



200908130037

Skagit County Auditor

8/13/2009 Page

1 of

2 10:11AM

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  
Project #: 586-71650

The undersigned **JAMES E. ROSS and NANCY J. ROSS, 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:**

Lots 11 and 12, Block 41, 'PLAT OF THE TOWN OF MONTBORNE, SKAGIT COUNTY, WASHINGTON', as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington; TOGETHER WITH that portion of vacated Lakeside Boulevard adjoining which would attach to said premises by due process of law; EXCEPT the Northeasterly 40 feet thereof as conveyed to Skagit County by Deed recorded under Auditor's File No. 397033, records of Skagit County, Washington.

TOGETHER WITH the portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway (as originally conveyed to the Seattle Lake Shore and Eastern Railway), adjoining Block 41, of the Plat of "PLAT OF THE TOWN MONTBORNE", as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, that lies Westerly of the centerline of said right-of-way and between the Northeasterly extension of both the Northwesterly and the Southeasterly lines of that certain tract of land conveyed to R. M. Akervick, et ux, by deed recorded March 1, 1961, as Auditor's File No. 604727.

Situate in the County of Skagit, State of Washington.

**EASEMENT DESCRIPTION:**

A STRIP OF LAND TEN (10) FEET IN WIDTH ADJACENT TO THE NORTHWESTERLY PROPERTY LINE OF THE ABOVE DESCRIBED PROPERTY.

**TAX PARCEL NUMBER: P74667**

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.

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 13 day of July 2009.

*James E. Ross*  
\_\_\_\_\_  
JAMES E. ROSS

*Nancy J. Ross*  
\_\_\_\_\_  
NANCY J. ROSS

State of Washington        )  
  ) ss.  
County of Skagit            )

*Easement*  
SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

AUG 13 2009

Amount Paid \$ *0*  
Skagit Co. Treasurer  
By *blm* Deputy

I certify that I know or have satisfactory evidence that JAMES E. ROSS and NANCY J. ROSS 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: 13<sup>TH</sup>, July 2009



*[Signature]*  
\_\_\_\_\_  
Notary Public  
Print Name ASHLEY R JONAS  
My commission expires 11.09.2012

