



RETURN TO:  
Public Utility District No. 1 of Skagit County  
1415 Freeway Drive  
P.O. Box 1436  
Mount Vernon, WA 98273-1436

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

SEP 25 2013

Amount Paid \$   
Skagit Co. Treasurer  
By *man* Deputy

**PUD UTILITY EASEMENT**

THIS AGREEMENT is made this 17<sup>th</sup> day of AUGUST, 2013, between **LOPE D MALAKI & LORRETTA J MALAKI**, 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 to do all things necessary or proper in the construction and maintenance of water, sewer, electrical, and communication lines and/or other similar public service related facilities. This includes the right to construct, operate, maintain, inspect, improve, remove, restore, alter, replace, change the size of, relocate, connect to and locate at any time pipe(s), line(s) or related facilities, along with necessary appurtenances for the transportation and control of water, sewer, electrical, 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:

**P16677**

Tax Parcel Number #330416-3-001-0700  
*PTN LTI SP 94-008*

EXHIBIT "A" Easement Legal Description- Attached  
EXHIBIT "B" Easement Map- Attached

Grantor(s) authorizes the District the right of ingress and egress from said lands of the Grantor(s). The Grantor(s) also gives the District permission to cut, trim and/or remove all timber, trees, brush, or other growth standing or growing upon the lands of the Grantor(s) in the described easement for the purposes of the activities listed above, as well as the right to cut, trim and/or remove vegetation which, in the opinion of the District, constitutes a menace or danger to said pipe(s), line(s) or related facilities, and/or to persons or property by reason of proximity to the line. The Grantor(s) 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.

Grantor(s), 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. Grantor(s) 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 Grantor(s) also agree to and with the District and warrant that the Grantor(s) 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 Grantor(s) 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(s) hereunto sets his hand and seal this 17 day of August, 2013.

[Signature]  
LOPE D MALAKI

Loretta J Malaki  
LORRETTA J MALAKI 8-17-13

STATE OF Washington  
COUNTY OF Skagit

I certify that I know or have satisfactory evidence that **LOPE D MALAKI** is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his/her free and voluntary act for the purposes mentioned in the instrument.

Date: August 2013

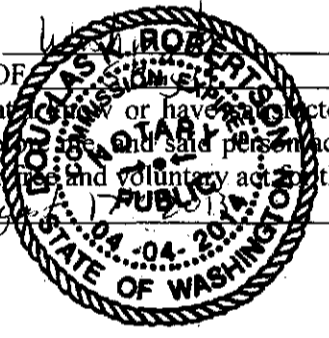


[Signature]  
Notary Public in and for the State of Washington  
My appointment expires: 2014

STATE OF Washington  
COUNTY OF Skagit

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

Date: August 2013



[Signature]  
Notary Public in and for the State of Washington  
My appointment expires: 2014



**EXHIBIT "A"**

**SKAGIT SURVEYORS AND ENGINEERS**

806 Metcalf St  
Sedro-Woolley, WA 98284  
360.855.2121

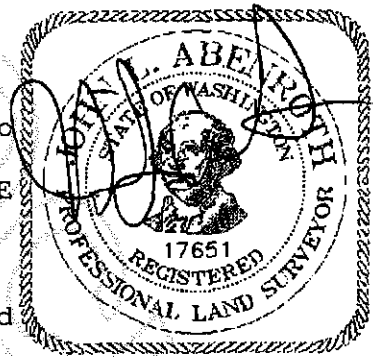
LEGAL DESCRIPTION  
FOR  
WINDWARD REAL ESTATE SERVICES  
OF  
PUD EASEMENTS OVER THE MALAKI PROPERTY

December 15, 2011 (Rev1 February 7, 2012) (Rev2 June 12, 2013)

PUD Utility Easements over and across the following described portions of Lot 1 of Skagit County Short Plat No. 94-008 filed in Volume 12 of Short Plats at page 89 under Auditor's File No. 9603290058.

A 70 foot wide strip of land lying 30 feet right and 40 feet left of a centerline described as commencing at the northwest corner of the northeast quarter of the southwest quarter of Section 16, Township 33 North, Range 4 East, W.M.; thence N 00°01'38"W along the west line of the southeast quarter of the northwest quarter of said Section 16, a distance of 32.95 feet said point being on a curve to the right having a radius of 500 feet and from which the radius point bears S 11°30'49"W; thence easterly along said curve through a central angle of 12°41'36", and an arc distance of 110.77 feet; thence S 65°47'35"E, a distance of 3.40 feet to a point on the northline of said Lot 1 and the point of beginning of this description; thence S 65°47'35"E, a distance of 347.62 feet to a point southeasterly line of said Lot 1 which lies N 68°53'52"E, a distance of 463.94 feet from the angle point in the south line of said Lot 1 and the terminus of this centerline description. Sidelines of said 70 foot strip are to be lengthened or shortened as necessary to conform to the northerly and southerly boundaries of said Lot 1.

TOGETHER WITH PUD Utility Easements beginning at a point on the southeasterly line of said Lot 1 which lies N 68°53'52"E, a distance of 384.67 feet from the angle point in the south line of said Lot 1; thence N 33°44'39"W, a distance of 17.78 feet; thence N 57°30'44"W, a distance of 117.47 feet to a point on the southerly line of the above described 70 foot wide strip; thence S 65°47'35"E along the southerly line of said 70 foot wide strip, a distance of 157.39 feet to a point on the southeasterly line of said Lot 1; thence S 68°53'52"W along the southeasterly line of said Lot 1, a distance of 37.07 feet to the point of beginning of this description.



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Skagit County Auditor

\$75.00

9/25/2013 Page

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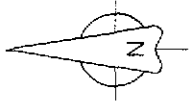
C.O. \_\_\_\_\_  
W.O. 13-02462

**EXHIBIT "B"**

SECTION 16, TWP 33 N., RNG. 4 E., W.M.

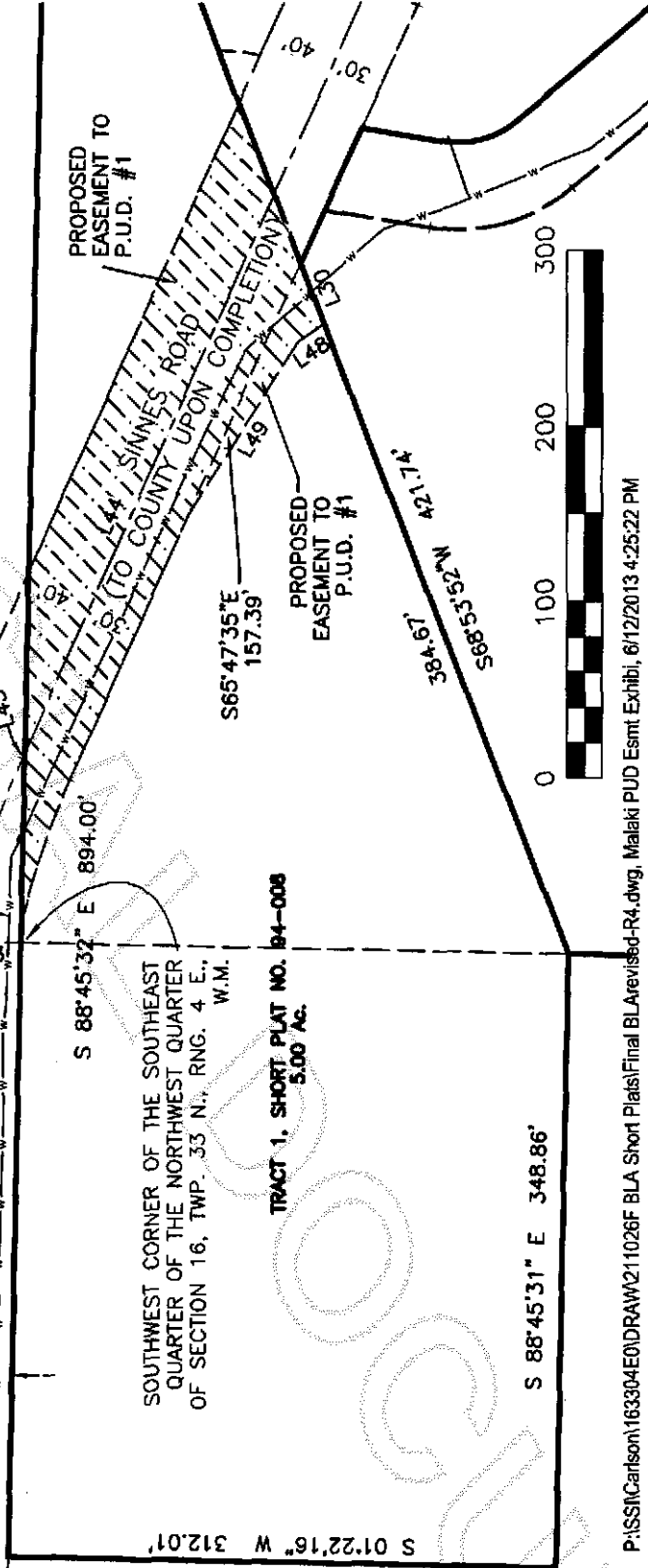
CURVE TABLE		
CURVE	DELTA	RADIUS
C12	12°41'36"	500.00'

LINE TABLE		
LINE	BEARING	DISTANCE
L30	N68°53'52"E	37.07'
L43	S65°47'35"E	3.40'
L44	S65°47'35"E	347.62'
L48	N33°44'39"W	17.78'
L49	N57°30'44"W	117.47'
L53	N00°01'38"W	32.95'



EXISTING WATER MAIN

SINNES ROAD (COUNTY)



SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 16, TWP. 33 N., RNG. 4 E., W.M.

TRACT 1, SHORT PLAT NO. 94-008  
5.00 AC.

S 88°45'31" E 348.86'

S 88°45'32" E 894.00'

S65°47'35"E  
157.39'

PROPOSED EASEMENT TO P.U.D. #1

S68°53'52"W  
421.74'



P:\SS\Carlson\163304E\DRAW\211026F\_BLA\_Short\_Plats\Final\_BLARevised-R4.dwg, Malaki PUD Esmt Exhibit, 6/12/2013 4:25:22 PM

SKETCH FOR WINDWARD REAL ESTATE SERVICES OF PROPOSED P.U.D.#1 EASEMENT OVER LOT 1 OF SHORT PLAT 94-008 (LOPE AND LORETTA MALAKI PROPERTY) JN 211026F

**Skagit Surveyors and Engineers**

806 Metcalf St., Sedro-Woolley, WA 98284 360.855.2121



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