

42/80

WATER PIPELINE EASEMENT

9204210040

THIS AGREEMENT is made this 7<sup>th</sup> day of April, 1992 between GENE C. FINGER and NELL B. FINGER, husband and wife, hereinafter referred to as "Grantor", and PUBLIC UTILITY DISTRICT NO. 1 OF SKAGIT COUNTY, WASHINGTON, a Municipal Corporation, hereinafter referred to as "District". Witnesseth:

WHEREAS, Grantor is the owner of certain lands and premises situated in the County of Skagit, and

WHEREAS, the District wishes to acquire certain rights and privileges along, within, across, over, under and upon the said lands and premises.

NOW, THEREFORE, Grantor, for and in consideration of mutual benefits and other valuable consideration, receipt of which is hereby acknowledged, conveys and grants to the District, its successors or assigns, the perpetual right, privilege and authority enabling the District to do all things necessary or proper in the construction and maintenance of a water line, lines or related facilities, including the right to construct, operate, maintain, inspect, improve, remove, restore, alter, replace, relocate, connect to and locate at any time a pipe or pipes, line or lines or related facilities, along with necessary appurtenances for the transportation of water over, across, along, in and under the following described lands and premises in the County of Skagit, State of Washington, to wit:

The east 5.0 feet of Lots 14 through 18, Plat of "Fidalgo City - Skagit County and Territory of Washington" as recorded in Volume 2 of Plats, Pages 113, 114 and 115 Records of Skagit County, Washington.

Situate in Skagit County

together with the right of ingress to and egress from said lands across adjacent lands of the Grantor; also, the right to cut and/or trim all brush, timber, trees or other growth standing or growing upon the lands of the Grantor which, in the opinion of the District, constitutes a menace or danger to said line or to persons or property by reason of proximity to said line. The Grantor agrees that title to all timber, brush, trees, other vegetation or debris trimmed, cut and removed from the easement pursuant to this Agreement is vested in the District.

Grantor, its heirs, successors, or assigns hereby conveys and agrees not to construct or permit to be constructed structures of any

SKAGIT COUNTY WASHINGTON  
Real Estate Excise Tax

APR 21 1992

Amount Paid \$ 00  
Skagit Co. Treasurer  
Deputy

RECORDED  
REQUEST OF  
FILED  
'92 APR 21 P 3:04

JERRY MCHUGH  
SKAGIT COUNTY CLERK

BK 1068 PG 0590

RECEIVED

APR 17 1992

SKAGIT P.U.D.

9204210040

PUBLIC UTILITY DIST. #1 SKAGIT CO.  
1415 Freeway Drive  
Mount Vernon, Washington 98278

0424 1992

0516 2004

kind on the easement area without written approval of the General Manager of the District. Grantor shall conduct its activities and all other activities on Grantor's property so as not to interfere with, obstruct or endanger the usefulness of any improvements or other facilities, now or hereafter maintained upon the easement, or in any way interfere with, obstruct or endanger the District's use of the easement.

The Grantor also agrees to and with the District that the Grantor lawfully owns the land aforesaid, has a good and lawful right and power to sell and convey same, that same is free and clear of encumbrances except as indicated in the above legal description, and that Grantor will forever warrant and defend the title to said easement and the quiet possession thereof against the lawful claims and demands of all persons whomsoever.

Any mortgage on said land held by a mortgagee is hereby subordinated to the rights herein granted to the District; but in all other respects the mortgage shall remain unimpaired.

In Witness Whereof, the Grantor hereunto sets his hand and seal this 7<sup>th</sup> day of April, 1992.

Gene C. Finger  
Gene C. Finger

Nell B. Finger  
Nell B. Finger

STATE OF WASHINGTON  
COUNTY OF SKAGIT

On this 7<sup>th</sup> day of April, 1992, personally appeared before me Gene C. Finger & Nell B. Finger and acknowledged the within and foregoing instrument to be ~~his~~ free and voluntary act and deed, for the uses and purposes therein <sup>stated</sup> mentioned.

In Witness Whereof I have hereunto set my hand and affixed my official seal the day and year herein above written.

Diary Williams  
Notary Public in and for the State of  
Washington, residing at Grand Falls

My commission exp. 6-1-93

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0424 1992

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