

KATHY HILL
SKAGIT COUNTY AUDITOR

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RECORDED _____ FILED _____
REQUEST OF _____

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After recording return document to:

Skagit County Health Dept.
700 So. Second Street
Mount Vernon, WA 98273

004438

DOCUMENT TITLE: AGREEMENT & RELEASE

REFERENCE NUMBER OF RELATED DOCUMENT: N/A

GRANTOR(S): Jerry and Gloria Carbert

ADDITIONAL GRANTORS ON PAGE _____ OF DOCUMENT.

GRANTEE(S): SKAGIT COUNTY

ADDITIONAL GRANTEES ON PAGE _____ OF DOCUMENT.

ABBREVIATED LEGAL DESCRIPTION: PTN N.W. ¼, S.W. ¼, Sec 16, T. 33 N., R. 4 E., Lot 2 S/P 41-88.

ADDITIONAL LEGAL DESCRIPTION ON PAGE(S) 4 OF DOCUMENT.

ASSESSOR'S TAX/PARCEL NUMBER(S): P16674

AGREEMENT AND RELEASE

This agreement and release, made this 7TH day of JUNE, 1999,
between Jerry and Gloria Carbert, whose address is 2067 Bulson Rd. Mount Vernon,
WA 98273 and SKAGIT COUNTY, hereinafter referred to as the COUNTY.

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WITNESSETH:

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1. The Carberts are the owners of real property in Skagit County identified in Attachment A to this document.
2. The Carberts convey to the COUNTY the two domestic water wells that supply water to their property or could supply water to their property (described in Attachment A) under the following conditions:
 - a) The COUNTY will contract for the legal abandonment of the wells pursuant to Chapter 173-160 WAC.
 - b) The COUNTY will compensate the Carberts for any property damage incurred during the abandonment.
 - c) The COUNTY will contract for the installation of a below ground water pipe connecting the existing water line on the Carbert side of the water meter to an existing water spigot located in the pump house on the Carbert property.
 - d) The COUNTY will compensate the Carberts for an estimated cost of using PUD water for ten years of dry season irrigation of lawn or garden to the amount of \$1,618.00 to be paid in one sum within 90 days of well decommissioning.
3. Further, the Carberts agree that their use of water for any purpose will be from the PUD No. 1 water system and they will not drill or cause to be drilled any form of a well for water as long as they own or reside on the described property.
4. In consideration for the COUNTY agreeing to abandon, at no cost to the Carberts, their water wells, the Carberts, on behalf of themselves and their minor children, release and forever discharge the COUNTY and any other person, firm or corporation, charged or chargeable with assigns, from any and all claims, demands, damages, costs, expenses, or loss of services, as a result of alleged personal injuries or property damage, occurring from potential groundwater contamination on their above-described property;

PROVIDED, however, that this release shall not apply to bar any claim for personal injuries which are discovered after the date of this agreement which were proximately caused by groundwater contamination on their property;

PROVIDED FURTHER, that the Carberts are currently aware of no existing personal injuries or property damage relating to groundwater contamination on their property.

The Carberts and the COUNTY hereby covenant and agree that this agreement and release shall be binding upon their heirs, assigns, executors, or administrators.

IN WITNESS WHEREOF, the parties hereto set their hands and seals this 27th day of May, 1999.

Jerry Carbert
Jerry Carbert

Gloria J. Carbert
Gloria Carbert

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State of Washington)
) ss.
County of Skagit)

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I certify that I know or have satisfactory evidence that Jerry and Gloria Carbert are the persons who appeared before me, and said persons acknowledged that they signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in this instrument.

Dated: May 27, 1999

Maxine Hereford
Notary Public
My commission expires: 6/19/2002



Approved: [Signature]
By: [Signature]
Dave Fleming
Risk Manager

Approved as to Form Only:
By: [Signature]
Hilary A. Thomas
Civil Deputy

Dated this 7th day of JUNE, 19 99.

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON

[Signature]
Robert Hart, Chairman ~~Commissioner~~

[Signature]
Harvey Wolden, Commissioner

[Signature]
Ted Anderson, ~~Commissioner~~ Chairman

Attest: [Signature]
Patti J. Chambers
Clerk of the Board

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