



200605160052
Skagit County Auditor

5/16/2006 Page 1 of 5 10:34AM

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 25 day of April, 2006, between **SKAGIT CAPITAL, LLC, a Delaware Limited Liability Company**, hereinafter referred to as "Grantor(s)", and **PUBLIC UTILITY DISTRICT NO. 1 OF SKAGIT COUNTY, WASHINGTON**, a Municipal Corporation, hereinafter referred to as "District". Witnesseth:

WHEREAS, Grantor(s) 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, Grantor(s), 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:

P26284, P104614, P104935, P104612, P104625, P104610, P26287 & P26296 - See Map Exhibit "A"

A 20.00 foot Easement located in the Southeast Quarter of Section 18, Township 34 North Range 4 East, WM, being 10.00 feet on both sides of the following described centerline:

Commencing at the Northeast corner of the Southeast Quarter of said Section 18; Thence North 89°39' 48" West, along the North line of said Southeast Quarter, 366.13 feet, more or less to an intersection with an existing waterline and the TRUE POINT OF BEGINNING of this centerline description; Thence the following courses along the centerline of the existing waterline, South 0° 15' 27" West 40.00 feet; Thence South 0° 15' 27" West 117.37 feet; Thence South 1° 43' 44" West 216.32 feet; Thence North 88° 40' 38" West 63.94 feet to a point hereinafter referred to as Point "A" ; Thence continue North 88° 40' 38" West 99.22 feet; Thence North 89° 17' 34" West 306.34 feet to a point hereinafter referred to as Point "B"; Thence North 89° 17' 34" West 108.29 feet to a point hereinafter referred to as Point "C"; Thence North 89° 17' 34" West 60.70 feet to a point hereinafter referred to as Point "D"; Thence North 89° 17' 34" West 69.25 feet; Thence South 3° 44' 16" West 67.40 feet; Thence South 45° 04' 10" West 54.57 feet to a point hereinafter referred to as Point "F"; Thence South 45° 04' 10" West 20.06 feet; Thence North 89° 31' 11" West 52.96 feet; Thence South 11 ° 32' 31" West 114.83 feet to a point hereinafter referred to as Point "G" ; Thence South 11 ° 32' 31" West 186.97 feet; Thence South 88° 54' 00" East 122.34 feet to a point hereinafter referred to as Point "H"; Thence South 88° 54' 00" East 66.57 feet to a point hereinafter referred to as Point "I"; Thence South 88° 54' 00" East 86.10 feet; Thence North 47° 34' 47" East 92.35 feet; Thence South 88° 58' 33" East 3.07 feet to a point hereinafter referred to as Point "J"; Thence South 88° 58' 33" East 180.89 feet to a point hereinafter referred to as Point "K"; Thence South 88° 58' 33" East 6.03 feet to a point hereinafter referred to as Point "L"; Thence South 0° 17' 50" West 33.36 feet; Thence South 89° 07' 10" East 155.50 feet to a point hereinafter referred to as Point "M"; Thence South 0° 34' 08" West 36.99 feet to as point hereinafter referred to as Point "O"; Thence South 0° 34' 08" West 44.21 feet; Thence South 89° 40' 52" East 62.89 feet to a point hereinafter referred to as Point "P"; Thence South 87° 34' 23" East 134.49 feet to a point hereinafter referred to as Point "Q"; Thence South 87° 34' 23" East 82.11 feet; Thence North 1° 59' 55" East 108.77 feet to a point hereinafter referred to as Point "R"; Thence North 1° 59' 55" East 161.29 feet to a point hereinafter referred to as Point "S"; Thence North 1 ° 15' 28" East 153.69 feet; Thence North 84° 17' 53" East 8.94 feet, more or less to an existing water meter; Thence continue North 84° 17' 53" East 10.00 feet to the terminus of said line description:

TOGETHER WITH a 20.00 foot Easement located in the Southeast Quarter of Section 18, Township

34 North Range 4 East, WM, being 10.00 feet on both sides of the following described centerline:
Beginning at the afore mentioned Point "A" Thence South 0° 31' 41" West 105.61 feet more or less, to
an existing Fire Hydrant; Thence continue South 0° 31' 41" West 10.00 feet to the terminus of said
centerline description:

TOGETHER WITH a 20.00 foot Easement located in the Southeast Quarter of Section 18, Township
34 North Range 4 East, WM, being 10.00 feet on both sides of the following described centerline:
Beginning at the afore mentioned Point "B" Thence South 0° 05' 18" East 65.54 feet; Thence South 2°
01' 01" West 30 51 feet, more or less to an existing Fire Hydrant; Thence South 2° 01' 01" West 10.00
feet to the terminus of said centerline description:

TOGETHER WITH a 20.00 foot Easement located in the Southeast Quarter of Section 18, Township
34 North Range 4 East, WM, being 10.00 feet on both sides of the following described centerline:
Beginning at the afore mentioned Point "C" Thence North 0° 23' 53" East 142.44 feet; Thence South
87° 37' 41" East 13.56 feet to an existing Fire Hydrant; Thence continue South 87° 37' 41" East 10.00
feet to the terminus of said centerline description:

TOGETHER WITH a 20.00 foot Easement located in the Southeast Quarter of Section 18, Township
34 North Range 4 East, WM, being 10.00 feet on both sides of the following described centerline:
Beginning at the afore mentioned Point "D" Thence North 1 ° 19' 05" East 98.16 feet; Thence North
0° 18' 30' West 9.11 feet to an existing Water Valve; Thence continue North 0° 18' 30' West 10.00
feet to the terminus of said centerline description:

TOGETHER WITH a 20.00 foot Easement located in the Southeast Quarter of Section 18, Township
34 North Range 4 East, WM, being 10.00 feet on both sides of the following described centerline:
Beginning at the afore mentioned Point "D" Thence South 0° 16' 23" East 83.73 feet to a point
hereinafter referred to as Point "E" Thence South 5° 48' 35" East 9.90 feet to a Water Blow Off; Thence
continue South 5° 48' 35" East 10.00 feet to the terminus of said centerline description:

TOGETHER WITH a 20.00 foot Easement located in the Southeast Quarter of Section 18, Township
34 North Range 4 East, WM, being 10.00 feet on both sides of the following described centerline:
Beginning at the afore mentioned Point "E" Thence South 75° 40' 21" West 7.93 feet; Thence South
1° 02' 15" West 8.54 feet to an existing Water Meter; Thence continue South 1° 02' 15" West 10.00
feet to the terminus of said centerline description:

TOGETHER WITH a 20.00 foot Easement located in the Southeast Quarter of Section 18, Township
34 North Range 4 East, WM, being 10.00 feet on both sides of the following described centerline:
Beginning at the afore mentioned Point "F" Thence North 51° 06' 40" West 22.23 feet to an existing Fire
Hydrant; Thence continue North 51° 06' 40" West 10.00 feet to the terminus of said centerline
description:

TOGETHER WITH a 20.00 foot Easement located in the Southeast Quarter of Section 18, Township
34 North Range 4 East, WM, being 10.00 feet on both sides of the following described centerline:
Beginning at the afore mentioned Point "G"; Thence South 78° 24' 43" East 19.21 feet to the terminus of
said centerline description:

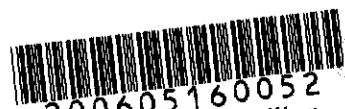
TOGETHER WITH a 20.00 foot Easement located in the Southeast Quarter of Section 18, Township
34 North Range 4 East, WM, being 10.00 feet on both sides of the following described centerline:
Beginning at the afore mentioned Point "H"; Thence North 1° 14' 00" East 48.15 feet to an existing Fire
Department Connection; Thence continue North 1° 14' 00" East 10.00 feet to the terminus of said
centerline description:

TOGETHER WITH a 20.00 foot Easement located in the Southeast Quarter of Section 18, Township
34 North Range 4 East, WM, being 10.00 feet on both sides of the following described centerline:
Beginning at the afore mentioned Point "I"; Thence South 1° 47' 14" East 4.47 feet to an existing Fire
Hydrant; Thence continue South 1° 47' 14" East 10.00 feet to the terminus of said centerline
description:

TOGETHER WITH a 20.00 foot Easement located in the Southeast Quarter of Section 18, Township
34 North Range 4 East, WM, being 10.00 feet on both sides of the following described centerline:
Beginning at the afore mentioned Point "J"; Thence North 0° 04' 10" West 9.20 feet to an existing Fire
Department Connection; Thence continue North 0° 04' 10" West 10.00 feet to the terminus of said
centerline description:

TOGETHER WITH a 20.00 foot Easement located in the Southeast Quarter of Section 18, Township
34 North Range 4 East, WM, being 10.00 feet on both sides of the following described centerline:
Beginning at the afore mentioned Point "K"; Thence North 1° 07' 42" West 6.70 feet to an existing
Water Meter; Thence continue North 1° 07' 42" West 10.00 feet to the terminus of said centerline
description:

TOGETHER WITH a 20.00 foot Easement located in the Southeast Quarter of Section 18, Township
34 North Range 4 East, WM, being 10.00 feet on both sides of the following described centerline:



Beginning at the afore mentioned Point "L"; Thence South 89° 30' 37" East 22.34 feet; Thence North 62° 42' 10" East 53.45 feet to an existing Fire Department Connection; Thence continue North 62° 42' 10" East 10.00 feet to the terminus of said centerline description:

TOGETHER WITH a 20.00 foot Easement located in the Southeast Quarter of Section 18, Township 34 North Range 4 East, WM, being 10.00 feet on both sides of the following described centerline: Beginning at the afore mentioned Point "M"; Thence North 0° 25' 04" West 31.82 feet; Thence North 88° 34' 21" East 17.61 feet to a point hereinafter referred to as Point "N"; Thence North 88° 34' 21" East 17.32 feet to an existing Fire Department Connection; Thence continue North 88° 34' 21" East 10.00 feet to the terminus of said centerline description:

TOGETHER WITH a 20.00 foot Easement located in the Southeast Quarter of Section 18, Township 34 North Range 4 East, WM, being 10.00 feet on both sides of the following described centerline: Beginning at the afore mentioned Point "N"; Thence North 0° 28' 28" East 23.28 feet to an existing Water Meter; Thence continue North 0° 28' 28" East 10.00 feet to the terminus of said centerline description:

TOGETHER WITH a 20.00 foot Easement located in the Southeast Quarter of Section 18, Township 34 North Range 4 East, WM, being 10.00 feet on both sides of the following described centerline: Beginning at the afore mentioned Point "O"; Thence South 87° 05' 03" East 13.08 feet to an existing Fire Hydrant; Thence continue South 87° 05' 03" East 10.00 feet to the terminus of said centerline description:

TOGETHER WITH a 20.00 foot Easement located in the Southeast Quarter of Section 18, Township 34 North Range 4 East, WM, being 10.00 feet on both sides of the following described centerline: Beginning at the afore mentioned Point "P"; Thence South 1° 44' 05" West 11.89 feet to an existing Water Meter; Thence continue South 1° 44' 05" West 10.00 feet to the terminus of said centerline description:

TOGETHER WITH a 20.00 foot Easement located in the Southeast Quarter of Section 18, Township 34 North Range 4 East, WM, being 10.00 feet on both sides of the following described centerline: Beginning at the afore mentioned Point "Q"; Thence South 1° 18' 57" West 7.89 feet to an existing Fire Hydrant; Thence continue South 1° 18' 57" West 10.00 feet to the terminus of said centerline description:

TOGETHER WITH a 20.00 foot Easement located in the Southeast Quarter of Section 18, Township 34 North Range 4 East, WM, being 10.00 feet on both sides of the following described centerline: Beginning at the afore mentioned Point "R"; Thence South 89° 46' 06" West 16.53 feet to an existing Water Meter; Thence continue South 89° 46' 06" West 10.00 feet to the terminus of said centerline description:

TOGETHER WITH a 20.00 foot Easement located in the Southeast Quarter of Section 18, Township 34 North Range 4 East, WM, being 10.00 feet on both sides of the following described centerline: Beginning at the afore mentioned Point "S"; Thence North 89° 18' 50" East 97.38 feet to a point hereinafter referred to as Point "T"; Thence continue North 89° 18' 50" East 137.79 feet, more or less to the Westerly right of way of Riverside Drive and the terminus of said centerline description:

TOGETHER WITH a 20.00 foot Easement located in the Southeast Quarter of Section 18, Township 34 North Range 4 East, WM, being 10.00 feet on both sides of the following described centerline: Beginning at the afore mentioned Point "T"; Thence South 1° 08' 15" West 15.73 feet to an existing Water Meter; Thence continue South 1° 08' 15" West 10.00 feet to the terminus of said centerline description:

EXCEPT that portion, if any, of the above described easements that lie within the existing buildings as the same exist on the date of execution of this document.

The sidelines of said Easements shall be extended or trimmed so as to form a continuous line across the grantors ownership.

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. 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 ___ day of _____, 2006.

SKAGIT CAPITAL, LLC,
by Safco Advisory Corp, its Director:

[Signature]
John Safi, President

pub Utility Easement
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

MAY 16 2006

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

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

I certify that I know or have satisfactory evidence that **John Safi** 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 **President of SKAGIT CAPITAL, LLC, by Safco Advisory Corp, its Director**, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Date: April 25, 2006

[Signature]
Notary Public in and for the State of CALIFORNIA
My appointment expires: OCTOBER 29, 2006



PORTION OF SE 1/4, SECTION 18, T. 34 N., R. 4 E. WM

COLLEGE WAY

RIVERSIDE DRIVE



- LEGEND**
- FIRE DEPARTMENT CONNECTION
 - WATER METER
 - FIRE HYDRANT
 - BLOW OFF

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C.O. # 4437

W.O. # 05-03098

WATERLINE SURVEY

FOR
PRESIDIO CONSTRUCTION

A PORTION OF SE 1/4
SECTION 18, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M.

SKAGIT COUNTY, STATE OF WASHINGTON

DATE: 2-6-06
PROJECT NO. 008-06
CASSIDIAN/CBC
BY: DAK
SCALE: 1" = 60'
P.B. 5/7/06

Sound Development Group
ENGINEERING, SURVEYING & LAND DEVELOPMENT SERVICES
1111 Cleveland Avenue, Suite 202
Maple Valley, WA 98273
Tel: 360-404-2010 Fax: 360-404-2013

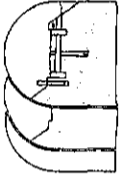
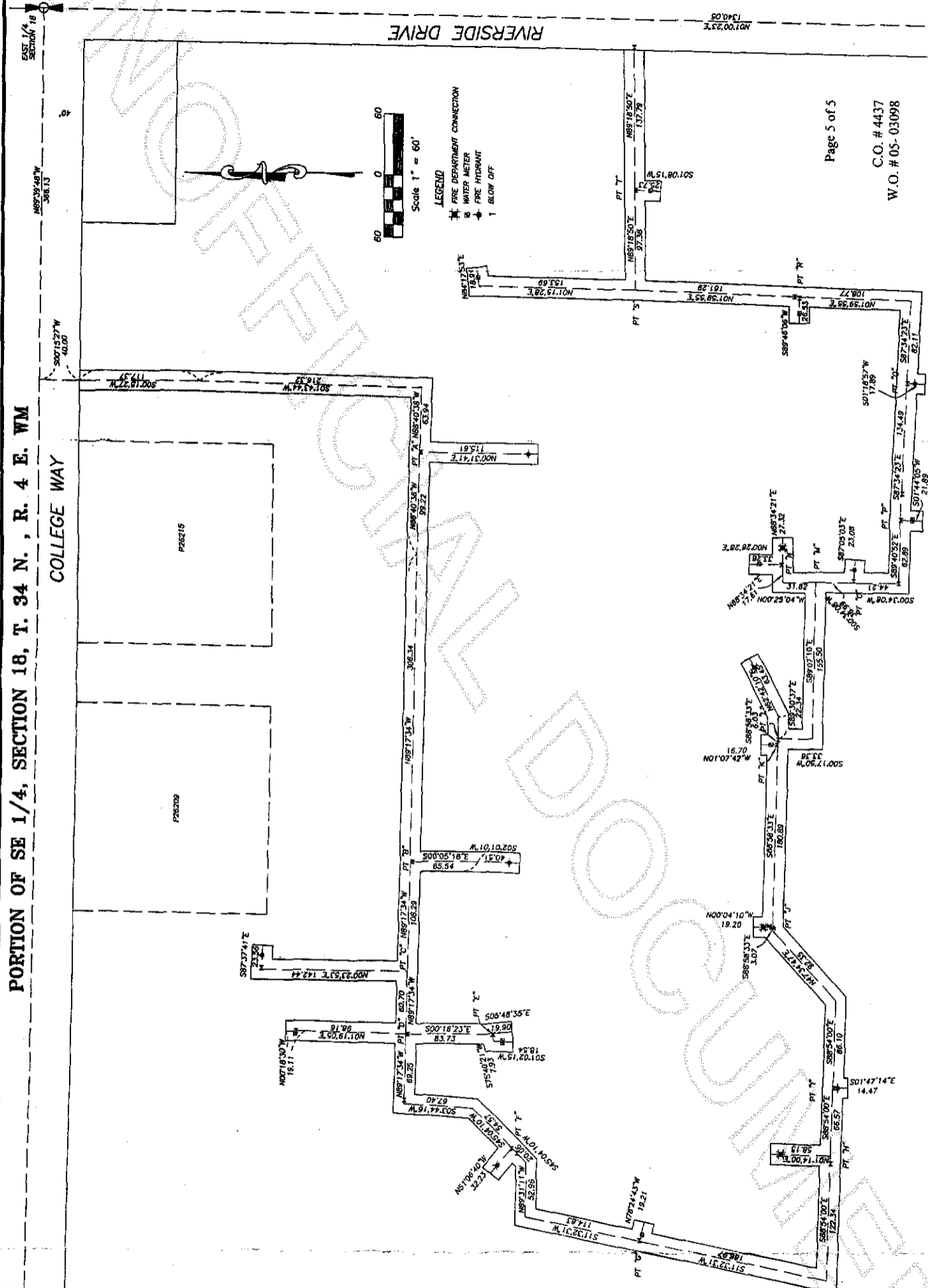


EXHIBIT "A"



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Skagit County Auditor