



199909220105

Kathy Hill, Skagit County Auditor

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AFTER RECORDING, RETURN TO  
Bonneville Power Administration  
TSR - 3  
P.O. BOX 3621  
PORTLAND, OR 97208-3621

**BPA COPY**

U.S. DEPARTMENT OF ENERGY-BONNEVILLE POWER ADMINISTRATION

S-BL-44-AR-4(Easement)

Tract No. S-BL-44-AR-3(Partial Release)

CONTRACT AND GRANT OF EASEMENT  
Access Road  
EASEMENT AND RELEASE

ISLAND TITLE CO.

SB 10889 ✓

THIS AGREEMENT, made this 29<sup>th</sup> day of June, 1999, between  
FRED L. WAIT and JANINE M. WAIT, husband and wife, the Grantor, whether one or more, and the UNITED  
STATES OF AMERICA, Department of Energy, Bonneville Power Administration, pursuant to the Bonneville  
Project Act, approved August 20, 1937, Ch. 720, 50 Stat. 731, as amended, 16 U.S.C. 832 (1977); the Federal  
Columbia River Transmission System Act, approved October 18, 1974, (P.L. 93-454), 88 Stat. 1376, 16 U.S.C. 838  
(Supp IV); the Department of Energy Organization Act, approved August 4, 1977, (P.L. 95-91); and the Pacific  
Northwest Electric Power Planning and Conservation Act, approved December 5, 1980, (P.L. 96-501),

WITNESSETH:

That the parties hereto covenant and agree as follows:

The Grantor, for and in consideration of the sum of five hundred and no/100  
dollars (\$500<sup>00</sup>) and the release of  
access road easement shown on the attached BPA Exhibit, dated November 20, 1997, and marked Exhibit B, and the  
provisions contained in this agreement, hereby grants and conveys to the United States of America a perpetual non-  
exclusive easement for access road purposes in, upon, and across the following-described land, to-wit:

A right-of-way over and along an existing road over and across Lot 3 (Short Plat No. 94-051, recorded  
September 19, 1995, Volume 12 of Short Plats, pages 28 and 30, records of Skagit County, Washington) in the  
NE1/4NE1/4 of Section 19, Township 35 North, Range 5 East, Willamette Meridian, Skagit County, Washington,  
as shown on Exhibit A, which is BPA Access Road Acquisition Exhibit, attached hereto and by this reference made  
a part hereof. Tax Account No. 350519-1-001-0000; Property No. P39820.

The grant shall include the right to enter and to locate, construct, use, maintain, repair, and reconstruct the  
road or roads, together with cuts and fills as needed.

The Grantor reserves the right to use the access for ingress and egress insofar as the same is located on the  
land of the Grantor, such reserved right to be exercised in a manner that will not interfere with the use of the access  
by the United States. The United States shall repair damages to the access caused by or arising out of its use thereof.

The above-listed access may be used for access to and from any existing or future transmission facilities of the United States which have been or may be constructed adjacent or nearly adjacent thereto. The rights granted herein are subject to easements of record and mineral rights of third parties.

In addition to the consideration recited herein, the United States shall repair or make compensation for damage to agricultural crops, fences, and irrigation and drainage systems within the easement area that occurs as a result of and during construction, reconstruction, removal, or maintenance activities. Payment for such damage shall be made on the basis of a damage estimate approved by the United States.

The Grantor agrees to satisfy of record such encumbrances, including taxes and assessments, as may be required by the United States and to obtain such curative evidences of title as may be requested by the United States. The United States shall pay all costs incidental to the preparation and recordation of this instrument and for the procurement of the title evidence.

The Grantor covenants to and with the United States that the Grantor is lawfully seized and possessed of the land aforesaid, with a good and lawful right and power to sell and convey the same; that the land is free and clear of all encumbrances, except as herein provided; and that the Grantor will forever warrant and defend the title to the rights granted herein and the quiet possession thereof against the lawful claims and demands of all persons whomsoever.

The provisions hereof shall inure to the benefit of and be binding upon the heirs, executors, administrators, successors, and assigns of the Grantor and upon the assigns of the United States.

The United States of America, Department of Energy, Bonneville Power Administration, does hereby release and quitclaim to Fred L. Wait and Janine M. Wait, husband and wife, all right, title, and interest in and to a portion of access road No. S-BL-44-AR-3, acquired by the United States for electric power transmission purposes by instrument dated November 21, 1963, and recorded December 16, 1963, in Book 334D, Page 830, Deed Records of Skagit County, Washington, said road being located in the NE1/4NE1/4 of Section 19, Township 35 North, Range 5 East, Willamette Meridian, Skagit County, Washington.

The rights herein released are no longer required for access to electric power transmission facilities and are released pursuant to the Acts of August 20, 1937, (50 Stat. 732, 16 U.S.C. 832) as amended and June 30, 1949, (63 Stat. 385, 40 U.S.C. S 484) as amended, and regulations and delegations of authority issued pursuant thereto.

Accepted for the  
UNITED STATES OF AMERICA 7-27-99  
Date

[Signature]  
Grantor FRED L. WAIT

By [Signature]  
for RENEE FERRERA

[Signature]  
Grantor JANINE M. WAIT

Title MGR for REAL ESTATE FIELD SERVICES

31601  
SKAGIT COUNTY WASHINGTON  
Real Estate Excise Tax

S-BL-44-AR-4(Easement)  
Tract No. S-BL-44-AR-3(Partial Release)  
GDB:gdb:12/19/97

SEP 22 1999

Amount Paid \$  
Skagit Co. Treasurer  
By [Signature] Deputy

BPA MARCH 1997



199909220105

Kathy Hill, Skagit County Auditor

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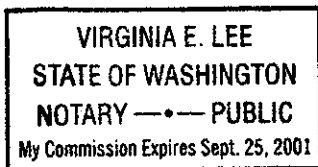
US DEPARTMENT OF ENERGY-BONNEVILLE POWER ADMINISTRATION

PERSONAL ACKNOWLEDGMENT

Washington, Oregon, Idaho, Montana, and California

State of Washington )  
County Skagit ) ss

On this 29<sup>th</sup> day of June, 1999, before me personally  
appeared Lisa Hill Janine M. Watt  
known to me, or proved to me on the basis of satisfactory evidence, to be the person(s) whose name(s)  
are subscribed to the within instrument and who acknowledged to me that they executed  
the same as their voluntary act and deed for the uses and purposes therein mentioned.



(SEAL)

Virginia E. Lee  
Notary Public in and for the  
State of Washington  
Residing at Snohomish  
My commission expires 9-25-01

BPA MARCH 1997



Kathy Hill, Skagit County Auditor  
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