



200402120195  
Skagit County Auditor

2/12/2004 Page 1 of 7 12:58PM

**After Recording Please Return To:**

Attn:  
Skagit County Sewer District No. 2  
17079 State Route 9  
Mount Vernon, Washington 98274-9366  
(360) 422-8373

**Document Title(s):** Easement

**Reference Number(s) of Documents Assigned or Released:** \_\_\_\_\_

Additional on page \_\_\_\_\_ of document.

**Grantor(s): (Print Last name, First name, and Initials)**

1. Nookachamp Hills LLC.
2. \_\_\_\_\_
3. \_\_\_\_\_

Additional on page \_\_\_\_\_ of document.

**Grantee(s):** Skagit County Sewer District No. 2

**Legal Description (abbreviated: i.e. lot, block, plat of section, township, range):** A portion of Sections 25 and 36, Township 34 North, Range 4 East

Additional legal description is on page two of document.

**Assessor's Property Tax Parcel / Account Number:** P120740, P120741, P120742, P120743, P120744, P120745, P120748, P120749, P120751, P120757, P120758, P120759, P120768, P120771, P120781, P120783, P120785

Additional Parcel Numbers for additional legals are on page \_\_\_\_ of document.

**EASEMENT**

THIS AGREEMENT made this 26th day of November, 2003, by and between SKAGIT COUNTY SEWER DISTRICT NO. 2, a municipal corporation of Skagit County, Washington, hereinafter termed "Grantee" and Nookachamp Hills, LLC, hereinafter termed "Grantor".

WITNESSETH:

That the said Grantor for valuable consideration does by these presents grant unto the Grantee a perpetual right-of-way or easement for sewer mains with the necessary appurtenances through, over and across the following described property situated in Skagit County, Washington, more particularly described as follows:

That portion of Lot 92 in the Plat of Nookachamp Hills PUD Phase IIA being within the Northeast Quarter of Section 36, Township 34 North, Range 4 East, W.M., described as follows:

The south 10.00 feet of Lot 92, as shown on the Plat of Nookachamp Hills PUD Phase IIA, AF #200309150157.

TOGETHER WITH:

An easement 15.00 feet wide being within a portion of Lots 128 and 130 in the Plat of Nookachamp Hills PUD, Phase IIB and within Lot 103 in the Plat of Nookachamp Hills PUD Phase IIA, being within a portion of the Northeast Quarter of Section 36, Township 34 North, Range 4 East, W.M., being 7.50 feet wide on both side of the following described centerlines:

Line 1

Commencing at the most easterly corner of Lot 103 in said Plat of Phase IIA; thence North 41°02'49" West along the easterly line of said Lot 103, a distance of 21.67 feet to the True Point of Beginning of this centerline description; thence North 59°17'02" East, 18.39 feet to a point hereinafter referred to as Point "A"; thence continue North 59°17'02" East, 131.33 feet to the southwesterly margin of Nookachamp Hills Drive, as said road is currently planned in Phase IIB of said Plat and the terminus of said centerline description.

Line 2

Beginning at the aforementioned Point "A"; thence South 13°40'04" West, 34.47 feet to the terminus of said centerline description.

The sidelines of said easement shall be extended or trimmed so as to form a continuous line across the grantor's ownership.

TOGETHER WITH:

An easement 15.00 feet wide being within a portion of the Plat of Nookachamp Hills PUD, Phase IIB and within Lot 101 in the Plat of Nookachamp Hills PUD, Phase IIA, recorded under Auditors File No. 200309150157, Records of Skagit County, Washington, being within a portion of the Northeast Quarter of Section 36, Township 34 North, Range 4 East, W.M., described as follows:



That portion of the Plat of Nookachamp Hills PUD Phase IIB described as follows: Beginning at the southeast corner of Lot 101 in said Plat of Nookachamp Hills PUD, Phase IIA, recorded under Auditors File No. 200309150157, Records of Skagit County, Washington; thence North 55°40'48" East, 130.13 feet; thence North 34°19'12" West, 15.00 feet; thence South 55°40'48" West, 131.49 feet to the northeast line of said Lot 101; thence South 39°29'29" East, 15.06 feet to the Point of Beginning.

TOGETHER WITH the east 10.00 feet of the south 15.00 feet of Lot 101 in the Plat of said Nookachamp Hills PUD, Phase IIA.

The Basis of Bearing for the above description is the Plat of Nookachamp Hills, Phase IIA, as recorded under Auditors File No. 200309150157, Records of Skagit County, Washington.

Situate in the County of Skagit, State of Washington.

TOGETHER WITH the east 10.00 feet of the south 15.00 feet of Lot 101 in the Plat of Nookachamp Hills PUD Phase IIA.

TOGETHER WITH:

An easement 15.00 feet wide being within a portion of the Plat of Nookachamp Hills PUD, Phase IIB and within Lot 105 in the Plat of Nookachamp Hills PUD, Phase IIA, as recorded under Auditors File No. 200309150157, Records of Skagit County, Washington, being within a portion of the Northeast Quarter of Section 36, Township 34 North, Range 4 East, W.M., described as follows:

That portion of the Plat of Nookachamp Hills PUD, Phase IIB described as follows: Beginning at the southeast corner of Lot 105 in the Plat of said Nookachamp Hills, Phase IIA, as recorded under Auditors File No. 200309150157, Records of Skagit County, Washington; thence North 55°40'48" East, 153.74 feet to the southwesterly line of the 60.00 foot road alignment, as shown on said Phase IIA; thence northwesterly along said line on a non-tangent curve, concave to the northeast whose radius point bears South 47°15'34" West, 1,470.00 feet through a central angle of 0°35'30", an arc distance of 15.18 feet; thence South 55°40'48" West, 153.20 feet to the northeasterly line of said Lot 105; thence South 41°02'49" East, 15.10 feet to the point of beginning.

TOGETHER WITH the east 15.00 feet of the south 15.00 feet of Lot 105 in the Plat of Nookachamp Hills PUD, Phase IIA.



The Basis of Bearing for this description is the Plat of Nookachamp Hills, Phase IIA, as recorded under Auditors File No. 2003009150157, records of Skagit County, Washington.

Situate in the County of Skagit, State of Washington.

TOGETHER WITH the east 15.00 feet of the south 15.00 feet of Lot 105 in the Plat of Nookachamp Hills PUD Phase IIA.

TOGETHER WITH:

An easement 60.00 feet wide being within the Plat of Nookachamp Hills PUD, lying within a portion of the Northeast Quarter of Section 36 and the Southeast Quarter of Section 25, all within Township 34 North, Range 4 East, W.M., being 30.00 feet wide on both sides of the following described centerline:

Beginning at a centerline point at the end of Nookachamp Hills Drive, as shown on the Plat of Nookachamp Hills PUD Phase IIA; thence southeasterly along a non-tangent curve concave to the southwest, whose radius point bears South 33°01'32" West, 450.00 feet through a central angle of 21°26'33", an arc distance of 168.41 feet; thence South 35°31'55" East 247.97 feet; thence along a curve to the left having a radius of 500.00 feet through a central angle of 9°01'44", an arc distance of 78.79 feet; thence South 44°33'40" East, 219.07 feet; thence along a curve to the right having a radius of 1,500.00 feet through a central angle of 10°4'28", an arc distance of 268.11 feet; thence South 34°19'12" East, 185.81 feet to the terminus of said centerline.

The sidelines of said easement shall be extended or trimmed so as to form a continuous line across the grantor's ownership.

Said 60.00 foot easement is intended to encompass the future road alignment anticipated in Phase IIB of said Plat.

TOGETHER WITH:

An easement 20.00 feet wide being within a portion of Lots 68, 69 and 71 of the Plat of Nookachamp Hills PUD, Phase IIA, and within Lots 112 and 113 of Nookachamp Hills PUD, Phase IIB, being within a portion of the Southeast Quarter of Section 25, Township 34 North, Range 4 East, W.M., being 10.00 feet wide on both sides of the following described centerline:



Commencing at the most easterly corner of said Lot 71; thence South 55°31'34" West along the southerly line of said Lot 71 a distance of 2.94 feet; thence South 41°12'20" East, 105.62 feet to the True Point of Beginning of this centerline description; thence North 41°12'20" West, 320.57 feet to the southerly margin of Kamloops Court, as shown on said plat, and the terminus of said line description.

The sidelines of said easement shall be extended or trimmed so as to form a continuous line across the grantor's ownership,

TOGETHER WITH:

An easement 20.00 feet wide being within a portion of Lots 60 to 65 inclusive and Tract "E" in the Plat of Nookachamp Hills PUD, Phase IIA, lying within a portion of the Southeast Quarter of Section 25, Township 34 North, Range 4 East, W.M., being 10.00 feet wide on both sides of the following described centerline:

Beginning at the southeast corner of Lot 64 in said Plat of Nookachamp Hills PUD Phase IIA; thence North 37°07'45" West along the line common to Lots 64 and 65 in said plat, 159.54 feet to a point 7.19 feet from the northeast corner of said Lot 64; thence South 58°10'52" West, 399.20 feet; thence South 25°31'23" West, 251.24 feet to the northerly margin of Nookachamp Hills Drive, as shown on said plat, and the terminus of said line description.

The sidelines of said easement shall be extended or trimmed so as to form a continuous line across the grantor's ownership.

TOGETHER WITH:

An easement 10.00 feet wide being within a portion of Lots 77 and 78 in the Plat of Nookachamp Hills PUD, Phase IIA, lying within a portion of the Southeast Quarter of Section 25, Township 34 North, Range 4 East, W.M., being 5.00 feet wide on both sides of the following described centerline:

Commencing at the most northeast corner of Lot 79 in said Plat of Nookachamp Hills PUD Phase IIA; thence South 35°29'39" East, along the easterly line of said Lot 79, a distance of 18.70 feet to the True Point of Beginning of this line description; thence North 61°53'34" East, 144.82 feet to the westerly margin of Sockeye Drive, as shown on said plat, and the terminus of said line description.



The sidelines of said easement shall be extended or trimmed so as to form a continuous line across the grantor's ownership.

TOGETHER WITH:

That portion of Lot 88 in the Plat of Nookachamp Hills PUD Phase IIA, being within the northeast quarter of Section 36, Township 34 North, Range 4 East, W.M., described as follows:

The southeasterly 10.00 feet of Lot 88, as measured at a right angle from the southeasterly line thereof, as shown on the Plat of Nookachamp Hills PUD Phase IIA

Situate in the County of Skagit, State of Washington.

That said Grantee shall have the right without prior institution of any suit or proceeding at law, at such times as may be necessary, to enter upon said property for the purpose of constructing, repairing, altering, or reconstructing said sewer main, or making any connections therewith, without incurring any legal obligation or liability therefor; provided that such constructing, repairing, altering, or reconstructing of said sewer main shall be accomplished in such a manner that the private improvements existing in this right-of-way shall not be disturbed or destroyed, or in the event they are disturbed or destroyed, they will be replaced in as good a condition as they were immediately before the property was entered upon by the Grantee.

The Grantor shall retain the right to use the surface of said easement, so long as said use does not interfere with the installation and maintenance of the sewer main and so long as no permanent buildings or structures are erected on said easement.

This easement shall be a covenant running with the land and shall be binding on the successors, heirs, and assigns of both parties hereto

By:

Dan R. Mitzel  
Managing Member  
Nookachamp Hills LLC

*Easement*  
SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

FEB 12 2004

Amount Paid \$ 0  
Skagit Co. Treasurer  
By Mam Deputy



STATE OF WASHINGTON )  
 )SS  
COUNTY OF SKAGIT )

I, the undersigned, a notary public in and for the State of Washington, hereby certify that on the 26th day of November, 2003, personally appeared before me Dan R. Mitzel and \_\_\_\_\_ to me known to be the President and Secretary, respectively, of Managing Member of Nookachamp Hills, the municipal corporation that executed the within and foregoing instrument and acknowledged that the said instrument to be the free and voluntary act and deed of said municipal corporation for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute the said instrument and that the seal affixed is the official seal of said municipal corporation GIVEN under my hand and official seal this 26 day of Nov., 2003.



Shelly D Parfitt  
Notary Public in and for the State of  
Washington, residing at Mt Vernon  
Appointment expires 11/29/03

