

EASEMENT FOR INGRESS, EGRESS AND UTILITIES

THIS EASEMENT made and entered into this 30<sup>th</sup> day of August, 1990, by and between SAMUEL S. BROWN and CATHY BROWN, husband and wife; PHILIP MULTOP, a single man; RICHARD J. ZOEGER and SIEMAN M. ZOEGER, husband and wife, hereinafter referred to as Grantors, and WILBUR GOSSMAN and CONSTANCE GOSSMAN, husband and wife, hereinafter referred to as Grantees,

W I T N E S S E T H :

That for and in consideration of the sum of One Dollar and other valuable consideration, Grantors do by these presents grant and convey unto Grantees herein a 30-foot perpetual right and easement for ingress, egress and utilities, over, under and across the following property situate in Whatcom County, Washington, namely:

Lot B of Amended L.J.C. Short Plat except the South 208 feet thereof as recorded in Book 13 of short plats, page 15 under Auditor's file #1527859 records of Whatcom County, Washington being a portion of the Northwest quarter of the Northwest quarter of SECTION 9 Township 39 North Range 3 East of W.M.

This easement shall run north and south in a straight line from the Pole Road commencing at the north boundary of said Lot B and extending to the south boundary of that portion of Lot B as described above. The exact placement of the 30-foot easement shall be determined and set by the grantors, their heirs, successors and assigns as owners of the portion of Lot B as described above, at such time as said portion of Lot B is short platted or a building permit is obtained for the development thereon, or whenever the grantees short plats his property bordering the south boundary of said portion of Lot B, or grantees obtains a building permit to construct an improvement on grantees' said property, WHICHEVER EVENT SHALL OCCUR FIRST. Notwithstanding the provisions as set forth in the preceding sentence, grantors shall fix and establish for the benefit of the grantees, a 30-foot easement from the Pole Road to the south boundary of said portion of Lot B as described above within 5 years from the date of this easement, and if the grantors fail to provide and establish with certainty this 30-foot easement for the grantees; within said 5-year period the grantees shall automatically receive the 30-foot easement as anticipated by this agreement over, under and across the east 30 feet of said portion of Lot B as described above.

At such time hereafter that the exact placement of the 30 foot easement is established, as provided above, the grantors, as owners of the portion of Lot B as described above, their heirs, successors and assigns, shall bear the cost and expense to install a gravel access road meeting all of the Whatcom County standards over this easement at the time the easement road is determined and established in accordance with this easement agreement.

This easement and right shall be perpetual in existence and shall be considered and construed as a covenant running with and benefitting the land described as follows:

Parcel A: A tract of land in Section 9, Township Range 3 East of W.M., described as follows:

The South 208 feet of said Lot B as described above.

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