



200310140010

Skagit County Auditor

10/14/2003 Page 1 of 4 9:43AM

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 9<sup>th</sup> day of OCTOBER, 2003, between **SKAGIT COUNTY FIRE DISTRICT NO. 14** 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, 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:

**P49040**  
**See Exhibit "A", Legal Description, and Exhibit "B", Map.**

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 9<sup>th</sup> day of October, 2003.

Mark Tarabochia  
Mark Tarabochia, Commissioner

David E. Holmkvist  
David E. Holmkvist, Commissioner

Gene Moe  
Gene Moe, Commissioner

STATE OF WASHINGTON  
COUNTY OF SKAGIT

I certify that I know or have satisfactory evidence that **Mark Tarabochia** 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 **Commissioner** of **SKAGIT COUNTY FIRE DISTRICT NO. 14** to be the free and voluntary act for the uses and purposes mentioned in the instrument.

Date: 10-9-17-03

Mary A. Thorene  
Notary Public in and for the State of Washington  
My appointment expires: 10-1-06



STATE OF WASHINGTON  
COUNTY OF SKAGIT

I certify that I know or have satisfactory evidence that **David E. Holmkvist** is the person who appeared before me, and said person acknowledged that she signed this instrument, on oath stated that she was authorized to execute the instrument and acknowledged it as **Commissioner** of **SKAGIT COUNTY FIRE DISTRICT NO. 14** to be the free and voluntary act for the uses and purposes mentioned in the instrument.

Date: 10/09/03

Kim A. Carpenter  
Notary Public in and for the State of Washington  
My appointment expires: 08/09/2005

*Basement*  
SKAGIT COUNTY WASHINGTON  
Real Estate Excise Tax

OCT 14 2003

Amount Paid \$  
Skagit County Treasurer  
By: mem Deputy

STATE OF WASHINGTON  
COUNTY OF SKAGIT

I certify that I know or have satisfactory evidence that **Gene Moe** 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 **Commissioner** of **SKAGIT COUNTY FIRE DISTRICT NO. 14** to be the free and voluntary act for the uses and purposes mentioned in the instrument.

Date: 9-29-03

Mary A. Thorene  
Notary Public in and for the State of Washington  
My appointment expires: 10-1-06



Exhibit "A"

A 20.00-foot easement for waterline and maintenance thereof, over, under and across the East 20.00 feet of the following described tract:

That portion of the Southwest 1/4 of the Southeast 1/4 of Section 7, Township 36 North, Range 4 East, W.M. described as follows:

Beginning at the intersection of the East line of said Southwest 1/4 of the Southeast 1/4 and a line 15 feet Southerly of and parallel with the centerline of the old Bloedel-Donovan Lumber Mills Railway;  
thence South along the East line of the Southwest 1/4 of the Southeast 1/4 of said Section 7 a distance 125 feet;  
thence West to a point on a line 15 feet Southeasterly of and parallel with the centerline of said Bloedel-Donovan Lumber Mills Railway;  
thence Northerly and Easterly along said line to the POINT OF BEGINNING;

AND ALSO an easement for waterline and maintenance thereof, over, under and across the East 20.00 feet of the North 52.00 feet of the following described tract:

That portion of the Southwest 1/4 of the Southeast 1/4 of Section 7, Township 36 North, Range 4 East, W.M. described as follows:

Beginning at the Southwest corner of that certain tract conveyed to Fire Protection District No. 14 of Skagit County by deed filed in Auditor's File Number 591233 as shown on that certain survey filed in Volume 1 of Surveys at page 76 records of Skagit County, Washington;  
thence Southwesterly along a curve concave to the South having a radius of 480.62 feet, which is the continuation of the Northerly curved line of said tract, through a central angle of 12°07'56" and an arc distance of 101.77 feet;  
thence South 65°52'06" West, a distance of 26.00 feet;  
thence South 2°43'16" West, a distance of 316.90 feet to the intersection of the centerline of the old F&S Railroad as shown on said survey with the North line of the South twenty (20) feet of said Section 7;  
thence South 87°42'53" East along the North line of said South twenty feet, a distance of 229.25 feet to the East line of the Southwest 1/4 of the Southeast 1/4 of said Section 7;  
thence North 00°39'00" West along the East line of said Southwest 1/4 of the Southeast 1/4, a distance of 425.47 feet to the Southeast corner of said Fire Protection District tract;  
thence South 89°37'52" West, a distance of 135.20 feet to the POINT OF BEGINNING of this description.

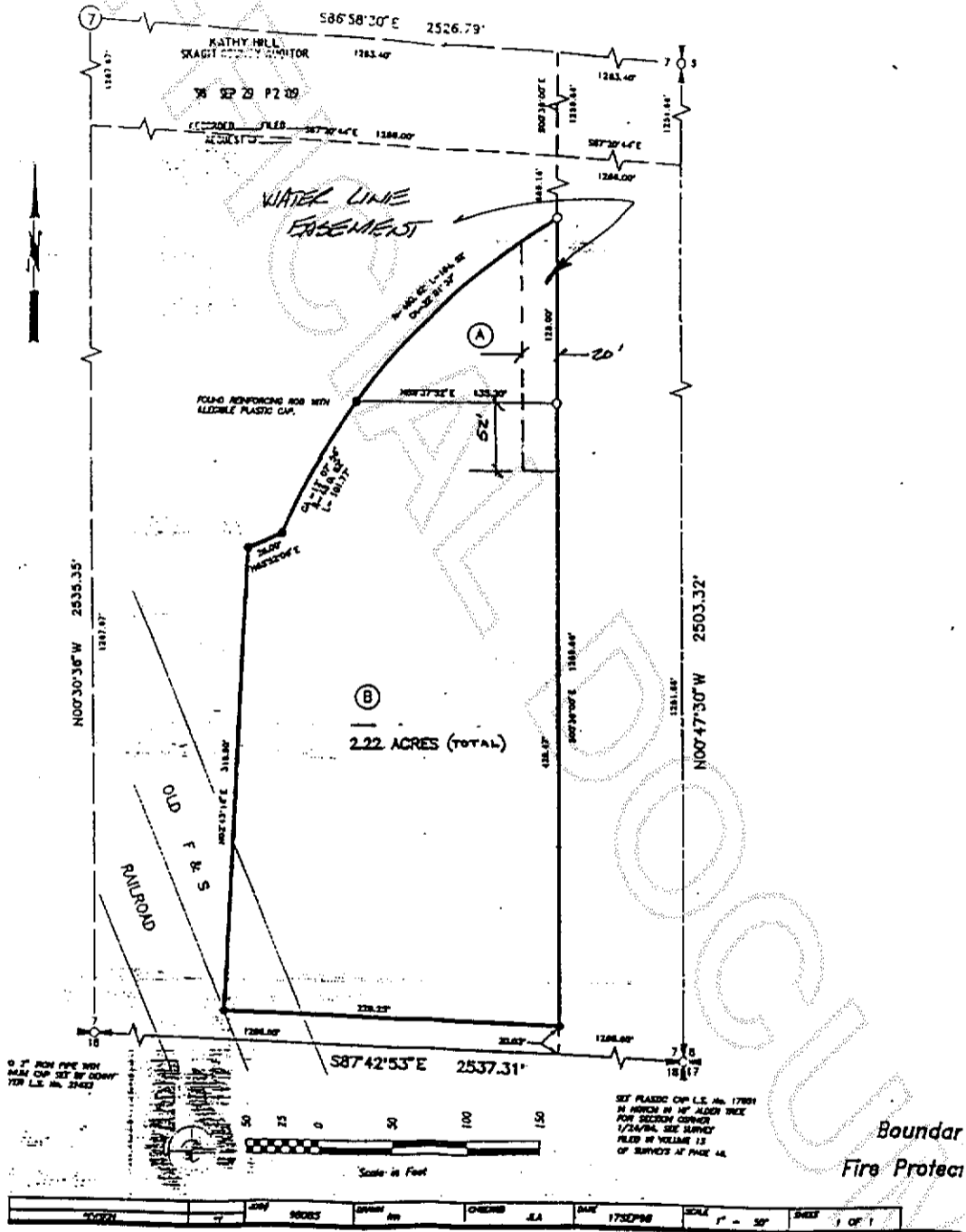
ALL BEING SUBJECT TO and TOGETHER WITH easements, reservations, restrictions, covenants, liens, leases, court causes and other instruments of record.

All situate in the County of Skagit, State of Washington.

For Boundary and Meridian information see that certain Record of Survey Map recorded in Volume 21 of Surveys, page 33 under Skagit County Auditor's File Number 9809290168.



Exhibit "B"



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 Skagit County Auditor