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02/21/2024 01:17 PM Pages: 1 of 4 Fees: \$306.50  
Skagit County Auditor

WHEN RECORDED, RETURN TO:

Fidalgo Villas HOA  
606 Commercial Avenue Ste D  
Anacortes, Washington 98221

REVIEWED BY  
SKAGIT COUNTY TREASURER  
DEPUTY Kathleen Ordman  
DATE 2/21/2024

<b>Document Title</b>	Boat Yard Easement for Fidalgo Villas
<b>Reference Number of Related Document</b>	Skagit County Recording No. 201505120128
<b>Grantor</b>	Carl Pollard & Stephanie Pollard
<b>Grantee</b>	Skyline Marina LLC
<b>Abbreviated Legal Description</b>	(0.2172 ac) LOT 4, PLAT OF FIDALGO VILLAS, AS PER PLAT RECORDED UNDER AUDITOR'S FILE NO. 201505190075, RECORDS OF SKAGIT COUNTY, WASHINGTON
<b>Tax Parcel Numbers</b>	6025-000-004-0000

### BOAT YARD EASEMENT FOR FIDALGO VILLAS

THIS BOAT YARD EASEMENT FOR FIDALGO VILLAS (this “**Agreement**”) is made this [REDACTED] day of [REDACTED] 2024, between Skyline Marina LLC (the “**Grantee**”), and Carl Pollard & Stephanie Pollard (the “**Grantor**”).

#### RECITALS

WHEREAS, the Homeowner owns or intends to purchase the property commonly known as **Lot 4 | 2213 Skyline Way Anacortes WA** in the Plat of Fidalgo Villas, and part of the Fidalgo Villas Homeowners Association (the “**Association**”) situated in Skagit County, State of Washington, herein by this reference (the “**Real Property**”); and

WHEREAS, the Covenants, Conditions, and Restrictions (“**CC&Rs**”) for the Association, Section 8.5, along with the Plat of Fidalgo Villas (Skagit County AFN: 201505120127 NOTE #20) requires each single-family home shall be subject to a Boat Yard Easement to address the operations of the adjacent boat yard;

NOW, THEREFORE; in consideration of the foregoing and the covenants set forth herein, the Declarant and Homeowner agree as follows:

1. Recitals Incorporated. The recitals above are incorporated herein and made part of this Agreement.
2. Boat Yard Easement Terms. As required by Section 8.5 of the CC&Rs, along with the Plat of Fidalgo Villas (Skagit County AFN: 201505120127 NOTE #20) the Homeowner acknowledges that the Real Property is located within a Commercial Marine zone, that there is an active boat yard adjacent to Fidalgo Villas, that the boat yard may expand in size and in intensity, that travel lifts and other boat yard equipment normally operate on Cabana Lane and Skyline Way between 6 a.m. and 10 p.m. and outside these hours for emergencies, and that this equipment and the boat yard itself generate noise, odor, and dust. This easement shall waive the Fidalgo Villas property owners right(s) to object to any of the above-described boat yard operations and any other uses legally allowed in the Commercial Marine Zone.
3. Binding Nature. The Grantor agrees that all terms of this Agreement are binding upon the Homeowner’s heirs, successors, and assigns.
4. Miscellaneous. This Agreement may only be amended in writing, signed by both parties. This Agreement shall be governed by the laws of the State of Washington and venue shall be in Skagit County Superior Court. The terms and conditions of this Agreement shall not merge upon the transfer of title to the Real Property, notwithstanding the fact that the Homeowner or their respective successors and assigns may acquire title to the Real Property. The terms and conditions of this Agreement shall survive the transfer of title to the Real Property. Nothing in this Boat Yard Easement shall be construed to convey additional access, view, or road easements not already in existence as of the date of the recorded plat.

[SIGNATURE ON NEXT PAGE]

IN WITNESS WHEREOF, the parties have executed this Agreement as of the last date set forth below.

Carl Pollard & Stephanie Pollard

  
(Signature)

Print Name: Carl G. Pollard

Date: 1-30-24

Grantor/Homeowner

  
(Signature)

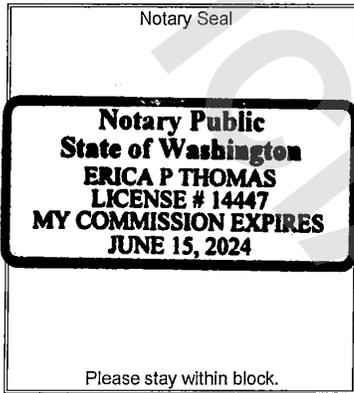
Print Name: Stephanie Pollard

Date: 1-30-24

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF Skagit )

On this day personally appeared before me Carl Pollard & Stephanie Pollard  
that executed the within and foregoing instrument, and acknowledged the said instrument to be the  
free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and  
on oath stated that said person is authorized to execute said instrument and that the seal affixed, if any,  
is the corporate seal of said corporation.

Dated this 30<sup>th</sup> day of January, 2024.



Notary Signature: Erica P. Thomas

Notary Print Name: ERICA P. THOMAS

Notary Public in and for the State of Washington

Residing at: Seattle, WA

My Appointment Expires: 6/15/2024