

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

REVIEWED BY
SKAGIT COUNTY TREASURER
DEPUTY <u>SPURLOW</u>
DATE <u>10/23/25</u>

PUD UTILITY EASEMENT

Reference #:

Grantor: HRG Living Trust

Grantee: Public Utility District No. 1 of Skagit County

Short Legal: PORTION OF PARCEL 'CC' OF SURVEY RECORDED UNDER AF#200411190077

Assessor's Tax Parcel: P30457

THIS AGREEMENT is made this 16th day of October, 2025, between **HRG LIVING TRUST**, 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 permanent, perpetual, non-exclusive rights and privileges along, over, within, across, under, through, and upon the said lands and premises.

NOW, THEREFORE, Grantor(s), for and in consideration of good and valuable consideration, receipt and sufficiency 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, placement, installation, maintenance, use, operation, and retirement of water lines as authorized by Title 54 RCW "Public Utility Districts". This includes the right to construct, operate, maintain, inspect, improve, remove, restore, alter, replace, change the size of, relocate, connect to, locate and abandon at any time pipe(s), line(s) or related facilities, along with necessary appurtenances for the transportation and control of water over, across, along, through, upon, in and under the following described lands and premises (the "Property" herein) in the County of Skagit, State of Washington, to wit:

Tax Parcel Number: P30457

See Exhibit A-Property Legal Description

Except as may be otherwise set forth herein, the District's rights shall be exercised on the easement area described on Exhibit B-Easement Description, and as depicted on Exhibit C-Easement Sketch.

Grantor(s) authorizes the District, its contractor/sub-contractors, consultants, agents, successors or assigns, 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. The District will not cut mature trees that are located more than seven (7) feet south of the currently existing waterline. The District will provide a minimum of 48-hours' notice for significant non-emergency work and non-emergency ingress by contractors.

Following initial installation, repair, maintenance or extension of its facilities, the District shall, to the extent reasonably practicable, restore landscaping, surfaces and portions of the Property affected by the District's work to the condition existing immediately prior to such work. The District shall use good faith

efforts to perform its restoration obligations under this paragraph as soon as reasonably possible after the completion of the District's work.

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. Fences constructed across the easement area shall have gates or removable sections installed not less than twelve feet wide.

The District agrees to indemnify Grantor from and against liability incurred by Grantor as a result of the negligence of the District or its contractors in the exercise of the rights herein granted, but nothing herein shall require the District to indemnify the Grantor for that portion of any such liability attributable to the negligence of the Grantor or the negligence or others.

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.

The rights herein granted shall continue until such time as the District terminates such right by written instrument. No termination shall be deemed to have occurred by the District's failure to install its systems on the easement area.

The District shall have the right to assign, apportion, or otherwise transfer any or all of its rights, benefits, privileges and interests arising in and under this easement to any public or private utility.

In Witness Whereof, the Grantor(s) hereunto sets his hand and seal this 16th day of October, 2025.

Heidi Ruth Gingerich
Signature

Trustee, HRG Living Trust
Title

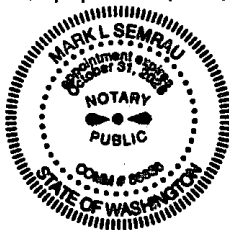
Heidi Ruth Gingerich
Printed Name

STATE OF WASHINGTON
COUNTY OF SKAGIT

I certify that I know or have satisfactory evidence that Heidi Ruth Gingerich is the person who appeared before me, and said person 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.

Date: Oct. 16, 2025

(Signature) Mark L. Semrau



Notary Public in and for the State of Washington

(Printed Name) MARK L. SEMRAU

My appointment expires: OCT. 31, 2026

EXHIBIT A
PROPERTY LEGAL DESCRIPTION
P30457
GINGERICH

PER DEED AUDITOR'S FILE NUMBER 202008280111:

PARCEL A:

THAT PORTION OF GOVERNMENT LOT 2, AND THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 30, TOWNSHIP 34 NORTH, RANGE 5 EAST, W.M., IN SKAGIT COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION; THENCE SOUTH 89°44'03" EAST ALONG THE EAST-WEST CENTERLINE OF SAID SECTION, 1,097.51 FEET TO THE MOST EASTERLY CORNER OF THAT PARCEL OF LAND CONVEYED TO DAVID G. MCINTYRE BY DEED RECORDED JULY 1, 1980, UNDER AUDITOR'S FILE NO. 8007010040, SAID POINT BEING THE TRUE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE NORTH 44°06'30" WEST ALONG THE NORTHEASTERLY LINE OF SAID MCINTYRE PARCEL, 456.52 FEET TO INTERSECT A LINE PARALLEL WITH AND 20 FEET SOUTHEASTERLY OF THE CENTERLINE OF AN EXISTING GRAVEL ROAD; THENCE IN A GENERAL NORTHEASTERLY DIRECTION ALONG SAID PARALLEL LINE BY THE FOLLOWING COURSES AND DISTANCES:

NORTH 52°00'00" EAST, 87.56 FEET TO THE BEGINNING OF A CURVE TO THE LEFT WITH A RADIUS OF 420.00 FEET, NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 31°20'00", AN ARC DISTANCE OF 235.15 FEET TO A POINT OF TANGENCY, NORTH 20°40'00" EAST, 187.05 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT WITH A RADIUS OF 280.00 FEET, NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 40°20'00", AN ARC DISTANCE OF 190.07 FEET TO A POINT OF TANGENCY, NORTH 61°00'00" EAST, 208.16 FEET, AND NORTH 68°00'00" EAST, 126.58 FEET TO INTERSECT THE SOUTHWESTERLY MARGIN OF OTTER POND DRIVE, 60 FEET IN WIDTH AT A POINT ON A CURVE FROM WHICH THE CENTER LIES SOUTH 20°48'17" WEST, 270.00 FEET DISTANT; THENCE IN A GENERAL SOUTHEASTERLY DIRECTION ALONG SAID SOUTHWESTERLY ROAD MARGIN BY THE FOLLOWING COURSES AND DISTANCES:

SOUTHEASTERLY ALONG SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 26°11'43", AN ARC DISTANCE OF 123.44 FEET TO A POINT OF TANGENCY, SOUTH 43°00'00" EAST, 146.65 FEET TO THE BEGINNING OF A CURVE TO THE LEFT WITH A RADIUS OF 430.00 FEET, AND SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 52°20'03", AN ARC DISTANCE OF 392.76 FEET TO INTERSECT THE WESTERLY MARGIN OF GUNDERSON ROAD, 40 FEET IN WIDTH; THENCE IN A GENERAL SOUTHERLY AND SOUTHEASTERLY DIRECTION ALONG SAID ROAD MARGIN BY THE FOLLOWING COURSES AND DISTANCES:

SOUTH 8°00'00" EAST, 74.76 FEET TO THE BEGINNING OF A CURVE TO THE LEFT WITH A RADIUS OF 360.00 FEET, SOUTHERLY AND SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 51°40'00", AN ARC DISTANCE OF 324.63 FEET TO A POINT OF TANGENCY, SOUTH 59°40'00" EAST, 100 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT WITH A RADIUS OF 380.00 FEET, SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 41°10'00", AN ARC DISTANCE OF 273.03 FEET TO A POINT OF TANGENCY, AND SOUTH 18°30'00" EAST, 144.08 FEET TO RETURN TO SAID SECTION CENTERLINE; THENCE NORTH 89°44'03" WEST ALONG SAID CENTERLINE, 1,417.64 FEET TO THE POINT OF BEGINNING, EXCEPT THE FOLLOWING DESCRIBED PARCEL OF LAND:

THAT PORTION OF GOVERNMENT LOT 2, AND THAT PORTION OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 30, TOWNSHIP 34 NORTH, RANGE 5 EAST, W.M., IN SKAGIT COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

.....CONTINUED ON FOLLOWING PAGE

.....CONTINUED FROM PREVIOUS PAGE

COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION; THENCE SOUTH 89°44'03" EAST ALONG THE EAST-WEST CENTERLINE OF SAID SECTION 30; A DISTANCE OF 1,097.5 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89°44'03" EAST, A DISTANCE OF 580.00 FEET; THENCE NORTH 48°39'53" WEST, A DISTANCE OF 906.72 FEET TO THE INTERSECTION WITH A LINE WHICH IS PARALLEL WITH AND 30.00 FEET SOUTHEASTERLY OF THE CENTERLINE OF AN EXISTING GRAVEL ROAD; THENCE IN A SOUTHWESTERLY DIRECTION ALONG SAID LINE SOUTH 20°40'00" WEST, A DISTANCE OF 29.26 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 430.00 FEET; THENCE ALONG THE ARC OF SAID CURVE IN A SOUTHWESTERLY DIRECTION THROUGH A CENTRAL ANGLE OF 31°20'00", AN ARC DISTANCE OF 235.15 FEET; THENCE SOUTH 52°00'00" WEST, A DISTANCE OF 87.56 FEET TO A POINT WHICH BEARS NORTH 44°06'30" WEST FROM THE TRUE POINT OF BEGINNING; THENCE SOUTH 44°06'30" EAST, A DISTANCE OF 456.52 FEET TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPT THAT PORTION CONVEYED TO SKAGIT COUNTY FOR ROAD PURPOSES BY DEED RECORDED JUNE 12, 1986, UNDER AUDITOR'S FILE NO. 8606120019.

TOGETHER WITH EASEMENTS AS SET FORTH IN DOCUMENTS RECORDED DECEMBER 6, 1984, UNDER AUDITOR'S FILE NOS. 8412060042 AND 8412060043.

PARCEL B:

THAT PORTION OF GOVERNMENT LOT 2 AND OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 30, TOWNSHIP 34 NORTH, RANGE 5 EAST, W.M., DESCRIBED AS FOLLOWS:

BEGIN AT A POINT ON THE SOUTH LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION WHICH IS THE SOUTHWEST CORNER OF THOSE PREMISES CONVEYED TO DANIEL R. MITZEL, ET UX, BY DEED RECORDED JANUARY 31, 2002 AS SKAGIT COUNTY AUDITOR'S FILE NO. 200201310149; THENCE NORTH 48°39'53" WEST, A DISTANCE OF 938.79 FEET, MORE OR LESS, ALONG THE SOUTHWESTERLY LINE OF SAID MITZEL TRACT AND ITS NORTHWESTERLY EXTENSION TO THE CENTERLINE OF THAT CERTAIN ROAD NOW COMMONLY KNOWN AS WALKING M LANE AS SHOWN ON THE SURVEY OF "UPLAND TRACTS" RECORDED AS AUDITOR'S FILE NO. 8212140010 IN VOLUME 4 OF SURVEYS, PAGES 56-61; THENCE SOUTH 20° 40'00" WEST TO THE NORTHERLYMOST CORNER OF THOSE PREMISES CONVEYED TO DANIEL MITZEL, ET UX, BY DEED RECORDED NOVEMBER 19, 2004 UNDER AUDITOR'S FILE NO. 200411190076; THENCE SOUTH 30°58'54" EAST A DISTANCE OF 702.94 FEET, MORE OR LESS, TO THE SOUTH LINE OF SAID SOUTHEAST 1/4 OF THE NORTHWEST 1/4; THENCE SOUTH 89°44'03" EAST ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING.

SITUATED IN SKAGIT COUNTY, WASHINGTON.

EXHIBIT B
EASEMENT DESCRIPTION
P30457
GINGERICH

A 30-FOOT WIDE STRIP OF LAND IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 34 NORTH, RANGE 5 EAST, W.M., BEING THE SOUTHERLY 30 FEET OF A PORTION OF THAT 60-FOOT WIDE EASEMENT FOR EXISTING ROAD AS DEPICTED ON THAT SURVEY ENTITLED "THE UPLANDS", FILED DECEMBER 14, 1982, UNDER AUDITOR'S FILE NO. 8212140010, IN VOLUME 4 OF SURVEYS, PAGE 56 THROUGH 61, INCLUSIVE, CORRECTED BY AFFIDAVIT RECORDED UNDER AUDITOR'S FILE NO. 8212290015, RECORDS OF SKAGIT COUNTY, WASHINGTON, THE NORTHERLY BOUNDARY OF SAID 30-FOOT WIDE STRIP DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 30,
 THENCE SOUTH 89° 44' 03" EAST ALONG THE EAST-WEST CENTERLINE OF SAID SECTION FOR A DISTANCE OF 1677.52 FEET;
 THENCE NORTH 48° 39' 53" WEST 938.78 FEET TO A POINT ON THE CENTERLINE OF WALKING M LANE AS SHOWN ON THAT AFOREMENTIONED SURVEY, AS WELL AS ON THAT SURVEY RECORDED NOVEMBER 19, 2004, UNDER AUDITOR'S FILE NUMBER 200411190077, RECORDS OF SKAGIT COUNTY, WASHINGTON, SAID POINT BEING THE TRUE POINT OF BEGINNING OF THIS STRIP DESCRIPTION;
 THENCE ALONG THE CENTERLINE OF WALKING M LANE AS SHOWN ON SAID SURVEYS THE FOLLOWING COURSES AND DISTANCES:
 NORTH 20° 40' 00" EAST 146.47 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 300.00 FEET;
 THENCE NORTHERLY AND NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 40° 20' 00" FOR AN ARC DISTANCE OF 211.18 FEET;
 THENCE NORTH 61° 00' 00" EAST 210.00 FEET;
 THENCE NORTH 68° 00' 00" EAST 139.82 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 300 FEET, FROM WHICH A RADIAL LINE BEARS SOUTH 18° 30' 32" WEST TO THE RADIUS POINT;
 THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 28° 29' 28" FOR AN ARC DISTANCE OF 149.18 FEET;
 THENCE SOUTH 43° 00' 00" EAST 146.65 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 400.00 FEET;
 THENCE SOUTHEASTERLY AND EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 52° 08' 03" FOR AN ARC DISTANCE OF 363.97 FEET TO THE WESTERLY RIGHT-OF-WAY MARGIN OF GUNDERSON ROAD AND THE **TERMINUS** OF THIS STRIP DESCRIPTION;

THE SOUTHERLY SIDELINE OF SAID STRIP SHALL BEGIN AT A LINE RUNNING THROUGH SAID POINT OF BEGINNING AT A RIGHT ANGLE TO THE FIRST COURSE ORIGINATING THEREFROM AND LENGTHENED OR SHORTENED TO TERMINATE AT THE WESTERLY RIGHT-OF-WAY MARGIN OF GUNDERSON ROAD;

SITUATED IN SKAGIT COUNTY, WASHINGTON.



4/21/23

