



Skagit County Auditor 4/21/2016 Page 1 of 5 \$77.00 4:03PM

Skagit County Auditor 4/15/2016 Page 1 of 7 \$79.00 4:11PM

After Recording Return to:  
City of Mount Vernon  
PO Box 809  
Mount Vernon, WA 98273

Document Title: Surface Water Easement  
Grantor(s): PW CREEK, INC.  
Grantee: City of Mount Vernon, a Municipal Corporation  
Abbreviated Legal Description: TRACT A, TWIN BROOKS PHASE 2, AF#  
201503180026  
Full Legal Description: EXHIBIT "A" [p. 4]  
Assessor's Tax Parcel No: P132811

**1. Recitals.**

- A. Grantor is the owner of that certain real property legally described on Exhibit "A" attached hereto and incorporated herein by this reference
- B. This instrument sets forth the terms and conditions under which the Grantor shall grant the Grantee an easement over the subject property.

**2. Grant of Easement.**

In consideration of ten dollars (\$10.00), in hand paid and other valuable consideration which is hereby acknowledged, Grantor, PW CREEK, INC., does hereby grant and convey to Grantee, The City of Mount Vernon, Washington, a Municipal Corporation located in the County of Skagit, its successors, heirs, and assigns, a permanent easement for Surface Water Utility Facilities and other appurtenances in, over, on under, across and through the following described real property:

SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART  
HEREOF

Except as may be otherwise set forth herein Grantee's Easement and all rights thereto shall be exercised upon that portion of the Property ("Easement Area" herein) described as follows:

SEE EXHIBIT "B" ATTACHED HERETO AND BY REFERENCE MADE  
PART HEREOF

**3. Purpose and scope Easement.**

The easement is granted for the purpose of inspecting, repairing, replacing, operating and maintaining Surface Water Utility Facilities and related utility facilities. Grantee may construct, or cause to be constructed, maintain, replace, reconstruct, and remove Surface Water Utility Facilities, with all appurtenances incident thereto or necessary therewith, in and across the said Easement Area and the right of ingress and egress over, and under and across the described Easement Area at any and all times for the purposes of doing anything necessary or useful or convenient for the enjoyment of the easement hereby granted; and the right of conveyance of said easement and privileges.

**4. Obstructions.**

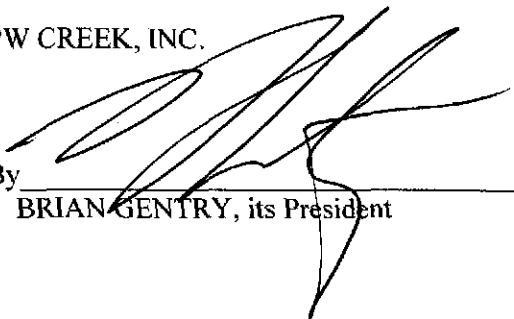
Grantee may from time to time need to remove and dispose of vegetation, trees, or other obstructions within the Easement Area in order to carry out the purposes of the Easement set forth in Section 3 hereof. Grantee shall also have the right to control, on a continuing basis and by any prudent and reasonable means, the establishment and growth of brush, trees or other vegetation in the Easement Area.

**5. Grantor's Use of Easement Area.**

Grantor, their heirs and assigns, reserve the right and privilege to use the above described land of the Grantor, at any time, in any manner and for any purpose not inconsistent with the full use and enjoyment by the Grantee, its successors and assigns, of the rights and privilege therein granted. Grantor, their heirs and assigns shall refrain from construction or placing any buildings or improvements or fencing upon the above-described premises. Grantee shall under no circumstances be held responsible for the restoration of any buildings or improvements upon the above-described premises, if said improvements are in any way disturbed during the exercise of the above-described easement privileges.


Dated this 11<sup>th</sup> day of April 2016.

PW CREEK, INC.

By   
BRIAN GENTRY, its President

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

APR 15 2016

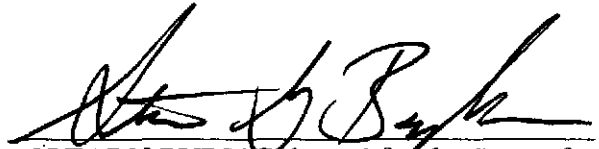
Amount Paid \$ 0  
Skagit Co. Treasurer  
By  Deputy

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF SKAGIT )

I hereby certify that I know or have satisfactory evidence that BRIAN GENTRY is the person who appeared before me, and said person acknowledged that ~~(s)~~he signed this instrument, on oath stated that ~~(s)~~he was authorized to execute the instrument and acknowledged it as the President of the Grantor, PW CREEK, INC., to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: APRIL 11<sup>TH</sup>, 2016

**STEVEN G. BAUGHN**  
STATE OF WASHINGTON  
**NOTARY PUBLIC**  
MY COMMISSION EXPIRES  
01-29-18



NOTARY PUBLIC, in and for the State of  
Washington,  
Residing at: MT. VERNON, WA  
My Commission Expires: 01-29-2018

**EXHIBIT "A"**  
**(Legal Description)**

**P132815**

Tract A, "Plat of Twin Brooks Phase 2, LU-05-024", approved February 27, 2015, and recorded March 18, 2015, under Auditor's File No. 2 0 1503180026, records of Skagit County, Washington.

**EXHIBIT "B"**  
**(Easement Area)**

A 40 foot wide drainage easement over Tract A to serve the detention pond outfall pipe from Tract J, "Plat of Twin Brooks Phase 2, LU-05-024", approved February 27, 2015, and recorded March 18, 2015, under Auditor's File No. 201503180026, records of Skagit County, Washington, more particularly described as follows:

Commencing at the corner common to Tract A, Tract E and Tract J, Plat of Twin Brooks Phase 2, LU-05-024;

Thence North 29° 48' 28" West, 20.13 feet along the common line between said Tract A and Tract J to the Point of Beginning of the centerline of a 40 feet wide tract (20 feet each side and extending to the Tract J boundary);

Thence North 53°33'30" East, 110 feet to the Point of Terminus said centerline.

Situate in the County of Skagit, State of Washington.