

42/800
9004050044

WATER PIPELINE EASEMENT

THIS AGREEMENT is made this 9 day of April, 1990,
between JOHN MARK INVESTMENTS, INC., hereinafter referred to as
"Grantor", and PUBLIC UTILITY DISTRICT NO. 1 OF SKAGIT COUNTY,
WASHINGTON, a Municipal Corporation, hereinafter referred to as
"District". Witnesseth:

WHEREAS, Grantor is the owner 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, over, under and upon the said lands
and premises.

NOW, THEREFORE, Grantor, 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 enabling the
District to do all things necessary or proper in the construction and
maintenance of a water line, lines or related facilities, including the
right to construct, operate, maintain, inspect, improve, remove,
restore, alter, replace, relocate, connect to and locate at any time a
pipe or pipes, line or lines or related facilities, along with necessary
appurtenances for the transportation of water over, across, along, in
and under the following described lands and premises in the County
of Skagit, State of Washington, to wit:

That portion of the Northeast 1/4 of the Northwest 1/4, Section
8, Township 34 North, Range 4 East, W.M., described as follows:

Beginning at a point 660 feet West of the Northeast corner of
the Northwest 1/4 of said Section 8; thence South 544.5 feet;
thence East 445.5 feet, more or less, to the Great Northern
Railway right-of-way; thence Northerly along said right-of-way
to the North line of said Section; thence West to the point of
beginning; EXCEPT road, AND EXCEPT portion, if any, lying
within the West 1/2 of said Northeast 1/4 of the Northwest
1/4

together with the right of ingress to and egress from said lands
across adjacent lands of the Grantor; also, the right to cut and/or trim
all brush, timber, trees or other growth standing or growing upon the
lands of the Grantor which, in the opinion of the District, constitutes a
menace or danger to said line or to persons or property by reason of
proximity to said line. The Grantor agrees that title to all timber,
brush, trees, other vegetation or debris trimmed, cut and removed
from the easement pursuant to this Agreement is vested in the
District.

Grantor, its 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

9004050044

Vol 887 Page 585

Return
PUBLIC UTILITY DIST. #1 SKAGIT CO.
1415 Freeway Drive
Mount Vernon, Washington 98278

Manager of the District. Grantor shall conduct its 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 also agrees to and with the District that the Grantor lawfully owns 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 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 hereunto sets his hand and seal this 4 day of April, 1992

Mark A. Gubrud

STATE OF WASHINGTON
COUNTY OF SKAGIT

On this 4th day of April, 1992, personally appeared before me Mark A. Gubrud, to me known to be the President of JOHN MARK INVESTMENTS, INC., who executed the within and foregoing instrument, and acknowledged said instrument to be his free and voluntary act and deed of said Corporation, for the uses and purposes therein mentioned; and on oath stated that he was authorized to execute said instrument for said Corporation

In Witness Whereof I have hereunto set my hand and affixed my official seal the day and year herein above written.

Jerry McInturf
Notary Public in and for the State of
Washington, residing at Mount Vernon
My commission expires: 8/9/93

9004050044

VOL 887 PAGE 598

RECEIVED
JERRY MCINTURF
SKAGIT COUNTY CLERK
90 APR -5 P3:00
V