

FILED FOR RECORD AT THE
REQUEST OF/RETURN TO:

Mostad Marital Trust
PO Box 1039
Anacortes, WA 98221

REVIEWED BY
SKAGIT COUNTY TREASURER
DEPUTY Lena Thompson
DATE 12/20/2023

DRIVEWAY EASEMENT

20 8980-LT

GRANTOR: EDEN HOLDING LLC,

GRANTEE: MATTHEW A. MOSTAD,
Trustee of the ARVID O. MOSTAD MARITAL TRUST UWD
10/25/2013; and
MICHELE S. HARDENBERGH,
Personal Representative of the ESTATE OF SHIRLEE D.
CHRISTENSEN MOSTAD, Deceased,

Abbreviated Legal: Lots 5-12, and 16, Block 20, & Lots 13-15 in Blocks 20, 21, 27,
Plat of the Townsite of Gibraltar

Additional Legal on: Exhibits "A", "B", & "C"

Assessor's Tax Parcel Nos.: 4109-020-012-0006 / P73518
4109-027-015-0008 / P73537
4109-027-016-0007 / P73538

THIS AGREEMENT is made and entered into this 15th day of December, 2023, by
EDEN HOLDING LLC, (as "Grantor"), and MATTHEW A. MOSTAD, Trustee of the
ARVID O. MOSTAD MARITAL TRUST UWD 10/25/2013 and MICHELE S.
HARDENBERGH, Personal Representative of the ESTATE OF SHIRLEE D.
CHRISTENSEN MOSTAD, Deceased (collectively, as "Grantee").

Driveway Easement

I. DESCRIPTION OF GRANTOR PROPERTY

WHEREAS, GRANTOR, **EDEN HOLDING LLC**, ("EDEN") is the owner of the following described real property located in Skagit County, Washington (the "EDEN Parcel"):

See attached Exhibit "A".

Situate in the County of Skagit, State of Washington.

II. DESCRIPTION OF GRANTEE PROPERTY

WHEREAS, GRANTEE, **MATTHEW A. MOSTAD**, Trustee of the **ARVID O. MOSTAD MARITAL TRUST UWD 10/25/2013** and **MICHELE S. HARDENBERGH**, Personal Representative of the **ESTATE OF SHIRLEE D. CHRISTENSEN MOSTAD, Deceased** ("MOSTAD") is the owner of the following described real property located in Skagit County, Washington (the "MOSTAD Parcel"):

See attached Exhibit "B".

Situate in the County of Skagit, State of Washington.

III. GRANT OF DRIVEWAY EASEMENT

NOW THEREFORE, THE UNDERSIGNED GRANTOR, **EDEN HOLDING LLC**, in consideration of the mutual covenants contained herein, the receipt and sufficiency of which consideration is hereby acknowledged, conveys and quit claims to **MATTHEW A. MOSTAD**, Trustee of the **ARVID O. MOSTAD MARITAL TRUST UWD 10/25/2013** and **MICHELE S. HARDENBERGH**, Personal Representative of the **ESTATE OF SHIRLEE D. CHRISTENSEN MOSTAD, Deceased**, including any after acquired title, the following described easement for ingress and egress and utilities:

IV. DESCRIPTION OF DRIVEWAY EASEMENT

1. Description of Easement

A perpetual, non-exclusive easement over, under and across the easement area defined below for ingress, egress fill and landscaping, including but in no way limited to the purpose of use, maintenance and repair of the Grantee's existing driveway, landscaping and supporting fill.

2. Easement Area

That portion of Lot 12, Block 20, "PLAT OF THE TOWNSITE OF GIBRALTER", Volume 1 of Plats, Page 19, described as follows:

Driveway Easement

Commencing at the intersection of vacated Island Street and vacated Miller Street of said subdivision,

Thence North $64^{\circ}28'08''$ East, along the centerline of said Miller Street, a distance of 150.00 feet;

Thence North $25^{\circ}31'52''$ West, parallel with the centerline of said Island Street, a distance of 40.00 feet to the Southwest corner of said Lot 12;

Thence North $25^{\circ}31'52''$ West, along the East line of Lot 12, a distance of 90.36 feet, more or less, to a point on the Southerly right-of-way line of the county road known as Gibraltar Road and the POINT OF BEGINNING;

Thence South $25^{\circ}31'52''$ East, along the West line of Lot 12 a distance of 12.00 feet;

Thence North $26^{\circ}28'03''$ East a distance of 20.30 feet, more or less, to a point on the Southerly right-of-way line of Gibraltar Road;

Thence along a non-tangent curve to the left, concave to the South, with a radius of 1402.39 feet to which point a radial line bears South $26^{\circ}58'39''$ East, thence Westerly along said curve through a central angle of $0^{\circ}39'13''$ for a distance of 16.00 feet to the POINT OF BEGINNING.

Situate in the County of Skagit, State of Washington.

V. GENERAL PROVISIONS

This Easement supersedes and replaces any and all prior agreements between the parties hereto which arise out of or relate to the Easement Area, including, but in no way limited to, that certain unrecorded "Real Estate Lease", dated on or about January 1, 2002, between Don and Billie McKee and Arvid and Shirlee Mostad.

The benefits, burdens, and covenants of the Easement granted herein shall be deemed to be appurtenant to and shall constitute a covenant and encumbrance running with the land and bind the Grantor's property, the Grantees' property, the Grantor and the Grantees, and their respective heirs, successors and assigns, and all persons possessing any of said property by, through, or under the parties hereto, or their respective heirs, successors or assigns.

This Easement shall be construed and governed by the laws of the State of Washington.

The invalidity or unenforceability of any provision hereof shall not affect or impair any other provisions hereof.

This Easement may not be modified or amended except by written agreement signed and acknowledged by all parties.

Driveway Easement

THE PARTIES HEREBY ACKNOWLEDGE THAT THEY HAVE READ THIS DOCUMENT,
UNDERSTAND ITS CONTENTS AND AGREE TO BE BOUND BY THE TERMS HEREOF.

Dated effective as of the date set forth above.

GRANTOR:

EDEN HOLDING LLC,

Signature

By: _____

Print Name

Its: _____

Title

GRANTEE:

**ARVID O. MOSTAD MARITAL TRUST
U/W/D 10/25/2013**

By: Matthew A. Mostad

Its: Trustee

ESTATE OF SHIRLEE D. CHRISTENSEN MOSTAD, Deceased,


MICHELE S. HARDENBERGH,

Personal Representative

(Acknowledgments follow.)

Driveway Easement

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Dated effective as of the date set forth above.

GRANTOR:

EDEN HOLDING LLC,

Signature

By: _____
Print Name

Its: _____
Title

GRANTEE:

**ARVID O. MOSTAD MARITAL TRUST
U/W/D 10/25/2013**

Matthew A. Mostad, TRUSTEE
By: Matthew A. Mostad
Its: Trustee

ESTATE OF SHIRLEE D. CHRISTENSEN MOSTAD, Deceased,

MICHELE S. HARDENBERGH,
Personal Representative

(Acknowledgments follow.)


Driveway Easement

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UNDERSTAND ITS CONTENTS AND AGREE TO BE BOUND BY THE TERMS HEREOF.


Dated effective as of the date set forth above.

GRANTOR:

EDEN HOLDING LLC,



Signature

By: 

Print Name

Its: 

Title

GRANTEE:

**ARVID O. MOSTAD MARITAL TRUST
U/W/D 10/25/2013**

By: Matthew A. Mostad
Its: Trustee

ESTATE OF SHIRLEE D. CHRISTENSEN MOSTAD, Deceased,

MICHELE S. HARDENBERGH,
Personal Representative

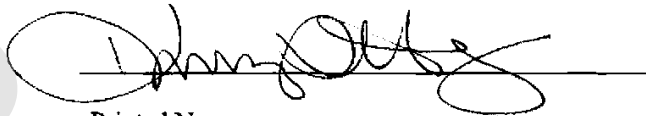
(Acknowledgments follow.)

Driveway Easement

STATE OF WASHINGTON)
) ss.
COUNTY OF Snohomish)

I certify that I know or have satisfactory evidence that **MICHELE S. HARDENBERGH** is the person who appeared before me, and said person acknowledged that she was authorized to execute the instrument and acknowledged it as the **Personal Representative** of the **ESTATE OF SHIRLEE D. CHRISTENSEN MOSTAD, Deceased**, 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 18th day of Dec., 2023.



Printed Name

Kimberly A. Hawes

NOTARY PUBLIC in and for the State of Washington.

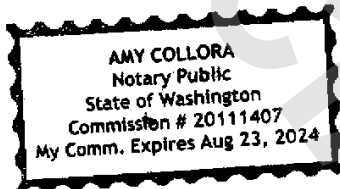
My Commission Expires August 18, 2024

Driveway Easement

STATE OF WASHINGTON)
COUNTY OF King) ss.

I certify that I know or have satisfactory evidence that **MATTHEW A. MOSTAD** is the person who appeared before me, and said person acknowledged that he was authorized to execute the instrument and acknowledged it as the Trustee of the **ARVID O. MOSTAD, MARITAL TRUST U/W/D 10/25/2013**, 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 15th day of December, 2023.



Printed Name

Amy Collora

NOTARY PUBLIC in and for the State of
Washington

My Commission

Expires

08/23/2024

Driveway Easement

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of San Mateo

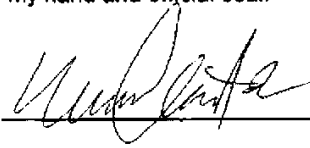
On December 19, 2023 before me, William Christman Jr., Notary Public
(insert name and title of the officer)

personally appeared Tom van Loben Sels
who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name~~(s)~~ is/~~are~~
subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in
his/~~her/their~~ authorized capacity~~(ies)~~, and that by his/~~her/their~~ signature~~(s)~~ on the instrument the
person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature



(Seal)

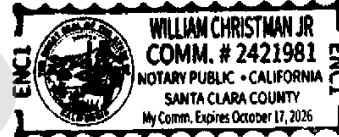


Exhibit A
Legal Description of EDEN Parcel

Lots 5 to 12 inclusive, Block 20, EXCEPT those portions conveyed to Skagit County for road purposes by deeds recorded July 16, 1946, and October 8, 1946, under Auditor's File Nos. 394001, 394002, and 396827, respectively; also Lots 5 to 12 inclusive, Block 21, and also Lots 5 to 12, inclusive, Block 27, "PLAT OF THE TOWNSITE OF GIBRALTER, SKAGIT CO., WASHINGTON, U.S.A.", according to the plat thereof recorded in Volume 1 of Plats, pages 19 and 20, records of Skagit County, Washington;

TOGETHER WITH those portions of vacated Miller Street, and vacated Fidalgo Street which upon vacation attached to said premises by operation by law;

EXCEPT any portion of said premises lying below the meander line of the line of mean high tide (whichever is the farthest out);

ALSO EXCEPT that portion of the South $\frac{1}{2}$ of vacated Wilkes Street appurtenant to Lot 12 of said Block 20 as conveyed to Sydney B. Mallet, et ux, by deed recorded as Auditor's File No. 200107110150.

Situated in Skagit County, Washington.

Exhibit "A"

Exhibit "B"
Legal Description of MOSTAD Parcel

Parcel "A"

That portion of Lot 16, Block 20, lying South of the County Road as conveyed to Skagit County by Deed filed for record under Auditor's File No. 394002, records of said County, and all of Lot 16, Block 21, and Lot 16, Block 27, "PLAT OF THE TOWNSITE OF GIBRALTER", according to the plat thereof recorded in Volume 1 of Plats, page 19, records of Skagit County, Washington;

TOGETHER WITH the East $\frac{1}{2}$ of vacated Island Street lying South of said County Road and those portions of vacated Miller Street and Fidalgo Street lying Westerly of the Easterly line of said Lot 16, Block 20, produced Southerly;

EXCEPT any portion thereof lying within the right-of-way conveyed to Skagit County by Deed filed for record under Auditor's File No. 342050, records of Skagit County, Washington;

ALSO EXCEPT any portion thereof lying below the line of mean high tide or the meander line, whichever is farther out.

Parcel "B"

Those portions of Lots 13, 14, and 15, Block 20, lying South of the County Road as conveyed to Skagit County by Deed filed for record under Auditor's File No. 394002, records of said County, and all of Lots 13, 14, and 15, Block 21, and Lots 13, 14, and 15, Block 27, "PLOT OF THE TOWNSITE OF GIBRALTER", according to the recorded plat thereof in the office of the Auditor of Skagit County, Washington, in Volume 1 of Plats, Page 19;

TOGETHER WITH those portions of vacated Miller Street and Fidalgo Street lying between the Easterly line of said Lot 13, Block 20, and the Westerly line of said Lot 15, Block 20, both produced Southerly;

EXCEPT any portion thereof lying within the right-of-way conveyed to Skagit County by Deed filed for record under Auditor's File No. 342050, records of said County;

AND EXCEPT any portion thereof lying below the line of mean high tide or the meander line, whichever is farthest out.

Situated in Skagit County, Washington.

Exhibit "B"