



200905050065

Skagit County Auditor

5/5/2009 Page

1 of

7 12:38PM

### PROTECTED CRITICAL AREA EASEMENT (PCA)

In consideration of Skagit County Code (SCC) 14.24.170, requirements for recording of protected critical area easements (PCA), for areas included under PL 06-0442, and mutual benefits herein, Harbhajan K. and Khushdev S. Mangat, hereafter referred to as Grantor(s), does hereby grant, convey and warrant to Skagit County, a political subdivision of the State of Washington, a non-exclusive perpetual easement establishing a PCA over, along and across those portions of the project, denoted as Protected Critical Area Easement and described on the attached legal description, together with the right of ingress and egress to and from this easement for the purpose of monitoring and enforcing proper operation and maintenance of the PCA described herein.

The easement is granted to and conditioned upon the following terms, conditions and covenants:

1. The PCA legal descriptions are attached:

Protected Critical Area, as shown on Skagit County Plat No. PL 06-0442, approved July 22, 2008 and recorded July 23, 2008 under Skagit County Auditor's File No. 200807230069, records of Skagit County, Washington, being in a portion of Section 30, Township 36N, Range 5 E, W.M. Parcel # P51105, 51106, 51115, 51117, 51119, 127504. And as amended by Recording on May 5 2009 under Auditor's File Number 200905050064

2. Grantor(s) shall hereafter be responsible for maintaining and repairing PCA areas as described herein and is hereby required to leave PCA areas undisturbed in a natural state. With the exception of activities identified as Allowed without Standard review under SCC 14.24.100, any land-use activity that can impair the functions and values of critical areas or their buffers through a development activity or by disturbance of the soil or water, and/or by removal of, or damage to, existing vegetation shall require critical areas review and written authorization pursuant to SCC 14.24." (SCC 14.24.060) No clearing, grading, filling, logging or removal of woody material, building, construction or road construction of any kind, planting of non-native vegetation or grazing of livestock is allowed within the PCA areas except as specifically permitted by Skagit County on a case-by-case basis consistent with SCC 14.24.

*Easement*  
SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

APR 29 2009

Amount Paid \$ 0  
Skagit Co. Treasurer  
By mm Deputy

3. Grantor(s) and Skagit County agree to the following special conditions requested by the Grantor(s) or required as part of mitigation pursuant to SCC 14.24.

i. \_\_\_\_\_  
ii. \_\_\_\_\_

4. Grantor(s) retains the right to use and possession of the real property over which the easement is granted to the extent permitted by Skagit County as low impact uses and activities which are consistent with the purpose and function of the PCA and do not detract from its integrity may be permitted with the PCA depending on the sensitivity of the habitat involved. Examples of uses and activities which may be permitted in appropriate cases, with prior County written approval separate from this agreement, include pedestrian trails, viewing platforms, stormwater management facilities and utility easements. Provided further that the grantor agrees not to interfere with, obstruct or endanger Skagit County's use of the easement.
5. Should any human disturbance of the PCA occur, the fee owners shall have the obligation to restore and return the affected area to its natural state immediately, under the provisions of a County approved mitigation plan.
6. The parties recognize that this easement is created, granted and accepted for the benefit of the inherent natural functions provided by the PCA, but shall not be construed to provide open or common space for owners within the project or members of the public. By acceptance of the easement for the purposes described, Skagit County does not accept or assume any liability of acts or omissions of the fee owners, his or her invitees, licenses or other third parties within the easement area. Grantor(s) hold Skagit County harmless from any damage or injury to any property or person by any person entering the easement area not expressly authorized to do so by Skagit County.
7. Grantor(s) agrees that this easement shall run with the land and that the rights and obligations of Grantor(s) and Skagit County shall inure to the benefit of each and shall be binding upon their respective heirs, successors and assigns.
8. Grantor(s) covenants that they own the property legally described herein and has lawful right to convey the interest in the property to Skagit County for the benefit of the public forever.



200905050065  
Skagit County Auditor

5/5/2009 Page 2 of 7 12:38PM

DATED this 4th day of February, 2009.

By: Khushdev S Mangat By: Harhajan Mangat

STATE OF WASHINGTON )  
 )  
COUNTY OF SKAGIT )

I certify that I know or have satisfactory evidence Harhajan K. Khushdev S. Mangat signed this instrument, on oath stated that they were authorized to execute the instrument and acknowledge it as the owners to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED this 4th day of February, 2009.



Barbara L. Jones  
NOTARY PUBLIC in and for the State of  
Washington residing at: Dr. Seaton  
Print Name: Barbara L. Jones  
My appointment expires: 1/04/10



200905050065

Skagit County Auditor

5/5/2009 Page 3 of 7 12:38PM

## TRACT 'A'

**ALL THAT PORTION** of the Southwest quarter of Section 30, Township 36 North, Range 5 East, W.M. described as follows:

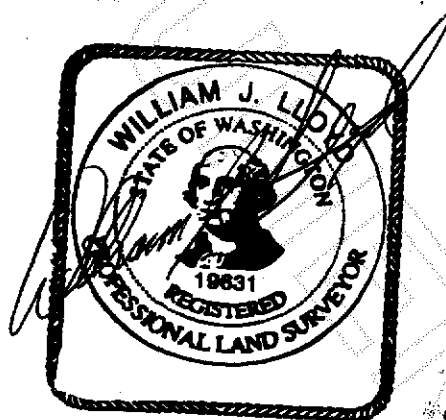
**COMMENCING** at the Southeast corner of Lot 10, Open Space Reserve, per Plat of Mangat Estates according to the plat thereof recorded under Auditor's File No. 200807230069, records of Skagit County, State of Washington, from which the Southwest corner of said Lot 10 bears N 85° 52' 13" W a distance of 1183.00 feet; thence S 06° 54' 54" E a distance of 113.95 feet to the **TRUE POINT OF BEGINNING**; thence S 88° 43' 23" E a distance of 82.22 feet; thence S 73° 49' 40" E a distance of 122.70 feet; thence S 69° 02' 52" E a distance of 82.34 feet; thence S 58° 13' 23" E a distance of 52.00 feet; thence N 88° 58' 22" E a distance of 130.42 feet; thence S 57° 35' 06" E a distance of 75.21 feet to the beginning of a tangent curve to the right having a radius of 100.00 feet; thence along the arc of said curve through a central angle of 175° 57' 40" a distance of 307.11 feet; thence N 61° 37' 26" W a distance of 20.38 feet; thence S 88° 58' 22" W a distance of 130.67 feet; thence N 58° 13' 23" W a distance of 92.32 feet; thence N 69° 02' 52" W a distance of 121.85 feet; thence N 88° 43' 23" W a distance of 54.05 feet; thence S 78° 29' 22" W a distance of 164.33 feet; thence S 58° 25' 26" W a distance of 117.63 feet; thence S 22° 47' 41" W a distance of 45.91 feet; thence N 55° 59' 50" W a distance of 151.54 feet; thence S 58° 16' 30" W a distance of 122.07 feet; thence S 79° 45' 15" W a distance of 87.18 feet to the beginning of a tangent curve to the right having a radius of 100.00 feet; thence along the arc of said curve through a central angle of 178° 11' 27" a distance of 311.00 feet; thence N 77° 56' 42" E a distance of 50.93 feet; thence N 58° 16' 30" E a distance of 33.50 feet; thence N 45° 28' 19" E a distance of 65.91 feet; thence N 80° 26' 45" E a distance of 146.98 feet; thence S 55° 59' 50" E a distance of 32.57 feet; thence N 60° 08' 53" E a distance of 121.28 feet; thence S 32° 49' 07" E a distance of 50.27 feet; thence N 78° 00' 05" E a distance of 188.40 feet to the **TRUE POINT OF BEGINNING**.

Situate in the County of Skagit, State of Washington.



200905050065  
Skagit County Auditor

5/5/2009 Page 4 of 7 12:38PM



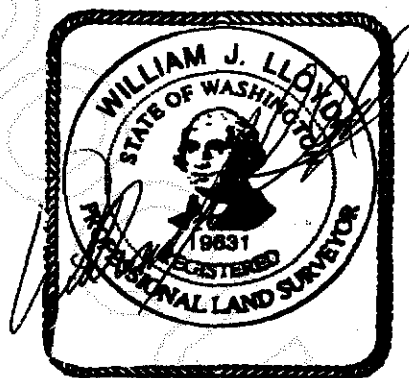
1-27-09

## TRACT 'B'

**ALL THAT PORTION** of the Southeast quarter of the Southwest quarter of Section 30, Township 36 North, Range 5 East, W.M. described as follows:

**COMMENCING** at the Southeast corner of said subdivision; thence N 86° 44' 55" W along the South line thereof a distance of 660.66 feet; thence N 03° 15' 05" E a distance of 460.09 feet to the **TRUE POINT OF BEGINNING**; thence N 46° 53' 56" W a distance of 48.59 feet; thence N 73° 23' 03" W a distance of 92.33 feet; thence N 36° 08' 10" W a distance of 91.16 feet; thence N 78° 44' 56" W a distance of 69.83 feet; thence N 21° 02' 35" W a distance of 51.47 feet to the beginning of a tangent curve to the right having a radius of 50.00 feet; thence along the arc of said curve through a central angle of 105° 53' 15" a distance of 92.40 feet; thence N 84° 50' 40" E a distance of 103.78 feet; thence S 25° 06' 25" E a distance of 85.17 feet; thence S 42° 04' 39" E a distance of 32.42 feet; thence S 65° 46' 00" E a distance of 31.28 feet; thence S 89° 34' 55" E a distance of 82.85 feet; thence S 16° 42' 39" E a distance of 111.14 feet to the beginning of a tangent curve to the right having a radius of 50.00 feet; thence along the arc of said curve through a central angle of 149° 48' 44" a distance of 130.74 feet to the **TRUE POINT OF BEGINNING**.

Situate in the County of Skagit, State of Washington.



1-27-09



200905050065  
Skagit County Auditor

5/5/2009 Page

5 of

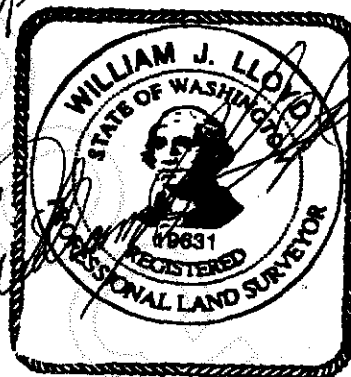
7 12:38PM

## TRACT 'C'

**ALL THAT PORTION** of the Southwest quarter of the Southwest quarter of Section 30, Township 36 North, Range 5 East, W.M. described as follows:

**COMMENCING** at the Southwest corner of said subdivision; thence S 86° 44' 55" E along the South line thereof a distance of 25.01 feet to a point 25.00 feet East of the West line of said subdivision as measured perpendicular thereto and the **TRUE POINT OF BEGINNING**; thence N 01° 55' 44" E parallel with the West line of said subdivision a distance of 175.21 feet; thence S 69° 25' 31" E a distance of 49.98 feet; thence N 71° 16' 32" E a distance of 55.95 feet; thence S 22° 08' 09" E a distance of 49.53 feet; thence S 78° 07' 51" E a distance of 42.02 feet; thence S 65° 15' 09" E a distance of 69.13 feet; thence S 37° 07' 54" E a distance of 55.76 feet; thence S 26° 14' 42" E a distance of 71.66 feet to a point on the South line of said subdivision; thence N 86° 44' 55" W a distance of 294.07 feet to the **TRUE POINT OF BEGINNING**.

Situate in the County of Skagit, State of Washington.



200905050065  
Skagit County Auditor

5/5/2009 Page 6 of 7 12:38PM

## TRACT 'D'

**ALL THAT PORTION** of the South half of the Southwest quarter of the Southeast quarter of Section 30, Township 36 North, Range 5 East, W.M. described as follows:

**COMMENCING** at the Southeast corner of said subdivision; thence N 87° 20' 36" W along the South line thereof a distance of 130.62 feet to the **TRUE POINT OF BEGINNING**; thence continue N 87° 20' 36" W along said line a distance of 227.28 feet; thence N 33° 41' 42" W a distance of 7.01 feet; thence N 13° 36' 56" W a distance of 97.25 feet; thence N 14° 57' 17" E a distance of 30.58 feet; thence N 25° 56' 48" W a distance of 16.15 feet; thence N 03° 03' 11" E a distance of 127.74 feet; thence N 27° 39' 26" W a distance of 37.22 feet; thence N 24° 01' 40" E a distance of 129.30 feet; thence N 37° 52' 33" E a distance of 24.32 feet; thence N 32° 12' 04" W a distance of 47.19 feet; thence N 45° 32' 22" E a distance of 169.26 feet; thence N 15° 00' 00" E a distance of 46.35 feet to a point on the North line of said subdivision; thence S 86° 58' 46" E along said North line a distance of 211.60 feet; thence S 15° 00' 00" W a distance of 142.69 feet; thence S 45° 32' 22" W a distance of 58.39 feet; thence S 32° 12' 04" E a distance of 82.45 feet; thence S 65° 47' 14" W a distance of 114.60 feet; thence S 36° 13' 23" W a distance of 27.42 feet; thence S 27° 39' 26" E a distance of 59.24 feet; thence S 35° 16' 10" W a distance of 62.88 feet; thence S 03° 03' 11" W a distance of 21.43 feet; thence S 25° 56' 48" E a distance of 39.92 feet; thence S 14° 57' 17" W a distance of 55.19 feet; thence S 32° 03' 24" E a distance of 89.61 feet; thence S 14° 27' 34" W a distance of 33.49 feet to the **TRUE POINT OF BEGINNING**.

Situate in the County of Skagit, State of Washington.



200905050065  
Skagit County Auditor

5/5/2009 Page

7 of

7 12:38PM