COUNTY OF SKAGIT		
person who appeared before me, a	e satisfactory evidence that STEVE VERBARENDS and said person acknowledged that he signed this instant and voluntary act for the uses and purposes mentioned	trumen
Given Under My Hand an	D Official Seal this day of, 20	18.
	Printed Name	-
	NOTARY PUBLIC in and for the State of Washington My Commission Expires	

Dated:	, 2018	JOHN D. CARROLL, LLC
		By JOHN D. CARROLL, Manager/Member
Dated:	, 2018	JASON L. JOHNSON
Dated:	, 2018	STEPHANIE L. JOHNSON
Dated:	, 2018	RUSSELL LEONARD, LLC
		By
Dated:	, 2018	FISHER COMPANIES, INC.
		By
Dated:	, 2018	PETER WOLTERS
Dated:	, 2018	BONNIE WOLTERS
		HERITAGE BANK
		Ву
Dated:	, 2018	DIVINE BOUNE, LEC
		By STEVE VERBARENDSE, Member
Dated:	, 2018	VICTORY LAND INVESTMENTS, LLC
		Ву

STATE OF WASHINGTON	SS.		
COUNTY OF	55.		
I certify that I know or have is the person who appeared before instrument, on oath stated that he was the party for the uses and purposes ment	e me, and said person as authorized to execute of Heritage Bank to be	acknowledged that the instrument and	acknowledged is
GIVEN UNDER MY HAND ANI	O OFFICIAL SEAL this	day of	, 2018.
	Printed Name NOTARY PUBLIC in and for My Commission Expires		
STATE OF WASHINGTON	SS.		
COUNTY OF SKAGIT			

I certify that I know or have satisfactory evidence that STEVEN VERBARENDSE 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 Member of Divine Bovine, LLC, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

GIVEN UNDER MY HAND AND OFFICIAL SEAL this 26

PUBLIC

Printed Name Blake A. There
NOTARY PUBLIC in and for the State of Washington My Commission Expires 10/05/21 NOTARY

Dated:	, 2018	JOHN D. CARROLL, LLC
		By JOHN D. CARROLL, Manager/Member
Dated:	_, 2018	JASON L. JOHNSON
Dated:	_, 2018	STEPHANIE L. JOHNSON
Dated:	_, 2018	RUSSELL LEONARD, LLC
		Ву
Dated:	_, 2018	FISHER COMPANIES, INC.
		Ву
Dated:	_, 2018	PETER WOLTERS
Dated:	_, 2018	BONNIE WOLTERS
		HERITAGE BANK
		Ву
Dated:	_, 2018	CROOKED COW, LLC
		Ву
Dated: Jun 18th	_, 2018	VICTORY LAND INVESTMENTS, LLC By Work SEL.

Dist	
Dated:, 2018	JOHN D. CARROLL, LLC
	Ву
	JOHN D. CARROLL, Manager/Member
Dated:, 2020	-,
	JASON L. JOHNSON
Dist	0.15014 E. 00H145014
Dated:, 2020	CMANA
The att 21	STEPHANIE L. JOHNSON
Dated: JUNE 97th 2020	RUSSELL LEONARD, LLC
	By DO MEMBER
	By JVN MIMBIR
Dated:, 2018	FISHER COMPANIES, INC.
	Ву
Dated: 2010	
Dated:, 2018	PETER WOLTERS
2.1	TETER WOLTERS
Dated:, 2018	
	BONNIE WOLTERS
	HERITAGE BANK
	Ву
Dated:, 2018	DIVINE BOVINE, LLC
	BySTEVE VERBARENDSE, Member
Datadi	
Dated:, 2018	VICTORY LAND INVESTMENTS, LLC
	Ву

STATE OF WASHINGTON COUNTY OF SKAGIT	SS.
I certify that I know or I STEPHANIE L. JOHNSON ar acknowledged that they signed this act for the uses and purposes menti	nave satisfactory evidence that JASON L. JOHNSON and e the persons who appeared before me, and said persons instrument and acknowledged it to be their free and voluntary oned in the instrument.
GIVEN UNDER MY HAND AN	ND OFFICIAL SEAL this day of, 2020.
	Printed Name NOTARY PUBLIC in and for the State of Washington My Commission Expires
STATE OF WASHINGTON COUNTY OF KING	SS.
instrument, on oath stated that he was	satisfactory evidence that Geral Tibero e me, and said person acknowledged that he signed this as authorized to execute the instrument and acknowledged it ussell Leonard, LLC, to be the free and voluntary act of mentioned in the instrument.
GIVEN UNDER MY HAND AND	OFFICIAL SEAL this 9th day of June, 2020.
JESSE MAINS Notary Public State of Washington Commission Number 187174 My Commission Expires August 29, 2024	Printed Name

STATE OF WASHINGTON
COUNTY OF ISLAND

SS.

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 MANALL MEMBER of Victory Land Investments, LLC, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

GIVEN UNDER MY HAND AND OFFICIAL SEAL this 18 day of June, 2018.

Printed Name Blake A. Thorn
NOTARY PUBLIC in and for the State of Washington
My Commission Expires 10 65/21

EXHIBIT A (Parcels, Property Owners and Legal Descriptions)

John D. Carroll, LLC

4462-000-001-0002; P82932 (Lot 1, Div. 1)

Lot 1, "FISHER COMMERCIAL PARK DIV. NO. 1", according to the plat thereof recorded in Volume 13 of Plats, pages 82 and 83, records of Skagit County, Washington.

Jason L. Johnson and Stephanie L. Johnson

4462-000-002-0001; P82933 (Lot 2, Div.1)

Lot 2, "FISHER COMMERCIAL PARK DIV. NO. 1", according to the plat thereof recorded in Volume 13 of Plats, pages 82 and 83, records of Skagit County, Washington.

John D. Carroll, LLC

4462-000-003-0000; P82934 (Lot 3, Div. 1)

Lot 3, "FISHER COMMERCIAL PARK DIV. NO. 1", according to the plat thereof recorded in Volume 13 of Plats, pages 82 and 83, records of Skagit County, Washington.

Russell Leonard, LLC

4462-000-004-0009; P82935 (Lot 4, Div. 1)

Lot 4, "FISHER COMMERCIAL PARK DIV. NO. 1", according to the plat thereof recorded in Volume 13 of Plats, pages 82 and 83, records of Skagit County, Washington.

Fisher Companies, Inc.

4462-000-005-0008; P82936 (Lot 5, Div. 1)

Lot 5, "FISHER COMMERCIAL PARK DIV. NO. 1", according to the plat thereof recorded in Volume 13 of Plats, pages 82 and 83, records of Skagit County, Washington.

Peter Wolters and Bonnie Wolters

4462-000-006-0007; P82937 (Lot 6, Div. 1)

Lot 6, "FISHER COMMERCIAL PARK DIV. NO. 1", according to the plat thereof recorded in Volume 13 of Plats, pages 82 and 83, records of Skagit County, Washington.



4462-000-007-0105; P82939 (Ptn Tract A, Div. 1)

Tract A-2 of Short Plat No. BURL-1-83, approved February 10, 1984, and recorded February 14, 1984, in Volume 6 of Short Plats, page 218, under Auditor's File No. 84021400909, being a portion of Tract A of Plat of FISHER COMMERCIAL PARK DIV. NO. 1, as per plat recorded in Volume 13 of Plats, pages 82 and 83, records of Skagit County, Washington.

Divine Bovine, LLC

4499-000-001-0009; P83467 (Lot 1-A, Div. 2)

Lot 1-A, "FISHER COMMERCIAL PARK, DIV. NO. 2", as per Plat recorded in Volume 14 of Plats, page 54, records of Skagit County, Washington.

Chad B. Fisher and Colleen M. Fisher

4499-000-002-0008; P83468 (Lot 1-B, Div. 2):

Lot 1-B, "FISHER COMMERCIAL PARK, DIV. NO. 2", as per Plat recorded in Volume 14 of Plats, page 54, records of Skagit County, Washington.

Victory Land Investments, LLC

4462-000-007-0303; P82941 (Lot 2, Div. 2)

Lot 2 of City of Burlington, Revised Short Plat No. 1-83, approved April 16, 1985, and recorded December 22, 1986, as Auditor's File No. 8612220059 in Volume 7 of Short Plats, page 149, records of Skagit County, Washington; said premises being a portion of Tract "A" of "PLAT OF FISHER COMMERCIAL PARK, DIV. NO. 1", as per plat recorded in Volume 13, of plats, pages 82 and 83, records of Skagit County, Washington.

Fisher Companies, Inc.

4462-000-007-0204; P82940 (Lot 3, Div. 2)

Lot 3 of City of Burlington, Revised Short Plat No. 1-83, approved April 16, 1985, and recorded December 22, 1986, as Auditor's File No. 8612220059 in Volume 7 of Short Plats, page 149, records of Skagit County, Washington; said premises being a portion of Tract "A" of "PLAT OF FISHER COMMERCIAL PARK, DIV. NO. 1", as per plat recorded in Volume 13, of plats, pages 82 and 83, records of Skagit County, Washington.

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