



200606230111
Skagit County Auditor

6/23/2006 Page 1 of 3 11:08AM

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 12 day of June, 2006, between **MARVIN D. PORTIS AND JEANETTE M. PORTIS**, husband and wife, hereinafter referred to as "Grantors", 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 the payment of \$7,140.00 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:

P20486
(See Easement Map Exhibit "A" – Attached)

That portion of the following described parcel lying Southwesterly of the Southwesterly margin of a 60-foot ingress, egress and utilities easement shown as Parcel "B" in Record of Survey filed under Auditor's File No. 199912020055.

Beginning at the Southwest corner of the Southeast Quarter of the Northeast Quarter of Section 18, Township 34 North, Range 2 East, W.M.; thence South 89 Degrees 54'52" East along the South line of said Southeast Quarter of the Northeast Quarter, a distance of 107.99 feet; thence North 45 Degrees 26'34" West a distance of 154.12 feet to a point on the West line of said Southeast Quarter of the Northeast Quarter lying 107.99 feet North of the Point of Beginning; thence South 0 Degrees 58'17" East along the West line of said Southeast Quarter of the Northeast Quarter, a distance of 107.99 feet to the Point of Beginning.

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.

The District shall maintain that portion of the access road to the above-described easement area, lying within the existing 60-foot wide easement recorded at AF No. 199912020055. Maintenance shall be sufficient to allow safe vehicle access to the Fidalgo Heights Tank. At a minimum, maintenance activities shall included annual application of herbicide to control weeds within the gravel roadbed.

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.

All claims against the District regarding the prior easement agreement over the subject property (AF No. 199912020055) are hereby released.

In Witness Whereof, the Grantors hereunto set their hand and seal this ²¹ 20th day of June, 2006.

Marvin D. Portis
MARVIN D. PORTIS

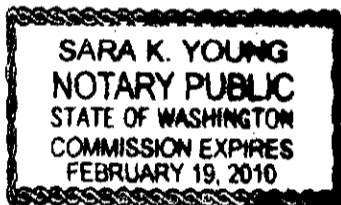
Jeanette M. Portis
JEANETTE M. PORTIS

STATE OF WASHINGTON
COUNTY OF SKAGIT

I certify that I know or have satisfactory evidence that **MARVIN D. PORTIS** 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: 6/21/06

Sara K. Young
Notary Public in and for the State of Washington
My appointment expires: February 19, 2010



SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

JUN 23 2006

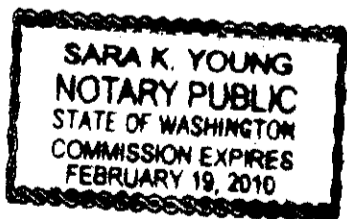
Amount Paid:
By *Sara K. Young* Skagit Co. Treasurer Deputy

STATE OF WASHINGTON
COUNTY OF SKAGIT

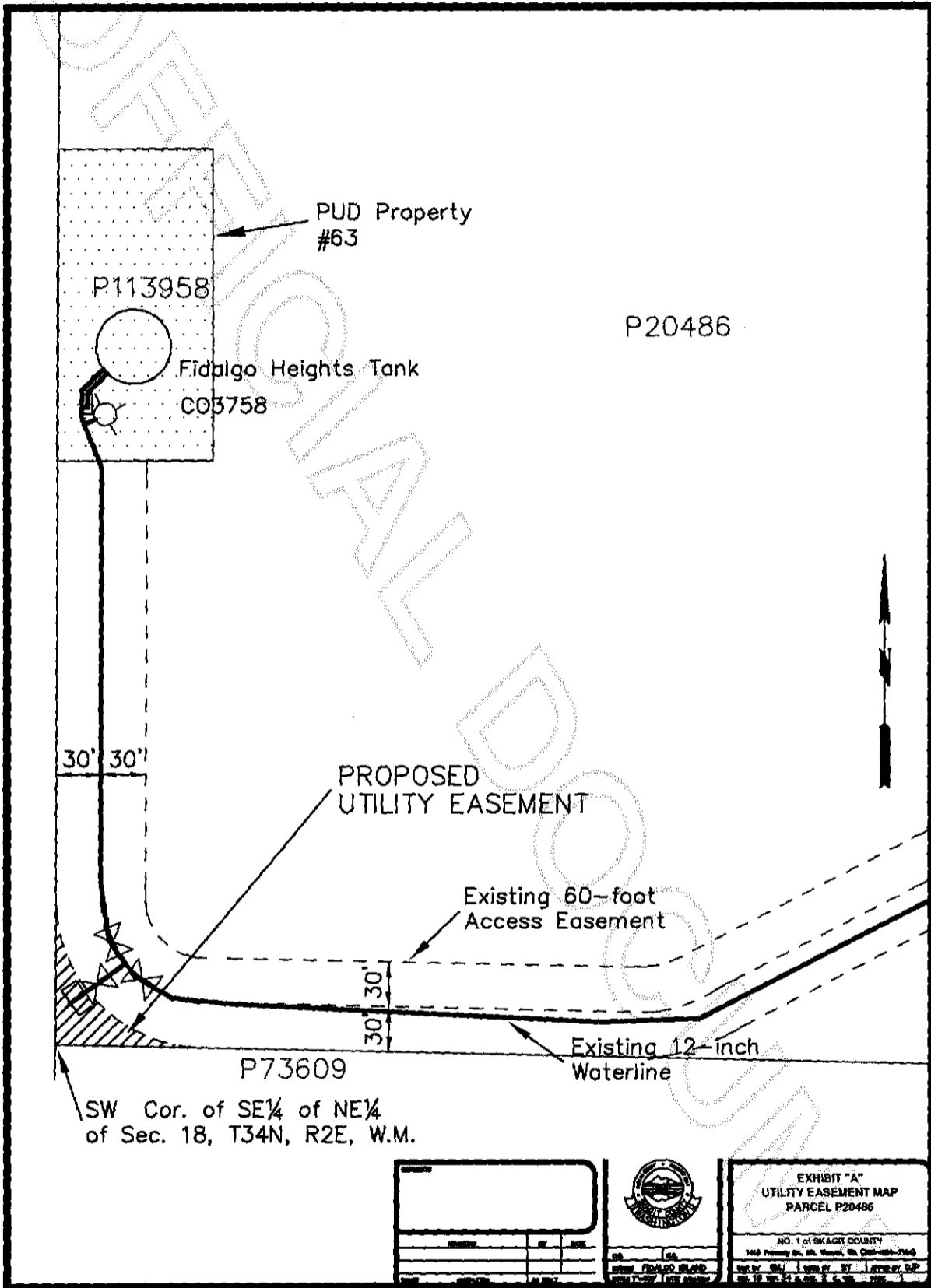
I certify that I know or have satisfactory evidence that **JEANETTE M. PORTIS** is the person who appeared before me, and said person acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.

Date: 6/21/06

Sara K. Young
Notary Public in and for the State of Washington
My appointment expires: February 19, 2010



UNOFFICIAL DRAFT



NO.	DATE	BY	CHK.



EXHIBIT "A"
UTILITY EASEMENT MAP
PARCEL P20486

NO. 1 of SKAGIT COUNTY

100 Primary St., Skagit County, WA 98281-1000
ISSUED BY: [Signature] DATE: [Date] BY: [Signature] D.P.
NO. 18 OF 18, 18 OF 18, 2 OF 18, 18 OF 18

