

200205290019  
Skagit County Auditor  
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RETURN TO:  
Public Utility District No. 1 of Skagit County  
1415 Freeway Drive  
P.O. Box 1436  
Mount Vernon, WA 98273-1436

**PUD UTILITY EASEMENT**

THIS AGREEMENT is made this 28<sup>th</sup> day of May, 2002, between LOGAN HILL, LLC, 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, 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, Grantors, 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 and communication, lines or other similar 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 following described lands and premises in the County of Skagit, State of Washington, to wit:

**P36491; 701 Sapp Road, Sedro Woolley, Washington**

A strip of land of variable width in Lot D of City of Sedro Woolley Short Plat Number 5-78 in Section 13, Township 35 North, Range 4 East of the Willamette Meridian in Skagit County, said Short Plat Number 5-78 being approved June 26, 1984, and recorded under Auditor's File Number 8406290013, records of Skagit County, said strip of land being more particularly described as follows: Commencing at the Southwest corner of said Lot D; thence easterly along the South line of said Lot D the following courses and distances: South 89° 15' 55" East 314.01 feet; thence North 56° 50' 31" East 62.95 feet to the beginning of a curve to the left, from which a radial line bears North 33° 09' 29" West to the radius point; thence northerly along said curve to the left, having a radius of 110.00 feet, through a central angle of 28° 35' 33", an arc distance of 54.89 feet to the True Point Of Beginning; thence leaving said southerly line of Lot D North 77° 03' 54" West 208.76 feet; thence South 86° 28' 06" West 26.80 feet; thence North 03° 31' 54" West 416.50 feet; thence North 86° 28' 06" East 21.99 feet; thence North 00° 48' 07" West 58.20 feet; thence North 09° 37' 09" East 173.50 feet to a point on the North line of aforesaid Lot D of Short Plat Number 5-78, said North line being a curve with a radial line from said point bearing South 06° 00' 37" West to the radius point; thence along said North line of Lot D the following courses and distances: easterly along said curve, being to the right, having a radius of 970.00 feet, through a central angle of 02° 38' 07", an arc distance of 44.62 feet to a point of cusp with a curve from which a radial line bears South 08° 38' 44" West to the radius point; thence westerly and southerly along said curve, being to the left, having a radius of 25.00 feet, through a central angle of 89° 01' 35", an arc distance of 38.85 feet; thence South 09° 37' 09" West 148.46 feet; thence leaving said North line of Lot D South 00° 48' 07" East 55.43 feet; thence South 03° 31' 54" East 400.14 feet; thence South 77° 03' 54" East 202.35 feet to a point on aforesaid South line of Lot D of Short Plat Number 5-78, said South line being a curve with a radial line from said point bearing North 72° 20' 40" West to the radius point; thence southerly along said South line, being along said curve and to the right, having a radius of 110.00 feet, through a central angle of 10° 35' 38" an arc distance of 20.34 feet to the True Point of Beginning.

Situate in Skagit County, Washington.

Containing 26,216 square feet.

RECEIVED

MAY 28 2002

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 timber, trees, brush, 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 the line. The Grantor agrees that title to all brush, other vegetation or debris trimmed, cut, and removed from the easement pursuant to this Agreement is vested in the District.

Grantors, their heirs, successors, or assigns hereby conveys and agrees not to construct or permit to be constructed structures of any kind on the easement area without written approval of the General Manager of the District. Grantors shall conduct their 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 Grantors also agree to and with the District that the Grantors lawfully own 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 Grantors 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 28<sup>th</sup> day of May, 2002.

William L. Massey  
William L. Massey, Managing Member  
Logan Hill, LLC

STATE OF WASHINGTON  
COUNTY OF Island

I certify that I know or have satisfactory evidence that **William L. Massey** 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 **Managing Member of Logan Hill, LLC** to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Date: 5/28/2002

Julia C. Price  
Notary Public in and for the State of Washington  
My appointment expires: 10/1/04



SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

MAY 29 2002

Amount Paid \$  
Skagit Co. Treasurer  
By [Signature] Deputy

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P.U.D. No. 1 Eng. Dept



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