



200706010044
Skagit County Auditor

6/1/2007 Page 1 of 3 10:26AM

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 17 day of May, 2007, between HANSELL/MITZEL, LLC, 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:

P122828
(Easement Map – Exhibit "A")

A non exclusive easement of varying width, of which the widths to be disclosed over, under and across a portion of Lot 28, "PLAT OF NORTH HILL PUD" filed under Auditors File Number 200505050094, Records of Skagit County, Washington all being within the Southwest Quarter of Section 9, Township 34 North, Range 4 East, W.M., the centerline of which being more particularly described as follows:

Commencing at the South end of that certain Line, known as L12 as delineated on Sheet 3 of 4 of said plat and also being the Southerly limits of that certain 30 foot by 35 foot easement to Skagit County P.U.D, being described therein by the plat document "Line Table-[L12-35.00 ft N53°45'55"W]" thence North 53°45'55" West along said L12 a distance of 18.56 feet to the intersection of an existing 8" Waterline and the True Point of Beginning of the centerline of said easement, from this point to Reference Point "X" the nominal width of said easement being 20 feet, lying 10 feet on either side of the described centerline; thence South 36°09'11" West along said 8" Waterline a distance of 240.40 feet to Reference Point "X"; from this Reference Point "X" to the terminus, the width shall be described as being 10 feet southerly of the centerline and 24 feet northerly of said centerline; thence continuing along and beyond said Waterline South 36°09'11" West a distance of 30.00 feet to the Terminus of said Waterline easement.

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 17 day of May, 2007.

Eddie Tjeedsma
Signature

STATE OF WA
COUNTY OF Skagit

I certify that I know or have satisfactory evidence that Eddie Tjeedsma is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument, on oath stated that (he/she) was authorized to execute the instrument and acknowledged it as the manager of HANSELL/MITZEL, LLC to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Date: 5/17/07

Rose Tjeedsma
Notary Public in and for the State of WA
My appointment expires: 3/29/08

Easement
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

JUN 01 2007

Amount Paid \$
Skagit Co. Treasurer
By ndm Deputy



200706010044
Skagit County Auditor

6/1/2007 Page 2 of 3 10:26AM

EXHIBIT - A

30' x 35'
EASEMENT TO
SKAGIT COUNTY
P.U.D. [BY PLAT
OF RECORD]

AF _____

TPOB
[WIDTH - 20'
10/10']

N53°45'55"W
18.56'

LOT 28
Plat of NORTH HILL PUD

RIVER VISTA LOOP

NOTES:
1. THIS EXHIBIT DOES NOT
PURPORT TO SHOW ALL
EASEMENTS, RESERVATIONS,
AND OCCUPATION WHICH MAY
ENCUMBER TITLE TO OR USE OF
THIS PROPERTY.

2. THIS EXHIBIT DOES NOT
CONSTITUTE AN ACTUAL FIELD
SURVEY. DIMENSIONS PROVIDED
SOLELY FOR THE EXPRESS USE
AS AN EXHIBIT TO THE EASEMENT
DESCRIPTION. SEE THE ACTUAL
RECORDED DESCRIPTION AND
THAT CERTAIN PLAT UNDER
AFN-200505050094 RECORDS
OF SKAGIT COUNTY FOR
ADDITIONAL INFORMATION.

REFERENCE
POINT "X"

24.00'

10.00'

10.00' UTIL.
ESMT. BY PLAT

TERMINUS OF
EASEMENT



SCALE 1" = 40'

DRAWN BY: M.E.W
DATE: 04/26/07
DWG. NO.: 004-00
APPROVED BY:

P.U.D. No.1 of SKAGIT COUNTY
LEGAL DESCRIPTION EXHIBIT
SECTION 9, TOWNSHIP 34 NORTH,
RANGE 4 EAST, Page 3 of 3

SOUND DEVELOPMENT GROUP

PO BOX 1705
MOUNT VERNON, WASHINGTON 98273
(360) 404-2010

W.O. 06-3148



200706010044
Skagit County Auditor