



200812010079

Skagit County Auditor

12/1/2008 Page 1 of 6 9:02AM

WHEN RECORDED RETURN TO:
CASCADE NATURAL GAS CORPORATION
PO BOX 24464
SEATTLE, WA 98124-0464
ATTENTION: Engineering / Right of Way

RIGHT OF WAY EASEMENT

CNG317

City: Mt. Vernon
County: Skagit
W.O.#: GG013199

The undersigned **DAN R. MITZEL** and **PATRICIA R. BURKLUND**, husband and wife (hereinafter referred to as the "Grantor"), for and in consideration of mutual benefit of the parties and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, convey, and warrant to **CASCADE NATURAL GAS CORPORATION**, a Washington corporation (hereinafter referred to as the "Grantee"), a nonexclusive easement over the following described property of the Grantor:

PROPERTY DESCRIPTION:

A portion of the SE ¼ and SW ¼ of the NW ¼ in Sec 10, together with a portion of the NW ¼ and NE ¼ of Sec 15, T34N, R4E., W.M., as described in the attached Schedule "A-1".

EASEMENT DESCRIPTION:

A STRIP OF LAND 10' (TEN FEET) IN WIDTH RUNNING PARALLEL AND ADJACENT TO THE EASTERLY RIGHT OF WAY LINE OF THE EXISTING CASCADE NATURAL GAS 15' (FIFTEEN FEET) EASEMENT, AFN# 545054, AS DEPICTED IN THE ATTACHED EXHIBIT-1. TOGETHER WITH A STRIP OF LAND 10' (TEN FEET) IN WIDTH RUNNING PARALLEL AND ADJACENT TO THE SOUTHERLY RIGHT OF WAY OF MCLAUGHLIN ROAD.

TAX PARCEL NUMBER: P24802

The Grantee is granted the right to construct, install, operate, maintain, protect, improve, repair, and abandon in place a natural gas pipeline or pipelines, regulation devices, and metering equipment under, over, through, and across the above-described property. The Grantee is further granted an easement for the nonexclusive right of access to and from said property for the purpose of utilizing the rights herein granted.

Grantee may, at some future date, survey the precise location of the natural gas pipeline, the 25' (twenty-five feet) northerly/southerly easement, and other Pipeline Facilities located within Grantor's Property. Grantor hereby consents to Grantee's future amendment of this Agreement to modify the legal description of the Easement Area so that it conforms to the actual, "as-built" location of the natural gas pipeline and other Pipeline Facilities within Grantor's Property. Grantor agrees that no further consent is required for Grantee to so amend this Agreement and record the amendment in Skagit County, Washington. Grantee shall provide Grantor with a conformed copy of any such amendment.

The term "pipeline" includes gas lines, services, machinery, equipment, and facilities related to the operation or maintenance of said gas lines. The Grantor, on behalf of itself and its agents, invitees and licensees, agrees not to impair or interfere with the full use and enjoyment by the Grantee of the rights herein granted.

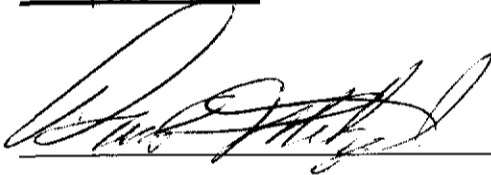
Without limiting the generality of the foregoing, the Grantor shall not erect any structure within the easement area, or conduct or permit any activities that may impair or interfere with the rights herein granted.

Grantor agrees to cooperate with Grantee to obtain all necessary permits, licenses and governmental action so that Grantee may enjoy the full use and benefit of this right-of-way easement.

The Grantee agrees to hold the Grantor harmless from any loss, cost, or damage resulting from the Grantee's negligence in connection with the operation or maintenance of any pipelines installed under or over the easement premises and the Grantor agrees to hold the Grantee harmless from any loss, cost, or damage caused by the Grantor, its agents, invitees, or licensees or from any breach of this easement.

This easement shall be binding upon the heirs, executors, administrators, personal representatives, successors, and assigns of the parties hereto.

In witness whereof, the undersigned have executed this easement this 20 day of Nov. 2008.



DAN R. MITZEL

State of Washington)
) ss.
 County of Skagit)



PATRICIA R. BURKLUND

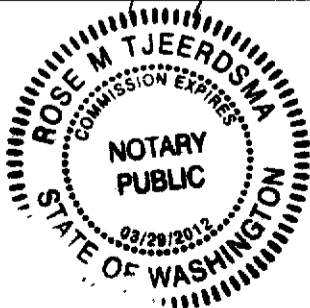
SKAGIT COUNTY WASHINGTON
 REAL ESTATE EXCISE TAX

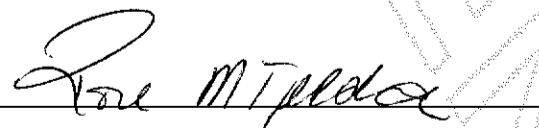
Easement
DEC 01 2008

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

I certify that I know or have satisfactory evidence that **DAN R. MITZEL** and **PATRICIA R. BURKLUND** are the persons who appeared before me, and said persons acknowledged that he/she signed this instrument, and acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 11/20/08





Notary Public Rose M Tjeerdsma
 Print Name 3/29/2012

My commission expires _____



Schedule "A-1"

DESCRIPTION:

That portion of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 10;

ALSO, TOGETHER WITH that portion of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ and the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 15, all in Township 34 North, Range 4 East, W.M., described as follows:

Beginning at the Northwest corner of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 10;
thence South $0^{\circ}12'29''$ West, along the West line thereof, a distance of 660.87 feet, more or less, to the Northwest corner of that certain parcel as conveyed by Deed recorded April 10, 2006, under Auditor's File No. 200604100126;
thence South $89^{\circ}11'17''$ East, along the North line thereof, 363.49 feet to the Northeast corner thereof;
thence North $62^{\circ}42'54''$ East 117.72 feet;
thence South $63^{\circ}15'58''$ East 111.40 feet;
thence South $15^{\circ}42'36''$ East 159.39 feet;
thence South $32^{\circ}41'51''$ East 129.01 feet;
thence South $52^{\circ}05'24''$ East 149.71 feet;
thence South $88^{\circ}04'38''$ East 128.61 feet;
thence North $79^{\circ}36'46''$ East 295.79 feet;
thence South $66^{\circ}03'52''$ East 138.90 feet;
thence South $66^{\circ}03'52''$ East 103.00 feet to the true point of beginning;
thence North $66^{\circ}03'52''$ West 103.00 feet;
thence North $66^{\circ}03'52''$ West 138.90 feet;
thence South $79^{\circ}36'46''$ West 295.79 feet;
thence North $88^{\circ}04'38''$ West 128.61 feet;
thence North $52^{\circ}05'24''$ West 149.71 feet;
thence North $32^{\circ}41'51''$ West 129.01 feet;
thence North $15^{\circ}42'36''$ West 159.39 feet;
thence North $63^{\circ}15'58''$ West 111.40 feet;
thence South $62^{\circ}42'54''$ West 117.72 feet to the aforementioned Northeast corner of parcel described under Auditor's File No. 200604100126;
thence South $0^{\circ}38'29''$ West, along the East line of said parcel and said parcel extended, a distance of 769.92 feet to the Southeast corner of Tract "A" of Skagit County Short Plat No. 60-77, approved August 30, 1977 and recorded August 30, 1977, under Auditor's File No. 863767, in Volume 2 of Short Plats, page 112, records of Skagit County, Washington;
thence North $89^{\circ}20'05''$ West, along the South line thereof, 330.03 feet to the Southwest corner thereof, said point being on the East margin of McLaughlin Extension Road;
thence South $1^{\circ}26'36''$ West, along said margin, 1,202.86 feet to an intersection with the North margin of McLaughlin Road;
thence South $89^{\circ}00'37''$ East along said North margin 967.04 feet to a point which lies South $16^{\circ}45'44''$ West from the true point of beginning;
thence North $16^{\circ}45'44''$ East 1,656.33 feet to the true point of beginning.



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Schedule "A-1"

DESCRIPTION CONTINUED:

That portion of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 10;

ALSO TOGETHER WITH that portion of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ and the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 15, all in Township 34 North, Range 4 East, W.M., described as follows:

Beginning at the Northwest corner of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 10;
thence South $0^{\circ}12'29''$ West, along the West line thereof, a distance of 660.87 feet, more or less, to the Northwest corner of that certain parcel as conveyed by Deed recorded April 10, 2006, under Auditor's File No. 200604100126;
thence South $89^{\circ}11'17''$ East, along the North line thereof, 363.49 feet to the Northeast corner thereof;
thence North $62^{\circ}42'54''$ East 117.72 feet;
thence South $63^{\circ}15'58''$ East 111.40 feet;
thence South $15^{\circ}42'36''$ East 159.39 feet;
thence South $32^{\circ}41'51''$ East 129.01 feet;
thence South $52^{\circ}05'24''$ East 149.71 feet;
thence South $88^{\circ}04'38''$ East 128.61 feet;
thence North $79^{\circ}36'46''$ East 295.79 feet;
thence South $66^{\circ}03'52''$ East 138.90 feet;
thence South $66^{\circ}03'52''$ East 103.00 feet to the true point of beginning;
thence South $78^{\circ}26'16''$ East 220.72 feet;
thence South $57^{\circ}43'31''$ East 112.69 feet;
thence South $76^{\circ}50'23''$ East 84.64 feet;
thence South $76^{\circ}59'11''$ East 180.46 feet;
thence South $54^{\circ}48'59''$ East 93.58 feet;
thence South $25^{\circ}47'39''$ East 91.15 feet;
thence South $25^{\circ}47'39''$ East 87.34 feet;
thence South $30^{\circ}23'11''$ East 111.90 feet;
thence South $8^{\circ}07'49''$ East 157.41 feet;
thence South $18^{\circ}17'32''$ East 348.90 feet;
thence South $25^{\circ}34'21''$ East 205.38 feet;
thence South $12^{\circ}48'25''$ East 218.85 feet;
thence South $5^{\circ}34'33''$ West 162.09 feet;
thence South $29^{\circ}59'41''$ West 117.22 feet to the North margin of McLaughlin Road;
thence North $88^{\circ}19'54''$ West, along said margin, 1,100.37 feet, to the West line of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 15;
thence continue along said margin, North $89^{\circ}00'37''$ West 352.95 feet to the point which lies South $16^{\circ}45'44''$ West from the true point of beginning;
thence North $16^{\circ}45'44''$ East 1,656.33 feet to the true point of beginning.



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Schedule "A-1"

DESCRIPTION CONTINUED:

TOGETHER WITH commencing the Northwest corner of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 10, Township 34 North, Range 4 East, W.M.;

thence South $0^{\circ}12'29''$ West, along the West line thereof, a distance of 660.87 feet, more or less, to the Northwest corner of that certain parcel as conveyed by Deed recorded April 10, 2006, under Auditor's File No. 200604100126;

thence South $89^{\circ}11'17''$ East, along the North line thereof, 363.49 feet to the Northeast corner thereof;

thence North $62^{\circ}42'54''$ East 117.72 feet;

thence South $63^{\circ}15'58''$ East 111.40 feet;

thence South $15^{\circ}42'36''$ East 159.39 feet;

thence South $32^{\circ}41'51''$ East 129.01 feet;

thence South $52^{\circ}05'24''$ East 149.71 feet;

thence South $88^{\circ}04'38''$ East 128.61 feet;

thence North $79^{\circ}36'46''$ East 295.79 feet;

thence South $66^{\circ}03'52''$ East 138.90 feet, more or less, to the West line of the West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of said Section 10;

thence South $66^{\circ}03'52''$ East 103.00 feet;

thence South $78^{\circ}26'16''$ East, 220.72 feet;

thence South $57^{\circ}43'31''$ East 112.69 feet;

thence South $76^{\circ}50'23''$ East 84.64 feet;

thence South $76^{\circ}59'11''$ East 180.46 feet;

thence South $54^{\circ}48'49''$ East 93.58 feet;

thence South $25^{\circ}47'39''$ East 91.15 feet to the South line of the West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of said Section 10;

thence South $25^{\circ}47'39''$ East 87.34 feet;

thence South $30^{\circ}23'11''$ East 111.90 feet;

thence South $8^{\circ}07'49''$ East 157.41 feet;

thence South $18^{\circ}17'32''$ East 348.90 feet;

thence South $25^{\circ}34'21''$ East 205.38 feet;

thence South $12^{\circ}48'25''$ East 218.85 feet;

thence South $5^{\circ}34'33''$ West 162.09 feet;

thence South $29^{\circ}59'41''$ West 139.94 feet to the South line of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ and the true point of beginning;

thence continue South $29^{\circ}59'41''$ West 185.06 feet;

thence South $71^{\circ}25'46''$ West 334.89 feet;

thence North $86^{\circ}50'15''$ West 213.62 feet;

thence North $85^{\circ}42'09''$ West 472.91 feet to the West line of the said Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 15;

thence North $88^{\circ}33'24''$ West 370.33 feet;

thence North $1^{\circ}26'36''$ East, along said East line 248.56 feet to the North line of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 15;

thence South $89^{\circ}00'37''$ East along said North line 369.85 feet to the Northeast corner of said Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$;



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Schedule "A-1"

DESCRIPTION CONTINUED:

thence South 88°19'54" East, along the North line of the Northwest ¼ of the Northeast ¼ of said Section 15, a distance of 1,089.47 feet to the true point of beginning,

EXCEPT any portion lying within the right of way of McLaughlin Road, AND EXCEPT the East 209 feet of the West 242 feet of the North 229 feet of the Southwest ¼ of the Northeast ¼ of said Section 15, AND ALSO EXCEPT the North 20 feet thereof for McLaughlin Road.

TOGETHER WITH a non-exclusive right to access and utility line easement 80 feet in width as described in instrument recorded July 1, 2007, under Auditor's File No. 200707110066.

Situate in the County of Skagit, State of Washington.



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