



202108260037

08/26/2021 11:02 AM Pages: 1 of 8 Fees: \$210.50  
Skagit County Auditor

After Recording  
Mail To:

Swinomish Indian Tribal Community  
Land Management Department  
11404 Moorage Way  
La Conner, WA 98257

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

AUG 26 2021

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

**SETBACK EASEMENT**

Assessor's Tax Parcel No.: **Benefitted: P69247; Burdened: P19984**  
Grantor: Similk Inc.  
Grantee: Stephanie Doran  
Abbreviated Legal: PTN OF NE ¼ OF SEC 8, TWP 34N, R2E, W.M.

The Grantor, SIMILK INC., dba Swinomish Golf Links (owned by the Swinomish Indian Tribal Community), conveys to the Grantee, Stephanie Doran, an easement for use as 25 foot rear yard setback on land situated in Skagit County, Washington as follows:

1. The Grantor is the owner of certain real property described in Exhibit A, Part A, attached hereto and incorporated herein, hereafter referred to as Parcel P19984; and
2. The Grantee is owner of certain real property described in Exhibit A, Part B, attached hereto and incorporated herein, hereafter referred to as Parcel P69247; and
3. The Grantee has requested a setback easement over a portion of Parcel P19984, in order to comply with Skagit County Code Section 14.16.810(5)(d), to have an adequate amount of the required 25' rear setback to build a 5'-wide deck adjacent to her home on Parcel P69247 at 13449

North Green Street; and

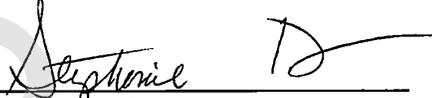
4. The Grantor hereby conveys a setback easement for rear yard purposes over the portion of Parcel P19984 described in Exhibit A, Part C and depicted in Exhibit B, hereafter referred to as "Easement Area", for use as an open space setback and landscaping over Parcel P19984 for the benefit of Grantee's parcel (P69247) in order for Grantee to satisfy the Skagit County Code; and

5. This easement shall be limited to an area of approximately 560 square feet, as shown on the attached Exhibit B for the purpose of Grantee's rear setback, and no structures will be located in the easement area and all future setbacks will be measured from the easement lines rather than the property lines adjacent to this easement; and

6. In addition to this setback easement, Grantor permits Grantee to mow an additional strip of land, up to 10 feet wide, directly east and adjacent to the Easement Area for weed control purposes. Grantee shall undertake such mowing at her own risk and shall hold Grantor harmless from any injury or damages incurred by Grantee during such mowing. Grantee agrees to mow only the area agreed upon between the parties and that no other landscaping or use of the 10-foot strip shall be allowed.

7. Grantee and her successors shall be responsible for all maintenance of the easement area and shall hold the Grantor, as well as Grantor's successors in interest, agents and employees, harmless from any liability associated with the use of the easement by Grantee, Grantee's successors, and invitees.

Grantee:

  
STEPHANIE DORAN

Grantor:

  
BRIAN WILBUR, PRESIDENT  
SIMILK INC. BOARD OF DIRECTORS

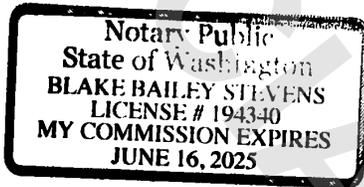
STATE OF WASHINGTON)

)  
ss.  
)

COUNTY OF Skagit

On this 26<sup>th</sup> day of August, 2021, before me, the undersigned, personally appeared STEPHANIE DORAN, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged to me that he signed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL this 26<sup>th</sup> day of August, 2021.



[Signature]  
Notary Public in and for the State of Washington  
Residing at Burlington, WA  
My commission expires: 06/16/2025

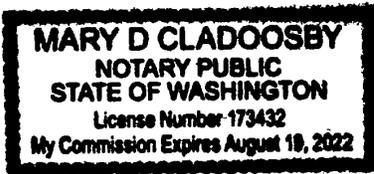
STATE OF WASHINGTON)

)  
ss.  
)

COUNTY OF SKAGIT

On this 23 day of August, 2021, before me, the undersigned, personally appeared BRIAN WILBUR, to me known to be the President of the Similk Inc. Board of Directors and who executed the within and foregoing instrument, and acknowledged to me that he signed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL this 23 day of August, 2021.



Mary D Cladoosby  
Notary Public in and for the State of Washington  
Residing at La Conner WA  
My commission expires: 8-19-22

## EXHIBIT A

**A) P19984 Legal Description:**

This is the legal description as of the most recent certification of the assessment roll. The Current Legal Description reflects any changes resulting from boundary modifications after certification.

PARCEL "A":

THOSE PORTIONS OF SECTIONS 5 AND 8 OF TOWNSHIP 34 NORTH, RANGE 2 EAST, W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS THE EAST ¼ CORNER OF SAID SECTION 5;  
 THENCE SOUTH 2°12'20" WEST ON THE EAST LINE OF SAID SECTION 5 A DISTANCE OF 2,632.62 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 5;  
 THENCE NORTH 88°21'40" WEST 1,308.93 FEET TO THE NORTHWEST CORNER OF THE NORTH ½ OF THE NORTHWEST ¼ OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ OF SAID SECTION 8;  
 THENCE SOUTH 0°29'45" WEST A DISTANCE OF 327.26 FEET TO THE SOUTHWEST CORNER OF SAID NORTH ½ OF THE NORTHWEST ¼ OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ OF SAID SECTION 8;  
 THENCE SOUTH 88°14'20" EAST ALONG THE SOUTH BOUNDARY OF SAID NORTH ½ OF THE NORTHWEST ¼ OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ OF SAID SECTION 8, A DISTANCE OF 370.0 FEET PLUS OR MINUS TO THE CENTERLINE OF "SIMILK BEACH ROAD";  
 THENCE SOUTHERLY ALONG SAID CENTERLINE OF "SIMILK BEACH ROAD, NOW KNOWN AS CHRISTIANSON ROAD" TO THE NORTH BOUNDARY OF "FAIRWAY DRIVE ROAD, NOW KNOWN AS SATTERLEE ROAD" AS PLATTED IN THE PLAT OF "SIMILK BEACH, SKAGIT CO., WASH.," AS PER PLAT RECORDED IN VOLUME 4 OF PLATS, PAGE 51, RECORDS OF SKAGIT COUNTY, WASHINGTON;  
 THENCE SOUTH 76°22' WEST ALONG THE NORTH BOUNDARY OF "FAIRWAY DRIVE ROAD" A DISTANCE OF 900.0 FEET PLUS OR MINUS TO THE SOUTH CORNER OF BLOCK 8, "BEACH VIEW ADDITION TO SIMILK BEACH";  
 THENCE NORTHWESTERLY ALONG THE NORTH BOUNDARY OF "FAIRWAY DRIVE ROAD" AND THE EASTERLY BOUNDARY OF "GREEN STREET NORTH" TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 4, "BEACH VIEW ADDITION TO SIMILK BEACH" PLAT;  
 THENCE SOUTH 89°54' EAST ALONG THE SOUTH BOUNDARY OF SAID LOT 1, 100.0 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE NORTH 0°06' EAST ALONG THE EAST BOUNDARY OF SAID LOT 1, 40.0 FEET TO THE NORTHEAST CORNER THEREOF; THENCE NORTH 4°01' EAST A DISTANCE OF 605.0 FEET TO THE NORTHEAST CORNER OF LOT 1, BLOCK 1 OF THE "WEST GOLF ADDITION TO SIMILK BEACH" PLAT;  
 THENCE NORTH 18°0' WEST A DISTANCE OF 431.35 FEET TO THE NORTHEAST CORNER OF SAID "WEST GOLF ADDITION TO SIMILK BEACH";  
 THENCE NORTH 85°59' WEST ALONG THE NORTH BOUNDARY OF SAID "WEST GOLF ADDITION TO SIMILK BEACH" TO THE NORTHWEST CORNER OF "GREEN STREET NORTH" WHERE IT TERMINATES AT THE NORTH BOUNDARY OF "WEST GOLF ADDITION TO SIMILK BEACH" TO SAID "SIMILK BEACH" PLAT;  
 THENCE NORTH 18°0' WEST A DISTANCE OF 306.32 FEET; THENCE WEST A DISTANCE OF 309.50 FEET;  
 THENCE NORTH A DISTANCE OF 705.55 FEET;  
 THENCE NORTH 88°21'40" WEST A DISTANCE OF 489.0 FEET TO THE CENTERLINE OF THE COUNTY ROAD WHICH IS ALSO THE CENTERLINE OF SECTION 8, TOWNSHIP 34 NORTH, RANGE 2 EAST, W.M.;  
 THENCE NORTH 0°05'30" EAST ALONG SAID SECTION 8 CENTERLINE, A DISTANCE OF 408.02 FEET TO THE

PARCEL "A" CONTINUED:

SOUTH ¼ CORNER OF SECTION 5, TOWNSHIP 34 NORTH, RANGE 2 EAST, W.M.;  
 THENCE NORTH 1°38'20" EAST ALONG THE CENTERLINE OF SAID SECTION 5 A DISTANCE OF 1,583.08 FEET TO THE NORTHWEST CORNER OF THE SOUTH 15 RODS OF GOVERNMENT LOT 2, SECTION 5, TOWNSHIP 34 NORTH, RANGE 2 EAST, W.M.;  
 THENCE SOUTH 87°56'32" EAST A DISTANCE OF 359.0 FEET;  
 THENCE NORTH 1°38'20" EAST A DISTANCE OF 748.36 FEET;  
 THENCE EAST A DISTANCE OF 404.0 FEET;  
 THENCE NORTH 28°45' WEST A DISTANCE OF 105.0 FEET PLUS OR MINUS; THENCE NORTH 13°33' WEST A DISTANCE OF 225.4 FEET;  
 THENCE NORTH 8°05' WEST A DISTANCE OF 270.0 FEET PLUS OR MINUS TO THE SOUTH RIGHT-OF-WAY LINE OF WASHINGTON STATE HIGHWAY 536;  
 THENCE EASTERLY ALONG SAID SOUTH RIGHT-OF-WAY LINE PROJECTED TO THE EAST SECTION LINE OF SECTION 5, TOWNSHIP 34 NORTH, RANGE 2 EAST, W.M.;  
 THENCE SOUTH 1°56' WEST ALONG SAID EAST SECTION LINE TO THE EAST ¼ CORNER OF SAID SECTION 5, THE POINT OF BEGINNING.

EXCEPT THEREFROM THE SEVEN FOLLOWING DESCRIBED TRACTS:

A.) THE RIGHT-OF-WAY OF THE SKAGIT COUNTY ROAD KNOWN BOTH AS THE CHRISTIANSON ROAD AND AS THE SIMILK BEACH ROAD;

B.) BLOCK 8 OF "SIMILK BEACH, SKAGIT CO., WASH.," AS PER PLAT RECORDED IN VOLUME 4 OF PLATS, PAGE 51, RECORDS OF SKAGIT COUNTY, WASHINGTON;

C.) BEGIN AT THE SOUTHEAST CORNER OF LOT 1, BLOCK 4, "SIMILK BEACH, SKAGIT CO., WASH."; THENCE SOUTH 02°27' EAST A DISTANCE OF 20 FEET;  
 THENCE SOUTH 87°33' WEST A DISTANCE OF 100 FEET, MORE OR LESS, TO THE EAST LINE OF "GREEN STREET NORTH";  
 THENCE NORTH 01°28' EAST A DISTANCE OF 20 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 4, "SIMILK BEACH, SKAGIT CO., WASH."; THENCE NORTH 87°33' EAST A DISTANCE OF 100 FEET TO THE POINT OF BEGINNING

D.) THE ROAD RIGHTS-OF-WAY ALONG THE WEST LINE THEREOF KNOWN AS THE GIBRALTER ROAD AND STATE HIGHWAY NO. 20;

E.) THAT PORTION THEREOF, IF ANY, LYING WITHIN THOSE CERTAIN PREMISES CONVEYED TO DANIEL A. SWANSON, ET AL, BY THAT CERTAIN PURCHASER'S ASSIGNMENT OF CONTRACT AND DEED RECORDED OCTOBER 22, 1981, UNDER AUDITOR'S FILE NO. 8110220019;

F.) THE RIGHT-OF-WAY FOR STATE HIGHWAY NO. 20;

G.) THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 34 NORTH, RANGE 2 EAST OF THE W.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 2, BLOCK 3, PLAT OF SIMILK BEACH; THENCE EASTERLY ON NORTH LINE EXTENDED OF SAID LOT 2 SOUTH 86°04'53" EAST 11.00 FEET; THENCE PARALLEL WITH THE EAST LINE OF SAID LOT 2 SOUTH 03°59'11" WEST 29.99 FEET; THENCE WESTERLY ALONG THE SOUTH LINE EXTENDED OF SAID LOT 2

NORTH 86°04'12" WEST 11.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2; THENCE NORTHERLY ALONG SAID EAST LINE NORTH 03°59'11" EAST 29.99 FEET TO SAID NORTHEAST CORNER AND THE POINT OF BEGINNING.

TOGETHER WITH THE NORTH ½ OF THE NORTHWEST ¼ OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 8, TOWNSHIP 34 NORTH, RANGE 2 EAST, W.M., EXCEPT COUNTY ROAD, AND EXCEPT THE SOUTH 100 FEET OF THAT PORTION OF SAID PROPERTY LYING EASTERLY OF THE COUNTY ROAD.

SITUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON.

**B) P69247 Assessment Legal Description:**

This is the legal description as of the most recent certification of the assessment roll. The Current Legal Description reflects any changes resulting from boundary modifications after certification.

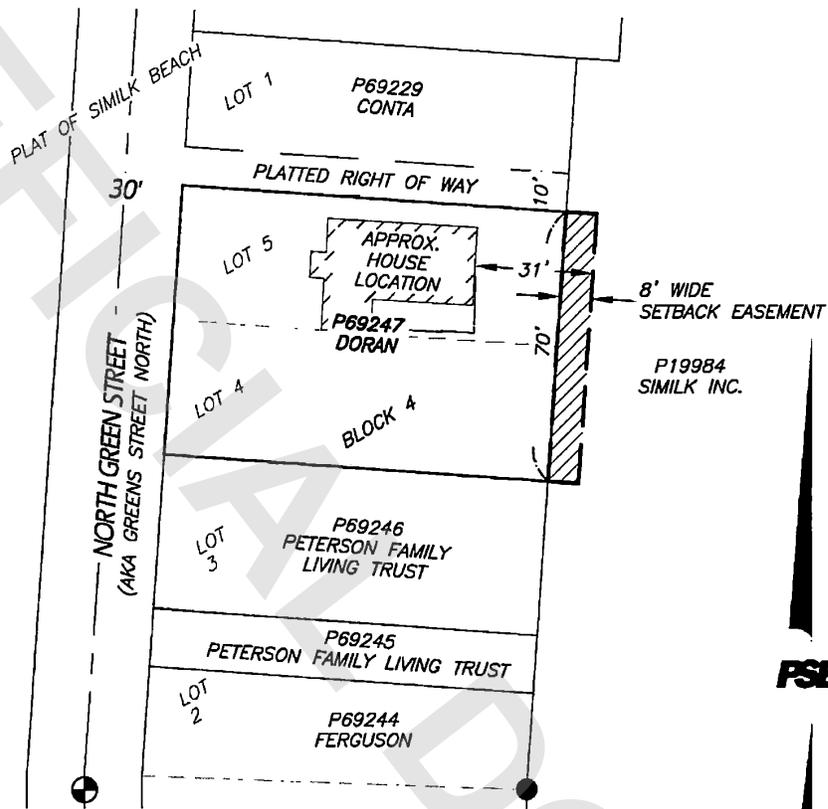
(0.1400 ac) LOTS 4 AND 5, BLOCK 4, SIMILK BEACH, SKAGIT CO., WASH., AS PER PLAT RECORDED IN VOLUME 4 OF PLATS, PAGE 51, RECORDS OF SKAGIT COUNTY, WASHINGTON.

**C) Legal Description of the easement:**

AN 8 FOOT WIDE SETBACK EASEMENT ON THE EAST SIDE OF LOTS 4 AND 5, BLOCK 4, SIMILK BEACH, SKAGIT CO., WASH., AS PER PLAT RECORDED IN VOLUME 4 OF PLATS, PAGE 51, RECORDS OF SKAGIT COUNTY, WASHINGTON.

# EXHIBIT 'B'

SITUATE IN A PORTION OF THE SW 1/4 OF THE NE 1/4 OF SECTION 8, TOWNSHIP 34 NORTH,  
RANGE 2 EAST, W.M., SKAGIT COUNTY, WASHINGTON



GRAPHIC SCALE  
(US SURVEY FEET)



= SETBACK EASEMENT AREA  
(560 SF±)



## PACIFIC SURVEYING & ENGINEERING, INC.

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



DWG: 2014197\_EASEMENT.dwg DATE: 06/16/21 JOB#: 2014197 SCALE: 1"=40' SHEET: 1 OF 1