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12/09/2008 02:14P
EASE 43.00

Jefferson County Aud BRADY CONSTRUCTION

When recorded return to:

Richard L. Shaneyfelt
Attorney at Law
1101 Cherry Street
Port Townsend, WA 98368

NO REAL ESTATE
EXCISE TAX REQUIRED
JEFFERSON COUNTY TREASURER

BY: *J. Harwood/Deputy*

EASEMENT/RESTRICTION

GRANTOR(S): BRADY CONSTRUCTION, INC.
GRANTEE(S): FUTURE OWNERS OF LOTS WITHIN BLK 4, H. L. TIBBALS, JR.,
1st ADDITION
ABBREV. LEGAL: BLK 4, H.L. TIBBALS, JR. 1st ADDN to PT
TPN(s): 998 800 401, 998 800 402, 998 800 403, 998 800 404, 998 800
405, 998 800 406, 998 800 407, 998 800 408

It is Grantor's intention to market the lots and future homes in Block 4 to individual owners. In order for these owners to share in the utilities and access easement, it is necessary to make this grant and agreement. In order to protect future improvements on Lots 5 through 8, Block 4, it is necessary to establish a restriction on construction.

Grantor, BRADY CONSTRUCTION, INC., owner of the above described property hereby grants, conveys, establishes and creates an easement over, under and across that portion of Block 4, H.L. Tibbals, Jr., 1st Addition to the City of Port Townsend, Volume 1 of Plats, page 43, Jefferson County official records, as depicted on the face of a survey by Van Aller Surveying recorded on April 9, 2008, under Auditor's file number 532925. Said twenty-foot (20') easement is for the placement, maintenance, construction, reconstruction, repair and upkeep of utilities serving Block 4 and for a driveway or other means of ingress and egress for all owners within Block 4, H.L. Tibbals, Jr., 1st Addition.

Said easement is both a benefit and a burden upon all of Block 4, H.L. Tibbals, Jr., 1st Addition, for the present and future owners, their heirs, successors and assigns.

Fill dirt has been placed on portions of Lots 5 through 8, Block 4. Part of the surface water drainage system for the Brady Neighborhood Development abuts these lots, including the overflow for the detention pond located on 43rd Street. Therefore, use of these lots is restricted to require a foundation on native, undisturbed soil and all parts of the dwelling except the foundation shall be constructed at a minimum of 118 feet per City of Port Townsend vertical datum (NAVD88). As built map dated December 2, 2008 and original topographic map dated November 17, 2006 are part of the City of Port Townsend Permit SDP07-022.

IN WITNESS THEREOF, the undersigned has hereunto set his hand and seal this 9 day of December, 2008.

GRANTOR

BRADY CONSTRUCTION, INC.

[Signature]
By: Darren Brady
Its: President

ACKNOWLEDGMENT

STATE OF WASHINGTON)
) ss.
COUNTY OF JEFFERSON)

On this day personally appeared before me DARREN BRADY, President of BRADY CONSTRUCTION, Inc., to me known to be the individual described in end who executed the within and foregoing instrument and acknowledged that he was authorized by said company following corporate resolution, to execute this Easement for the uses and purposes therein mentioned.



[Signature]
NOTARY PUBLIC in and for the State of Washington
Residing at: Port Townsend, Washington
My commission expires: ~~May 16, 2012~~ 7-16-2011