

When recorded return to:

Attention: Scott F. Mennella and Anne Sidbury
10683 Bayview Edison Road
Mount Vernon, WA 98273

TITLE: DECLARATION OF RESTRICTIVE COVENANTS
GRANTOR: SCOTT F. MENNELLA AND ANNE SIDBURY, TRUSTEES

GRANTEE: SCOTT F. MENNELLA AND ANNE SIDBURY, TRUSTEES

ABBREV. LEGAL: Ptn of GL3, 30-35-3 EWM (Protected Property)
Full legal (Protected Property) shown in Exhibit A on page 5
Full legal of Property of which Protected Property is a part shown in
Exhibit B on page 6

TAX PARCEL NUMBERS: Protected Property P35045
Benefited Properties P34986,

RELATED DOCUMENTS: NONE

RECITALS

- A. Scott F. Mennella and Anne Sidbury, Trustees of the Mennella-Sidbury Revocable Trust under agreement dated June 5, 2005, known as "Grantor" are the owners of that certain real estate in the County of Skagit, State of Washington, of approximately 4.18 acres described in Exhibit A attached hereto and incorporated herein by this reference (the "Protected Property"). The Protected Property is part of a larger legal parcel owned by Grantor legally described in Exhibit B attached hereto and incorporated herein by this reference (the "Property").
- B. Scott F. Mennella and Anne Sidbury, Trustees of the Mennella-Sidbury Revocable Trust under agreement dated June 5, 2005, are the owners of that certain real estate in the County of Skagit, State of Washington, described in Exhibit B attached hereto and

Declaration of Restrictive Covenant over Protected Property

incorporated herein by this reference (the Mennella Sidbury Adjacent Property) which is adjacent to the Protected Property. The Mennella/Sidbury Adjacent Property is referred to herein as the "Benefitted Property".

- C. Grantor desires to protect the conservation values of the Protected Property through the placement of a restrictive covenant on Protected Property before conveyance of the Property to a third party, to run with the land to the benefit of the Grantor, in gross, and the appurtenant Benefitted Property.

DECLARATION

NOW, THEREFORE, in consideration of the above recitals, which are incorporated herein by this reference, and on behalf of itself and its successors and assigns, Grantor does hereby declare and record the following restrictive covenants (collectively, "Restrictive Covenants") to attach to, be binding upon, and forever run with the title of the Protected Property (a) to the benefit, in gross, of Scott F. Mennella and Anne Sidbury, Trustees of the Mennella-Sidbury Revocable Trust under agreement dated June 5, 2005, and each of their successors-in-interest (collectively "Grantee"):

1. The Protected Property shall remain "forever wild" and managed to benefit native plant and animal species.
2. No structures shall be placed on the Protected Property, nor shall it be used for waste disposal or dumping.
3. The native forest of the Protected Property shall not be cut down nor native trees within the native forest of the Protected Property harvested for commercial or personal use. This restriction is not intended to prevent the removal of non-native species trees or other vegetation, trees presenting a hazard to health, safety or adjacent property, or the removal of trees, based on best forest management practices, intended to preserve the ecological health and functioning of the native forest.

These Restrictive Covenants shall run with the land and be binding on all current and future owners of any portion of or interest in the Protected Property. The benefits of these Restrictive Covenants are appurtenant to the Benefitted Properties, as covenants running with the land. The benefits of these Restrictive Covenants are also personal to the Mennella-Sidbury family.

Any of the Grantees may undertake action for injunctive or other equitable relief in the event of violation of any of the Restrictive Covenants. In any litigation or other legal proceeding to enforce or interpret any provision in this instrument, the substantially prevailing party shall be entitled to an award of its reasonable attorneys' and consultants' fees and costs, including fees and costs incurred on appeal and in any bankruptcy proceeding.

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There shall never be a merger of title of these Restrictive Covenants with the fee title to the Protected Property, and it is the intent of the Grantor that these Restrictive Covenants shall be perpetual and remain with the Protected Property, irrespective of common ownership.

The failure of any of the Grantees to exercise any right or remedy provided for in this instrument or under applicable law or to insist upon the strict performance of any of these Restrictive Covenants shall not be a waiver of that party's right to exercise that right or remedy or insist upon the strict performance of any of these Restrictive Covenants in the future.

Any determination by any court of competent jurisdiction that any provision of this instrument is invalid or unenforceable shall not affect the validity or enforceability of any of the other provisions hereof.

These Restrictive Covenants are effective upon their recording in the official records of Skagit County, Washington.

(Signature pages to follow)

IN WITNESS WHEREOF, Grantor Scott F. Mennella and Anne Sidbury, Trustees of the Mennella-Sidbury Revocable Trust under agreement dated June 5, 2005, have executed this Declaration of Restrictive Covenants on the 17 of October 2024.

Scott F. Mennella
Scott F. Mennella, Trustee
Mennella-Sidbury Trust u/a 6/5/2005

Anne Sidbury
Anne Sidbury, Trustee
Mennella-Sidbury Trust u/a 6/5/2005

State of WA
County of Sikagit

I certify that I know or have satisfactory evidence that Scott F. Mennella and Anne Sidbury are the persons who appeared before me, and said persons acknowledged that they signed this instrument, on oath stated that they were authorized to execute the instrument and acknowledged it as the Trustees of Mennella Sidbury Revocable Trust under agreement dated June 5, 2005 to be the free and voluntary act of such trust for the uses and purposes mentioned in this instrument.

Given under my hand and official seal this 17 day of Oct, 2024.



Brianna Malouf
Notary Public in and for said
state residing in Anacortes WA
My commission expires 08/30/2025

Exhibit A

Legal Description of the Protected Property

Parcel 35045

The North 137.5 feet of the South 327.5 feet of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 30, Township 35 North, Range 3 East, W.M.

Situate in the County of Skagit, State of Washington

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Exhibit B

Legal Description of the Benefitted Property

Parcel 34986

The North 137.5 feet of the South 327.5 feet of Government Lot 3 in Section 30, Township 35 North, Range 3 East, W.M. Except County Road and EXCEPT North 100 feet (measured along the County Road) of that portion of said property lying Westerly of said County Road.

Situate in the County of Skagit, State of Washington