



200308220067

Skagit County Auditor

8/22/2003 Page

1 of

2 9:35AM

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 20th day of ^{August}~~July~~, 2003, between **STERLING HILL, LLC**, a Washington limited liability company, 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, 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, sewer 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, sewer 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:

P37979

The East 35.00 feet of the following described parcel:

The South 500.00 feet of East 730.00 feet of the Southwest Quarter of the Northwest Quarter of Section 28, Township 35 North Range 4 East, WM, EXCEPT the East 30 feet thereof conveyed to Skagit County for road purposes by deeds dated April 27, 1911 and April 20, 1911, in Volume 85 of deeds, pages 319 and 321, records of Skagit County, Washington.

Situate in the County of Skagit, State of Washington.

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. Grantor 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 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 20th ^{August} day of ~~July~~, 2003.

Daniel H. Miller
Daniel H. Miller

Carol Miller
Carol Miller

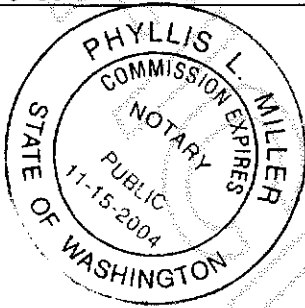
Norm W. Nelson, Jr.
Norm W. Nelson, Jr.

James N. Nelson
James N. Nelson

STATE OF WASHINGTON
COUNTY OF SKAGIT

I certify that I know or have satisfactory evidence that **Daniel H. Miller and Carol Miller** are the persons who appeared before me, and said persons acknowledged that they signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in the instrument.

Date: 8-20-03

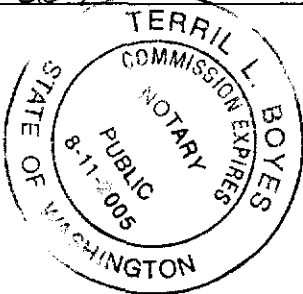


Phyllis L. Miller
Notary Public in and for the State of Washington
My appointment expires: 11-15-04

STATE OF WASHINGTON
COUNTY OF SKAGIT

I certify that I know or have satisfactory evidence that **Norm W. Nelson, Jr.** is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Date: 8/20/03



Terril L. Boyes
Notary Public in and for the State of Washington
My appointment expires: 8-11-05

Easement
SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax

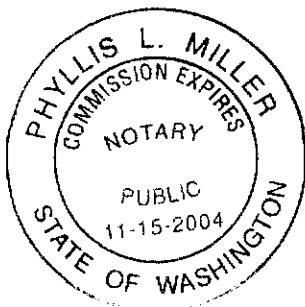
AUG 22 2003

Amount Paid \$ 6
Skagit County Treasurer
By: Charm Decary

STATE OF WASHINGTON
COUNTY OF SKAGIT

I certify that I know or have satisfactory evidence that **James N. Nelson** is the person who appeared before me, and said person acknowledged that they signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Date: 8-20-03



Phyllis L. Miller
Notary Public in and for the State of Washington
My appointment expires: 11-15-04



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8/22/2003 Page 2 of 2 9:35AM