

After Recording, Please Return To:

Public Utility District No. 1 of Skagit County
1415 Freeway Drive
P.O. Box 1436
Mount Vernon, WA 98273-1436



200202010132

Skagit County Auditor

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**WASHINGTON STATE COUNTY AUDITOR/RECORDERS/
INDEXING FORM (Cover Sheet)**

98391
LAND TITLE COMPANY OF SKAGIT COUNTY

Document Title: Water Pipeline Easement
Grantor: Sedro-Woolley School District No. 101; and Sedro-Woolley Lumber Co.
Grantee: Public Utility District No. 1 of Skagit County, Washington
Legal Description: (abbreviated form i.e. low, block, pat name, section-township-range) Portion of the NW ¼, 25-35-4- E W. M. <input checked="" type="checkbox"/> Additional legal is included on page 1 and "Exhibit A" of document
Assessor's Property Tax Parcel Account Number: 350425-2-002-0000

The Auditor/Recorder will rely on the information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

WATER PIPELINE EASEMENT

THIS AGREEMENT is made this 28 day of January, 2002, among **SEDRO-WOOLLEY SCHOOL DISTRICT NO. 101, SKAGIT COUNTY, WASHINGTON**, a municipal corporation duly organized and existing under and by virtue of the laws of the State of Washington; **SEDRO-WOOLLEY LUMBER CO.**, a Washington corporation, hereinafter referred to as "Grantors," and **PUBLIC UTILITY DISTRICT NO. 1 OF SKAGIT COUNTY, WASHINGTON**, a Washington municipal corporation, hereinafter referred to as "District." Witnesseth:

WHEREAS, Grantors are the owners 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, under, and upon the said lands and premises.

NOW, THEREFORE, each Grantor, for and in consideration of mutual benefits and other valuable consideration, receipt of which is hereby acknowledged, quit claims, 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 maintenance and operation of the existing water and communication lines or other similar existing public services' 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 and control of water and electronic information on facilities over, across, along, in and under the lands and premises in the County of Skagit, State of Washington, described on Exhibit A attached hereto and incorporated here by this reference (the "Easement Area") together with the right of ingress to and egress from said lands across adjacent lands of the Grantors.

Grantors, their heirs, successors, or assigns each hereby conveys and agrees not to construct or permit to be constructed permanent structures of any kind on the Easement Area, (not including asphalt, landscaping and the existing running track as described on Exhibit B attached hereto) without written approval of the General Manager of the District. Grantors shall conduct their activities and all other activities on each 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 Area or in any way interfere with, obstruct or endanger the District's use of the easement.

The District shall, upon completion of any work within the property covered by this easement, restore the surface of the easement and any private improvements disturbed or destroyed during execution of the work, as nearly as practical to their normal conditions

that they were in immediately before the commencement of the work or entry by the District.

This Water Pipeline Easement may be executed in counterparts, each of which shall be deemed an original, and all of which together shall constitute one in the same instrument.



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In Witness Whereof, the Grantors and District hereunto set their hands and seals.

**SEDRO-WOOLLEY SCHOOL
DISTRICT NO. 101, SKAGIT COUNTY,
WASHINGTON**, a municipal corporation
duly organized and existing under and by
virtue of the laws of the State of Washington

By *Michael C. Casey*
Michael C. Casey, its Superintendent, in
his capacity as Secretary of the Board of
Directors

Easement
SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax
PAID

FEB 01 2002

Amount Paid *00*
Skagit County Treasurer
BY: *M. Case* Deputy

**SEDRO-WOOLLEY LUMBER CO., a
Washington corporation**

By *Jess R. Drake*
Name *Jess R. Drake*
Title *President*

**UTILITY DISTRICT NO. 1 OF SKAGIT
COUNTY, WASHINGTON**, a Washington
municipal corporation

By *Kenneth K. Kivvik*
Name *KENNETH K. KIVVIK*
Title *General Manager*



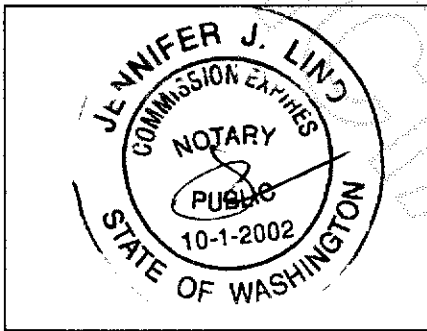
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STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that Michael Casey is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Superintendent of and in his capacity as Secretary of the Board of Directors of Sedro-Woolley School District No. 101, Skagit County, Washington, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 1-30-02



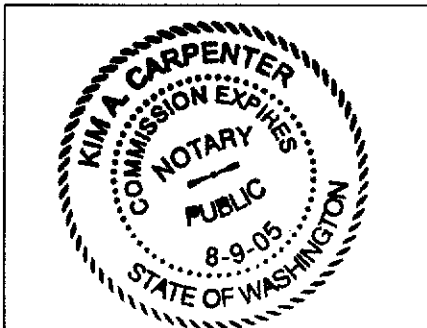
(Use this space for notarial stamp/seal)

Jennifer J. Lind
Notary Public
Print Name Jennifer J. Lind
My commission expires 10-01-02

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that KENNETH K. KUKUK is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as the GENERAL MANAGER of Utility District No. 1 of Skagit County to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 02/01/02



(Use this space for notarial stamp/seal)

Kim A. Carpenter
Notary Public
Print Name Kim A. Carpenter
My commission expires 08/09/05



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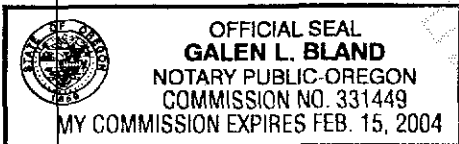
STATE OF OREGON)
) ss.
COUNTY OF WASHINGTON)

I certify that I know or have satisfactory evidence that Jess R. Drake
is the person who appeared before me, and said person acknowledged that he/she signed this instrument,
on oath stated that he/she was authorized to execute the instrument and acknowledged it as the
President of Sedro-Woolley Lumber Co., to be the free and
voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 1/28/02

Galen Bland

Notary Public
Print Name Galen L. Bland
My commission expires 2-15-04



(Use this space for notarial stamp/seal)



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EXHIBIT A

EASEMENT AREA

Parcel A

The east 20 feet of that portion of the 30 foot wide street described in indenture between Seattle Lake Shore and Eastern Railway Company and Eastern Railway Company and Norman Kelley and W.S. Jameson dated July 19, 1890, and filed under Auditor's File No. 10879, except: those portions lying North of the Westerly projection of the South line of Nelson Street and South of the Westerly projection of the North line of Jameson Street in the plat of FIRST ADDITION TO THE TOWN OF SEDRO, filed in Vol. 3 of Plats at Page 29, records of Skagit County. Situated in Skagit County, Washington.

Parcel B

That portion of the south 15 feet of the north 40 feet of the northwest quarter of Section 25, Township 35 North, Range 4 East, W.M. lying between the east line of the 30 foot wide street described in indenture between Seattle Lake Shore and Eastern Railway Company and Norman Kelley and W.S. Jameson dated July 19, 1890 and filed under Auditor's File No. 10879 and a line lying 50 feet easterly as measured at right angles from the Burlington Northern and Santa Fe Railway Company's Main Track centerline.

Situate in the City of Sedro-Woolley, Skagit County, Washington.



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EXHIBIT B

**LEGAL DESCRIPTION
FOR
SEDRO-WOOLLEY SCHOOL DISTRICT #101
OF
A PORTION OF VACATED FIRST STREET WITHIN THE HIGH SCHOOL
TRACK**

January 29, 2002

That portion of the 30 foot wide public street described in indenture between Seattle Lake Shore and Eastern Railway Company and Norman Kelley and W.S. Jameson dated July 19, 1890 and filed under Auditor's File Number 10879, described as follows:

Commencing at the northwest corner of Block 52, in the plat of FIRST ADDITION TO THE TOWN OF SEDRO filed in Volume 3 of Plats at Page 29, records of Skagit County, Washington; thence S09°45'13"W along the west line of said Block 52 a distance of 150.86 feet to the point of beginning of this description; thence southwesterly a distance of 63.04 feet on a non-tangent curve concave to the southeast having a radius of 137.13 feet and a chord that bears S38°26'39"W, and a central angle of 26°20'28" to the west line of said 30 foot wide public street; thence S09°45'13"W along the west line of said street, a distance of 73.38 feet; thence southeasterly a distance of 63.04 feet on non-tangent curve concave to the northeast having a radius of 137.13 feet and a chord that bears S18°56'13"E, and a central angle of 26°20'28" to the west line of Block 53 of said plat; thence N09°45'13"E along the west line of said Blocks 52 and 53, a distance of 183.02 feet to the point of beginning.

Situated in the City of Sedro-Woolley, Skagit County, Washington.

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