



202109270127

09/27/2021 02:37 PM Pages: 1 of 7 Fees: \$413.00
Skagit County Auditor

Return Address

Stiles Law Inc., P.S.
925 Metcalf St. / PO Box 228
Sedro-Woolley, WA 98284
Attention: Timothy C. Lehr

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

1. Declaration of Easement and Road Maintenance
- 2.
- 3.

Reference Number(s) of Documents assigned or released: N/A
(on page ___ of documents(s))

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

1. RAD HOMES AND PROPERTIES, LLC, a Nevada limited liability company
- 2.
- 3.

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

1. RAD HOMES AND PROPERTIES, LLC, a Nevada limited liability company
- 2.
- 3.

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

Ptn. Gov. Lot 3 – Section 19, Township 35 North, Range 5 East
X Full legal descriptions attached as Exhibit "A"

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

P39494 / 350519-0-055-0007

REVIEWED BY
SKAGIT COUNTY TREASURER

DEPUTY BT

DATE 9-27-21

DECLARATION OF EASEMENT AND ROAD MAINTENANCE

This Declaration of Easement and Road Maintenance (this "Declaration") is made as of August ____, 2021 by and between RAD HOMES AND PROPERTIES LLC, a Nevada limited liability company ("RAD HOMES").

GRANT OF EASEMENT

Declarant hereby grants, conveys and reserves unto itself a 20' x 80' non-exclusive and perpetual access easement for ingress, egress and utilities over, across, under and through a private access road delineated on the face of the City of Sedro-Woolley Short Plat SP-2021-013, recorded under Auditor's File No. 202109270126 being a portion of Govt. Lot 3, Section 19, Township 35 North, Range 05 East, W.M. ("Short Plat"), a copy of which is attached as **Exhibit "B"** and incorporated herein by this reference.

Said easement shall be for the benefit of Lot 1 of the Short Plat and for ingress, egress, access, and the installation and maintenance of utilities, which access and utility easement shall run with the land and be binding upon and inure to the benefit of the owners of the Lots incorporated within the Short Plat and all future Lot owners, their heirs, successors in interest and assigns.

Lot 2 of the Short Plat reserves the right to use the easement area for any purpose not inconsistent with the access right herein granted, provided; that Lot 2 of the Short Plat, its heirs, 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 rights of access granted herein.

ROAD MAINTENANCE AGREEMENT

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 Lot 1 and Lot 2 of the Short Plat, 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.

Definitions. For purposes of this Declaration the following definitions shall apply:

The terms "maintenance" and "repair" shall include restoring the easement surface area to its approximate original condition; removing snow, brush, trees, 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 benefitted thereby. The term "maintenance" and "repair" shall not include repaving, upgrading, widening, re-routing, or decommissioning the easement area.

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.

The Lot Owners shall determine annually, or more frequently as may be necessary, the extent of repairs and maintenance as shall be required and shall determine the extent of said repairs and maintenance to be accomplished. It is understood that the maintenance and repair of said easement area is for the benefit of all Lot Owners of the Short Plat and the Lot of any such Owner failing to pay his/her proportionate share as provided for herein shall be subject to a lien for the proportionate share of such costs; and any other Lot Owner paying the share of a benefited Lot Owner, who fails to pay the same, shall be entitled to a lien against the non-paying Lot Owner's property which may be foreclosed in the manner provided for foreclosure of mechanics liens.

IN WITNESS WHEREOF, RAD HOMES AND PROPERTIES, LLC has executed this Declaration on the day and year written below.



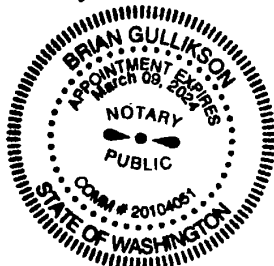
RAD HOMES AND PROPERTIES

Robert Davis – its Cure

9/15/21
Date

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

I hereby certify that I know or have satisfactory evidence that **Robert Davis**, OWNER of RAD HOMES AND PROPERTIES LLC, is the person who appeared before me and who on oath is authorized to execute the within and foregoing instrument and acknowledged him as OWNER of RAD HOMES AND PROPERTIES LLC and acknowledged that he signed this instrument for the Corporation and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.



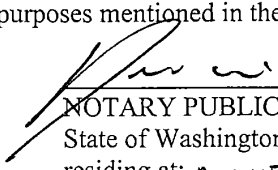

NOTARY PUBLIC in and for the
State of Washington
residing at: MOUNT VERNON
Commission expires: 3/9/2024

EXHIBIT "A"**Legal Description of Proposed Lot 1**

THE EAST 75.00 FEET OF THE NORTH 84.50 FEET OF THAT PORTION OF GOVERNMENT LOT 3 OF SECTION 19, TOWNSHIP 35 NORTH, RANGE 5 EASE, W.M., DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTH LINE OF WICKER ROAD, 372.50 FEET EAST OF THE WEST LINE OF SAID GOVERNMENT LOT 3;
THENCE SOUTH 157.00 FEET;
THENCE EAST 95.00 FEET;
THENCE NORTH 157.00 FEET TO THE SOUTH LINE OF WICKER ROAD;
THENCE WEST 95.00 FEET ALONG THE SOUTH LINE OF WICKER ROAD TO THE POINT OF BEGINNING.

SITUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON.

Legal Description of Proposed Lot 2

THAT PORTION OF GOVERNMENT LOT 3 OF SECTION 19, TOWNSHIP 35 NORTH, RANGE 5 EASE, W.M., DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTH LINE OF WICKER ROAD, 372.50 FEET EAST OF THE WEST LINE OF SAID GOVERNMENT LOT 3;
THENCE SOUTH 157.00 FEET;
THENCE EAST 95.00 FEET;
THENCE NORTH 157.00 FEET TO THE SOUTH LINE OF WICKER ROAD;
THENCE WEST 95.00 FEET ALONG THE SOUTH LINE OF WICKER ROAD TO THE POINT OF BEGINNING.

EXCEPT THE EAST 75.00 FEET OF THE NORTH 84.50 FEET THEREOF

SITUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON.

EXHIBIT "B"

Attached Survey Map

CONSENT

KNOW ALL MEN BY THESE PRESENTS THAT WE THE UNDERSIGNED SUBDIVIDERS HEREBY CERTIFY THAT THIS SHORT PLAT IS MADE AS OUR FREE AND VOLUNTARY ACT AND DEED.

CITY TREASURER'S CERTIFICATE

THIS IS TO CERTIFY THAT THERE ARE NO DELINQUENT SPECIAL ASSESSMENTS AND THAT ALL SPECIAL ASSESSMENTS ON ANY OF THE PROPERTY HEREIN CONTAINED DEDICATED AS STREETS, ALLEYS, OR FOR OTHER PUBLIC USE, ARE PAID IN FULL.

ACKNOWLEDGMENTS

22

AND PROPOSED HEREIN IN THE INSTRUMENT, TO BE THEIR FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES HEREIN IN THE INSTRUMENT;

DATED:

SIGNATURE:

NOTARY PUBLIC IN AND FOR THE STATE OF _____

MY APPOINTMENT EXPIRES:

ACKNOWLEDGMENTS

55

COUNT

PERSONS WHO APPEARED BEFORE ME, AND SAID PERSONS ACKNOWLEDGED THAT THEY SIGNED THIS INSTRUMENT ON VOLUNTARY ACT OF SUCH PARTY FOR THE ISSUES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED:

SIGNATURE:

NOTARY PUBLIC

MY APPOINT

APPROVALS

THE WITHIN AND FOREGOING SHORT PLAT HAS BEEN EXAMINED FOR CONFORMANCE WITH THE PROVISIONS OF TITLE 15, 16 AND 17 OF THE SEDRO-WOOLLEY MUNICIPAL CODE AND IS HEREBY APPROVED THIS _____ DAY OF _____, 2021.

CITY PLANNER

CITY ENGINEER

CITY TREASURER

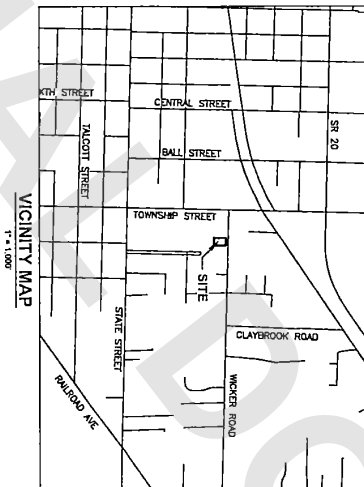
DATE _____

SKAGIT COUNTY TREASURER'S CERTIFICATE

THIS IS TO CERTIFY THAT ALL TAXES HERETOFORE LEVIED AND WHICH HAVE BECOME A LIEN UPON THE LANDS HEREIN DESCRIBED HAVE BEEN FULLY PAID AND DISCHARGED ACCORDING TO THE RECORDS OF MY OFFICE UP AND TO INCLUDE THE YEAR 2021.

THIS ____ DAY OF _____, 2021.

SKAGIT COUNTY TREASURER



SURVEYORS CERTIFICATE

HEREBY CERTIFY THAT THIS SHORT PLAT IS BASED UPON AN ACTUAL SURVEY AND SUBMISSION OF SECTION 18, TOWNSHIP 35 NORTH, RANGE 5 EAST, W. 1/4, AS RECORDED BY STATE STATUTES, THAT THE DISTANCES, COURSES AND ANGLES ARE SHOWN THEREON CORRECTLY, THAT THE MONUMENTS SHALL BE SET AND LOCUS CORNER SHALL BE STAKED CORRECTLY ON THE GROUND, AND THAT FULLY COMPLIED WITH THE PROVISIONS OF THE STATE AND LOCAL STATUTES AND REGULATIONS GOVERNING PLATTING.

AUDITOR'S CERTIFICATE

THIS _____ DAY OF _____, 2027,
AT _____ MINUTES PAST _____, AND RECORDED IN VOLUME _____ OF
PLAT, PAGE _____,
A/N _____ RECORDS OF SAGG COUNTY,
WASHINGTON

AUDITOR, SKAGIT COUNTY

DEPUTY COUNTY AUDITOR

**Northline
Surveying**
Surveying and Construction Technologies
2025 RIVERSIDE DRIVE SUITE D
MOUNT VERNON, WA 98273
(360)899-9598

939 WICKER ROAD LLC
CITY OF SEDRO-WOOLLEY
SHORT PLAT #SP-2021-013
SKAGIT COUNTY, WASHINGTON
PORTION OF GOVT LOT 1, SEC. 18 TWP. 35 N. RGE. 05 E. W.M.

PREP: 07-01-2002

DRAFT: AET

CHK AT

SHEET 1 OF 2

LEGAL DESCRIPTION

THAT PORTION OF GOVERNMENT LOT 3 OF SECTION 18, TOWNSHIP 25 NORTH, RANGE 3 EAST, 14M, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTH LINE OF WICKEN ROAD 32.2 FEET EAST OF THE WEST LINE OF SAID THENCE SOUTH 15 FEET;

THENCE EAST BY FENCE

THENCE NORTH 15 FEET TO THE CORNER OF WICKEN ROAD

THENCE WEST 35 FEET ALONG THE SOUTH LINE OF WICKEN ROAD TO THE POINT OF BEGINNING.

LOCATED IN SNAKE COUNTY, WASHINGTON

EASEMENT PROVISIONS

1. ANY EASEMENTS ARE HEREBY RESERVED FOR AND GRANTED TO ALL UTILITIES SERVING THE SUBJECT SHORT PLAT AND THEREAFTER SUCCESSORS AND ASSIGNS, JUNIOR AND SENIOR TO THE PRIVATE INGRESS, EGRESS AND UTILITY EASEMENT SHOWN HEREON AND THE EXTENSION TO PLOT OF LOT 1 AND LOT 2, PARALLEL WITH AND ADJOINING THE EDGE OF RIGHT - OF - WAY OF WICKER ROAD, IN WHICH TO INSTALL, LAY, CONSTRUCT, RENEW, OPERATE AND MAINTAIN UNDERGROUND AND CONDUITS, CABLES, PIPE, AND WIRES WITH NECESSARY FACILITIES FOR RECORDATION OF RECORDS AND RECORDS, AND FOR THE INSTALLATION, CONSTRUCTION, MAINTENANCE, REPAIR, REPLACEMENT, AND OPERATION OF ANY AND ALL UTILITIES SERVICES TOGETHER WITH THE RIGHT TO ENTER UPON THE LOTS AT ALL TIMES FOR THE PURPOSES HEREIN STATED.

SHORT PLAY RESTRICTIONS

PER FIRST AMERICAN TITLE INSURANCE COMPANY GUARANTEE 6003353-00028946 DATED JULY 02, 2012

- [illegible]

WICKER ROAD



PREP: 07-01-2021

DRAFT: AET

CHK: AT

SHEET 2 OF 2