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03/06/2024 01:09 PM Pages: 1 of 8 Fees: \$310.50
Skagit County Auditor

After recording mail to:

Stiles & Lehr Inc., P.S.
P.O. Box 228 / 925 Metcalf Street
Sedro-Woolley, WA 98284

REVIEWED BY
SKAGIT COUNTY TREASURER
DEPUTY <u>Kayleenman</u>
DATE <u>3/6/2024</u>

Grantors: John T. Bihon and Ann E. Bihon, and Windsong Ranch Estates Homeowners Association

Grantees: Phillip A. Del Nagro, Lester Francis and R. Lorrie Francis

Legal: A portion of Lot 1 of Windsong Ranch Estate under AF#200804090083, located in the SE 1/4 of the NE 1/4 and SW 1/4 of the NE 1/4 and NE 1/4 of the SE 1/4, SECTION 8, TOWNSHIP 35 NORTH, RANGE 7 EAST, W.M., and a portion of WINDSONG LANE A PRIVATE ROAD OF WINDSONG RANCH ESTATES, RECORDED UNDER AF #200804090083, BEING A PORTION LOCATED IN THE SE 1/4 OF THE NE 1/4 & SW 1/4 OF THE NE 1/4 & NE 1/4 OF THE SE 1/4, SEC 8, TWP 35N, RNG 7E, W.M.

Tax Parcel #: 4953-000-001-0000 / P127533 (Bihon Parcel)
4953-000-013-0000 / P42294 (Del Nagro Parcel)
4953-000-013-0200 / P135182 (Del Nagro Parcel)
4953-000-999-0000 / P127545 (Windsong Parcel)

DECLARATION OF EASEMENT

This Declaration of Easement (this "Easement") is made as of this 20th day of February, 2024 by John T. Bihon and Ann E. Bihon, husband and wife, (hereinafter "Declarants Bihon") and Windsong Ranch Estates Homeowners Association, a Washington Nonprofit Corporation (hereinafter "Declarant Windsong").

RECITALS

WHEREAS, Phillip A. Del Nagro, and Lester Francis and R. Lorrie Francis, have interests in that certain parcel of real property commonly known as Lot 13 of Windsong Ranch Estates located in Skagit County and more separately and legally described on the attached **Exhibit A** (hereinafter the "Del Nagro Parcel"), which is incorporated herein by this reference.

WHEREAS, Declarants Bihon own a certain parcel of real property commonly known as 7620 Windsong Lane, Sedro-Woolley, Washington 98284, also known as Lot 1 of Windsong Ranch Estates located in Skagit County, and more separately and legally described on the attached **Exhibit A**, (hereinafter the “Bihon Parcel”) which is incorporated herein by this reference.

WHEREAS, Declarant Windsong owns a certain parcel of real property commonly known as Windsong Lane, a private road on Windsong Ranch Estates, located in Skagit County, and more separately and legally described on the attached **Exhibit A**, (hereinafter the “Windsong Parcel”) which is incorporated herein by this reference.

WHEREAS, the “Parties” are John T. Bihon and Ann E. Bihon, Windsong Ranch Estates Homeowners Association, and Phillip A. Del Nagro and Lester Francis and R. Lorrie Francis.

WHEREAS, Declarants desire to declare and establish an access easement to burden the Bihon Parcel and the Windsong Parcel and benefit the Del Nagro Parcel for access to Lot 13.

EASEMENT

1. **Easement.** Declarants Bihon, as owners of the Bihon Parcel, and Declarant Windsong, as owners of Windsong Parcel, do hereby declare and establish of record and grant and convey to Phillip A. Del Nagro, and Lester Francis and R. Lorrie Francis, as owners of the Del Nagro Parcel, its heirs, successors and assigns, a perpetual, non-exclusive access easement over, across and to the gravel access road accessible from Windsong Lane, near the boundary line between Lots 1 and 13 and Windsong Lane, and more specifically described and graphically depicted on the attached **Exhibit B**, which is incorporated herein by this reference.
2. **Purpose.** For vehicles, equipment and/or pedestrians to access over, across and to the gravel road on Lot 13.
3. **Successors and Assigns.** This Declaration of Easement and the easement created herein shall run with the land and shall be binding upon the Bihon Parcel and the Windsong Parcel, its heirs, successors, transferees and assigns, and shall inure to the benefit of the Del Nagro Parcel, its heirs, successors, transferees and assigns.
4. **Entire Agreement; Construction.** This Declaration sets forth the entire and complete declaration with respect to the subject matter hereof. Any prior agreements, commitments, or representations, express or implied, between the Parties are superseded by this Declaration of Easement. This may be altered, amended, or repealed only by a written instrument executed by both Parties, their heirs, successors, transferees or assigns.

IN WITNESS WHEREOF, Declarants have executed this Declaration of Easement on the date written above.

WINDSONG RANCH ESTATE
HOMEOWNERS ASSOCIATION,
A Washington Corporation

John T. Bihon

Ann E. Bihon

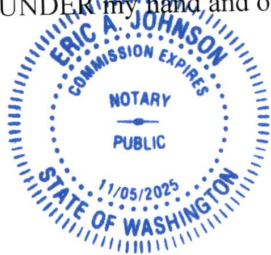
BY: Jason Brisson
President

BY: Kalie Brisson
Secretary

STATE OF WASHINGTON) ss:
COUNTY OF SKAGIT)

On this day personally appeared before me Jason Brisson, the president of Windsong Ranch Estates Homeowners Association and Kalie Brisson, the secretary of Windsong Ranch Estates Homeowners Association, who executed the within and foregoing instrument and acknowledged that they signed the same as their free and voluntary act and deed for the uses and purposes mentioned.

GIVEN UNDER my hand and official seal on this 5th day of March, 2024.



L. G. Olsen
NOTARY PUBLIC in and for the
State of Washington, residing at
Sedro-Woolley
Commission Expires: 11/05/2025

STATE OF WASHINGTON) ss.
COUNTY OF SKAGIT)

On this day personally appeared before me John T. Bihon and Ann E. Bihon, who executed the within and foregoing instrument and acknowledged that they signed the same as their own free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN UNDER my hand and official seal on this 20 day of February, 2024.



Wendy L. Friedrichs
NOTARY PUBLIC in and for the
State of Washington, residing at
Sedro Woolley, WA
Commission Expires: 10-1-27

Exhibit A**Del Nagro Parcels**

4953-000-013-0000 / P42294

4953-000-013-0200 / P135182

4953-000-013-0100 / P42280

Lot 13, "PLAT OF WINDSONG RANCH ESTATES" as per plat recorded on April 9, 2008, under Auditor's File No. 200804090083, records of Skagit County, Washington, situated in Skagit County, Washington.

Bihon Parcel

4953-000-001-0000 / P127533

Lot 1, "PLAT OF WINDSONG RANCH ESTATES" as per plat recorded on April 9, 2008, under Auditor's File No. 200804090083, records of Skagit County, Washington, situated in Skagit County, Washington.

Windsong Parcel

4953-000-999-0000 / P127545

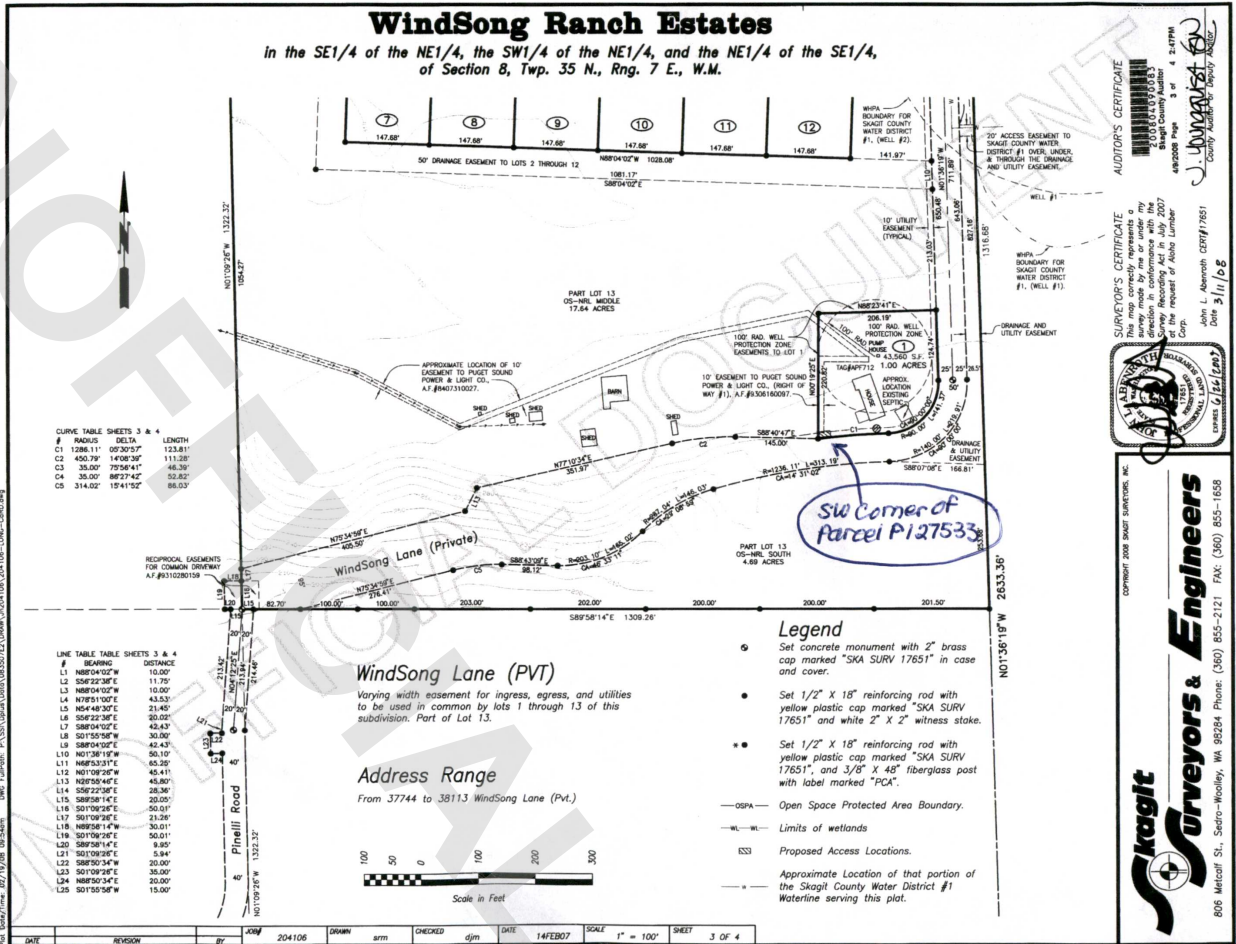
WINDSONG LANE A PRIVATE ROAD OF WINDSONG RANCH ESTATES, RECORDED UNDER AF#200804090083, BEING A PORTION LOCATED IN THE SOUTHEAST ¼ OF THE NORTHEAST ¼ AND SOUTHWEST ¼ OF THE NORTHEAST ¼ AND NORTHEAST ¼ OF THE SOUTHEAST ¼, SECTION 8, TOWNSHIP 35 NORTH, RANGE 7 EAST, W.M.

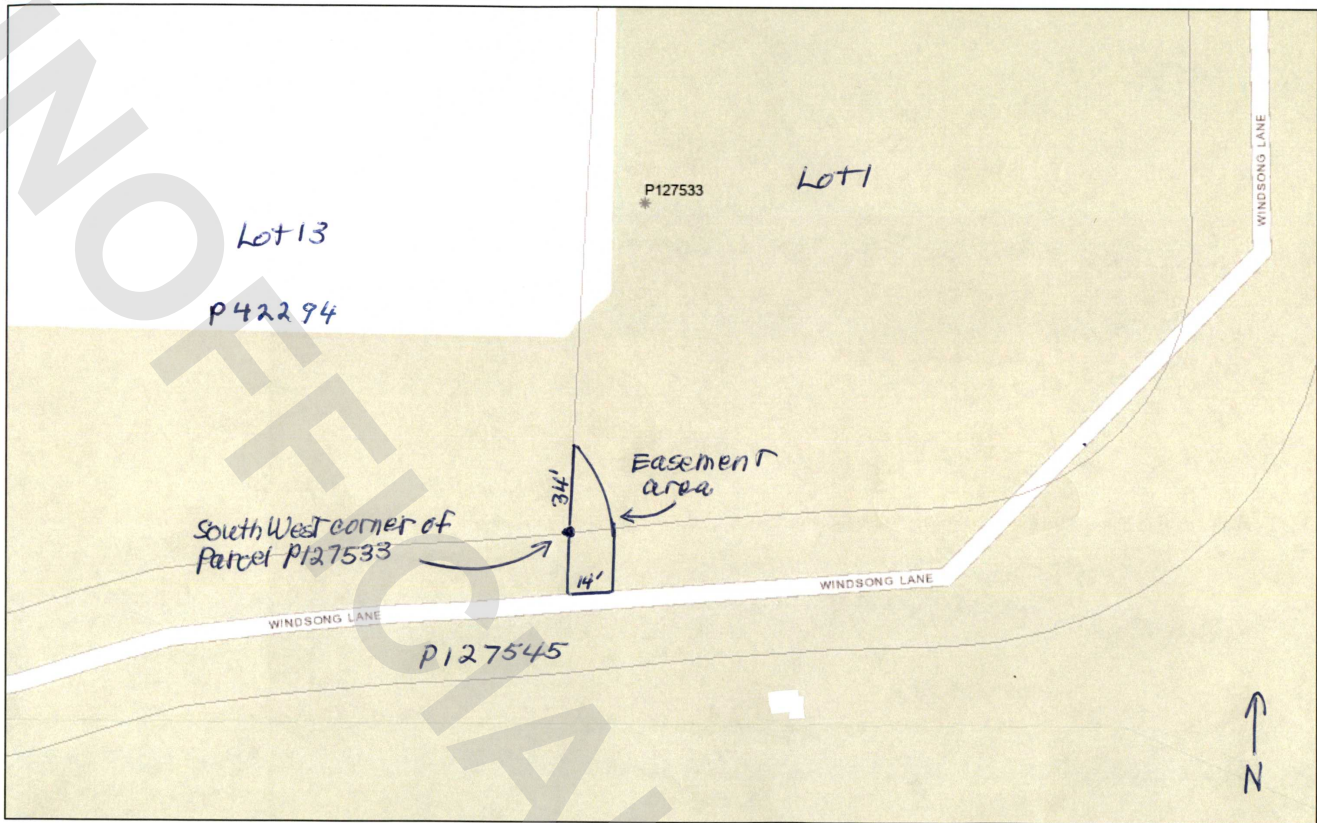
SITUATE IN COUNTY OF SKAGIT, STATE OF WASHINGTON.

Exhibit B

Beginning at the Southwest corner of Lot 1 Plat of Windsong Ranch Estates as per plat recorded on April 9, 2008 under Auditor's File No. 200804090083, then North 34 feet along the west boundary line of Lot 1, then southeasterly to a point 14 feet east of the point of beginning, then south to the north side of Windsong Lane, then west 14 feet along the north side of Windsong Lane, then north to the point of beginning.

1. See attached plat map showing the southwest corner of Lot 1 (P127533)
2. See attached map depicting the easement area.
3. See attached aerial map depicting the easement area.

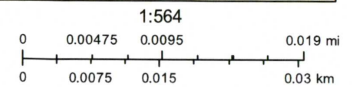




February 7, 2024

Legend

- | | | |
|---------------------------|---------------------------|--------------------------|
| County Boundary | Senior Citizen Accounts | Tax Parcels |
| Tax Parcel Numbers | Mobile Home Only Accounts | Pre Tax Account Property |
| Land Accounts | Building Only Accounts | |



Data Accuracy Warning: All GIS data was created from available public records and existing map sources. Map features have been adjusted to achieve a best-fit registration. While great care was taken in this process, maps from different sources rarely agree as to the precise location of geographic features. Map discrepancies can be as great as 300 feet.

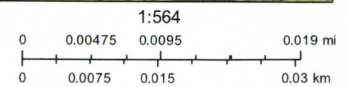
Copyright 2021



February 7, 2024

Legend

- | | |
|--|-----------------|
| <input type="checkbox"/> County Boundary | Hydro Labels |
| City Names | Regional Labels |
| Road Labels | |



Data Accuracy Warning: All GIS data was created from available public records and existing map sources. Map features have been adjusted to achieve a best-fit registration. While great care was taken in this process, maps from different sources rarely agree as to the precise location of geographic features. Map discrepancies can be as great as 300 feet.

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