



200712310191
Skagit County Auditor

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

Document Title(s): Pay-Back Agreement
Reference Number of Related Document: N/A
Grantor(s): (Print Last name, First Name and Initials
1. Wardell Edward EPW
2. Lewis-Wardell, Gail GKW
3.

Additional Grantors on Page of Document: N/A
Grantee(s): Skagit County Sewer District No. 2
 Additional Grantees on Page of Document: N/A

Abbreviated Legal Description: Lots 5 through 9 of Block 28 and Lots 8 through 17 of Block 21, all lying within the Plat of the Town of Montborne, Section 6, Township 33 North, Range 5 East, W.M.

Additional legal description is in Exhibit B to document.
Assessor's Tax/Parcel Number(s): P74628, P113678, P74617

PAY-BACK AGREEMENT

This agreement made and entered into this 13 day of December, 2007, by and between Skagit County Sewer District No. 2, a municipal corporation of the State of Washington, located in Skagit County, Washington, and Edward P. Wardell and Gail A. Lewis-Wardell.

WITNESSETH

WHEREAS: the aforementioned parties entered into developer extension agreement on the 30th day of April, 2007; and

WHEREAS: Edward P. Wardell and Gail A. Lewis-Wardell (owners) own the following described real estate situated in Skagit County, Washington, more particularly described as follows:

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TRACTS A AND B ON THE ATTACHED EXHIBIT B; and

WHEREAS, Edward P. Wardell and Gail A. Lewis-Wardell constructed approximately 350 feet of sewer system and appurtenances more particularly described as follows:

SEE ATTACHED EXHIBIT A; and

WHEREAS, the cost of construction and installation of the aforementioned sewer system extension to owners was \$77,778.35; and,

WHEREAS, said owners have conveyed by Conveyance of Sewer Facility the aforementioned sewer system to Skagit County Sewer District No. 2; and

WHEREAS, the parties wish to execute an agreement and record said agreement regarding the fair pro rata share to be paid by the owners of property which connect to the aforementioned line in the future,

NOW, THEREFORE, it is hereby agreed as follows:

1. That the parties hereto agree that this agreement is made and entered into pursuant to the Municipal Water and Sewer Facility Act, R.C.W. 35.91.010 et seq., and to further agree to be bound by and adhere to the provisions of said Act as exist at the time of the signing of this agreement.
2. That said owners have constructed and installed approximately 350 feet of sewer main and appurtenances hereinafter described (as portrayed on EXHIBIT C attached hereto).
3. That a copy of the Conveyance of Sewer Facility granting said sewer system to Skagit County Sewer District No. 2, duly executed by said owners is attached hereto and made a part thereof by reference.
4. The aforementioned sewer system has been accepted by the Skagit County Sewer District No. 2, which will supply said owners with service at the rate established by the District for the class of service applicable hereto.
5. It is hereby agreed that for a period of ten (10) years from the date of this agreement, upon the request of any of the owners of the hereinbelow described properties to connect to the aforementioned sewer system, then the District will collect the connection charge on behalf of the Developers of the Project, Edward P. Wardell and Gail A. Lewis-Wardell, their transferees, successors or assigns in accordance with this agreement, the fair pro-rated share of the cost of the construction of said sewer system by the owners of said properties requesting to connect to said line.



6. The parcels of property falling within the provisions of this agreement are located in Skagit County, Washington, and are more particularly described as follows:

<u>TRACT A</u> , See Attached Exhibit B Pro-Rata Share for Tract A:	\$11,211.29	Paid
<u>TRACT B</u> , See Attached Exhibit B Pro-Rata Share for Tract B;	\$21,721.88	Paid
<u>TRACT C</u> , See Attached Exhibit B Pro-Rata Share for Tract C:	\$11,211.29	
<u>TRACT D</u> , See Attached Exhibit B Pro-Rata Share for Tract D:	\$33,633.88	

7. It is agreed that all reimbursement payments shall be collected by the District and paid over to said Developers of Project, Edward P. Wardell and Gail A. Lewis-Wardell, their transferees, heirs, successors or assigns in accordance with the Municipal Water and Sewer Facilities Act, RCW 35.91.010 et seq., and that in the event of the duty of the District to make said reimbursement collection and payment as herein provided shall terminate ten (10) years from the date of this agreement.

IN WITNESS WHEREOF, the parties have hereunto set their hands as of this day and year first above written.

By: Edward P. Wardell
EDWARD P. WARDELL

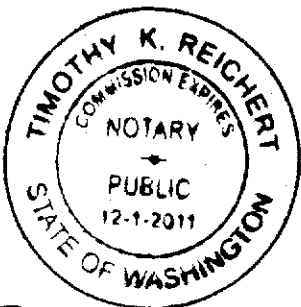
SKAGIT COUNTY SEWER DISTRICT NO. 2
SKAGIT COUNTY WASHINGTON

Gail A. Lewis-Wardell
GAIL A. LEWIS-WARDELL

By: [Signature]
President and Commissioner

By: [Signature]
Commissioner

By: _____
Commissioner



Timothy K. Reichert

I DID WITNESS EDWARD WARDELL
AND GAIL A. LEWIS-WARDELL'S SIGNATURES
ON 12-13-2007. TIMOTHY K. REICHERT
MY COMMISSION EXPIRES 12-1-2011



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**EXHIBIT A
FOR PAYBACK AGREEMENT
SKAGIT COUNTY SEWER DISTRICT NO. 2
WARDELL-WASHINGTON SEWER EXTENSION
ON-FROM-TO**

8-inch Sewer Main and Appurtenances

<u>APPROX. LENGTH</u>	<u>ON</u>	<u>FROM</u>	<u>TO</u>
21 feet	Right of Way	A point 291 feet ± northeasterly within the right-of-way approximately 216 feet ± north and 195 feet ± east of the intersection of Montborne Road and Highway 9 in Section 6, Township 33 North, Range 5 East, W.M. (This point is MH 001-1).	A point 21 feet ± northeasterly in the right of way approximately 234 feet ± north and 208 feet ± east of said intersection (this point is MH 063-1).
329 feet	Right of Way and Sewer Easement	Manhole 063-1	A point 329 feet ± northwesterly in an easement approximately 465 feet ± north and 32 feet ± west of said intersection (this point is MH 063-2).



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**EXHIBIT B
FOR PAYBACK AGREEMENT
SKAGIT COUNTY SEWER DISTRICT NO. 2
WARDELL-WASHINGTON SEWER EXTENSION DE# 06-03**

TRACT A

Lots 5 and 6, Block 28, "PLAT OF THE TOWN OF MONTBORNE", as per recorded plat, records of Skagit County, Washington, Section 6, Township 33 North, Range 5 East, W.M.

TRACT B

Lots 7 through 9, Block 28, "PLAT OF THE TOWN OF MONTBORNE", as per recorded plat, records of Skagit County, Washington, Section 6, Township 33 North, Range 5 East, W.M.

TRACT C

Lot 8, except the Northeasterly 25 feet thereof, and all of Lots 9, 10 and 11, Block 21, "PLAT OF THE TOWN OF MONTBORNE", as per recorded plat, records of Skagit County, Washington, Section 6, Township 33 North, Range 5 East, W.M.

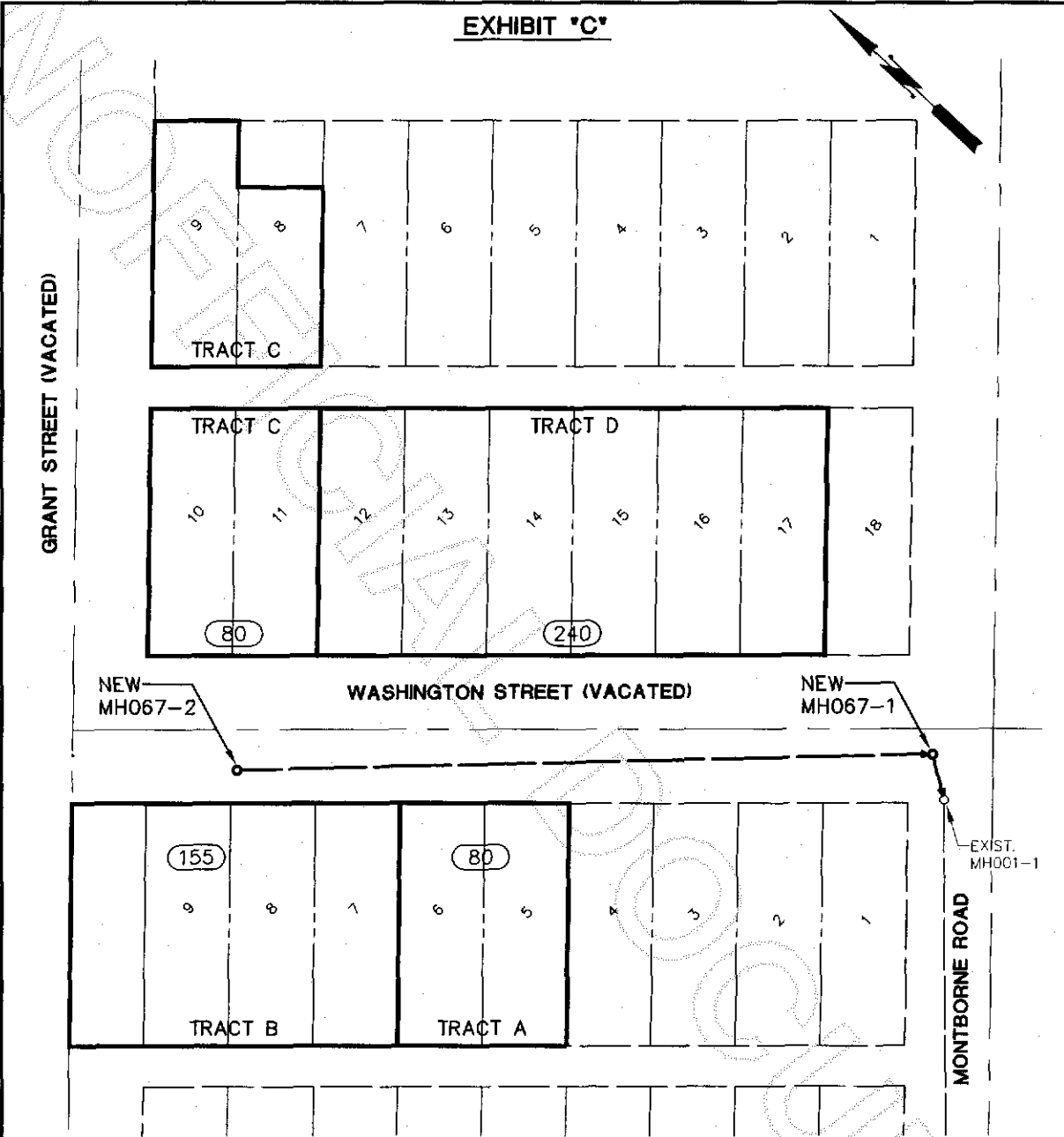
TRACT D

Lots 12 through 17, Block 21, "PLAT OF THE TOWN OF MONTBORNE", as per recorded plat, records of Skagit County, Washington, Section 6, Township 33 North, Range 5 East, W.M.



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EXHIBIT 'C'



LEGEND

- MH MANHOLE
- FRONT FOOTAGE
- 6 LOT NUMBER
- EXIST. SEWER
- - -●- - - NEW SEWER
- TRACT BOUNDARY

SCALE: 1"=80'



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