Skagit County Auditor

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RETURN ADDRESS: Puget Sound Energy, Inc. Attn: R/W Department

1700 East College Way Mount Vernon, WA 98273

> FIRST AMERICAN TITLE CO ACCOMMODATION RECORDING ONLY M7879

EASEMENT

GRANTOR:

BROWN, KATHLEEN AND MATT, VERA HEILMAN TRUST, HEILMAN, PAUL

GRANTEE:

PUGET SOUND ENERGY, INC.

SHORT LEGAL: Lots 7 through 12 & Tracts A-E Deception Shores

ASSESSOR'S PROPERTY TAX PARCEL: P118300, P118301, P118302, P118303, P118304, P118305,

P118321, P118323, P118324 & P118325

For and in consideration of One Dollar (\$1.00) and other valuable consideration in hand paid, KATHLEEN BROWN, MATT BROWN, VERA HEILMAN TRUST, JEFFEREY HEILMAN and REBECCA HALL, ("Grantor" herein), hereby conveys to PUGET SOUND ENERGY, INC., a Washington Corporation ("Grantee" herein), for the purposes hereinafter set forth, a nonexclusive perpetual easement over, along, across, and through the following described real property ("Property" herein) in Skagit County, Washington for the purposes herein stated:

> LOTS 7, 8, 9, 10, 11, 12, 16 AND AREAS A, C, D AND E OF "DECEPTION SHORES PLANNED UNIT DEVELOPMENT" AS RECORDED ON SEPTEMBER 10, 2001 UNDER AUDITOR'S FILE No. 200109100117 RECORDS OF THE AUDITOR OF SKAGIT COUNTY, WASHINGTON, BEING A PORTION OF GOVERNMENT LOTS 3, 4, 5 AND 6 IN SECTION 24, TOWNSHIP 34 NORTH, RANGE 1 EAST W.M. .

SITUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON.

Except as may be otherwise set forth herein Grantee's rights shall be exercised upon that portion of the Property ("Easement Area" herein) lying within 25 feet of the centerline of Grantor's existing transmission lines as shown on the face of the above described Planned Unit Development.

1. At no time shall an area 25 feet on each side of Grantee's existing transmission line (as shown on the face of the above Planned Unit Development) be used for storage of flammable or volatile material or placement of any buildings or other structures, including, but not limited to the following: Decks, patios, septic drain fields, and outbuildings of any nature. At no time shall Grantee's access to the transmission line or structures along the easement area be permanently blocked off or unduly affected.

2. The Grantor or future P.U.D. lot owners must pay for any and all costs associated with changes in vertical line clearance, re-stabilization of any electrical structure or anchor, or facilities access as a result of uses that do not comply with Grantee's conditions outlined on the face of the above noted P.U.D. or as noted on approved

construction plans.

3. Transmission or distribution lines have been or will be constructed, operated and maintained within the Grantee's easement area. Said facilities may require tree and brush cutting within and adjacent to the easement right-of-way. Grantee retains the right to cut, remove and dispose of any and all brush, trees and other vegetation presently existing on the easement area. Grantee shall also have the right to control, on a continuing basis and by any prudent and reasonable means, the establishment and growth of bushes, trees, other vegetation upon the easement areas which, in the opinion of Grantee, interfere with the exercise of

Easement Agreement 11/1998 90 monetary consideration was paid 37189/105016995

Grantee's rights or create a hazard to Grantee's systems. Grantee shall have the right to cut, trim, remove and dispose of any trees located on the property outside the easement area which could, in grantee's sole judgment, interfere with or create a hazard to Grantee's system. Grantee shall prior to the exercise of such rights identify such trees and make a reasonable effort to give prior notice when trees are cut, trimmed, removed or otherwise disposed of (except that Grantee shall have no obligation to identify that such trees or give such prior notice when trees are cut, trimmed, removed or otherwise disposed of in response to emergency conditions). Owners shall be entitled to no compensation for trees cut, trimmed, removed or disposed except for the actual market value of merchantable timber (if any) cut and removed from the property by Grantee. All shrubs and trees to be situated in the easement are must be of a low growing variety which normally do not exceed 15 feet in height at maturity.

4. The rights granted under this easement are in addition to and not in place of the rights set out in the above Planned Unit Development. Easement agreements, as previously executed in 1925, 1955, 1956 and 1965

remain in full force and effect.

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5. This Agreement shall be binding upon and inure to the benefit of Successors and Assignees of both parties.

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