



199910250114

Kathy Hill, Skagit County Auditor

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FILED FOR RECORD AT REQUEST OF:

John R. Shultz, Attorney at Law  
1003 Cleveland Street, Suite B  
Mount Vernon, Washington 98273

**EASEMENT AGREEMENT**

**GRANTOR:** SKAGIT COUNTY DIKING DISTRICT NO. 12, a Washington special purpose district

**GRANTEE:** WORLDWIDE FIBER NETWORKS, INC., a Nevada corporation

**LEGAL DESCRIPTION:** Parcel "A": The East 20.00 feet of Government Lot 1, Section 12, Township 34 North, Range 3 East W.M.

Parcel "B": The West 20.00 feet of Government Lot 3, Section 7, Township 34 North, Range 4 East W.M.

See page 2 for complete legal descriptions.

**ASSESSOR'S PROPERTY TAX PARCEL NOS:**

Parcel "A": P21586  
Parcel "B": P23906

SKAGIT COUNTY WASHINGTON  
Real Estate Excise Tax

OCT 25 1999

**REFERENCE NOS OF DOCUMENTS ASSIGNED OR RELEASED:**

N/A

Amount Paid \$  
Skagit Co. Treasurer  
By *mw* Deputy

THIS AGREEMENT is made this 22<sup>nd</sup> day of October, 1999, by and between WORLDWIDE NETWORKS, INC., a Nevada corporation, authorized to do business in the State of Washington, and SKAGIT COUNTY DIKING DISTRICT NO. 12, a Washington special purpose district.

## RECITALS

SKAGIT COUNTY DIKE DISTRICT NO. 12 ("Grantor"), desires to convey and quit claim to WORLDWIDE FIBER NETWORKS, INC. ("Grantee"), a non-exclusive 40.00 foot wide easement for Grantee's installation and maintenance of utility lines over, under and across a portion of Grantor's dike or levee right-of-way.

The parties now covenant and agree as follows:

1. Easement. Grantor hereby conveys and quit claims to Grantee, a 40.00 foot wide non-exclusive easement for the installation and maintenance of utility lines over, under and across a portion of Grantor's right-of-way, being more particularly described as follows:

Parcel "A":

The East 20.00 feet of Government Lot 1; Section 12, Township 34 North, Range 3 East, W.M., lying southerly of the northerly line of the Dike District No. 12 right-of-way and northerly of the right bank of the Skagit River.

Parcel "B":

The West 20.00 feet of Government Lot 3, Section 7, Township 34 North, Range 4 East, W.M., lying southerly of the northerly line of the Dike District No. 12 right-of-way and northerly of the right bank of the Skagit River.

All of the above being SUBJECT TO and TOGETHER WITH easements, reservations, restrictions, covenants, liens, leases and other instruments of record.

Situate in the County of Skagit, State of Washington.

2. Installation and Maintenance. The installation and maintenance of said utility lines shall be at the sole expense of Grantee. Grantee shall comply with all pertinent and applicable city, county, state, governmental, and Army Corps of Engineers laws, rules, regulations, and ordinances, governing the installation, use and maintenance of said utility lines and easement.

3. Term of Easement. This easement shall be perpetual and shall continue so long as Grantor, or its successors in interest, shall own, maintain or retain title to the dike or levee subject to the easement granted herein.

4. Indemnity. Grantee hereby covenants and agrees to indemnify and hold Grantor harmless from all loss, damage or injury caused by or arising out of Grantee's installation, use or maintenance of the said easement.



5. Consideration. The consideration for this easement agreement is the mutual benefit derived by Grantor and Grantee, and other good and valuable consideration, which is hereby acknowledged by Grantor, and no monetary consideration.

SKAGIT COUNTY DIKE DISTRICT NO. 12



By: *Marvin B. Cannon*  
MARVIN B. CANNON, Chairman & President

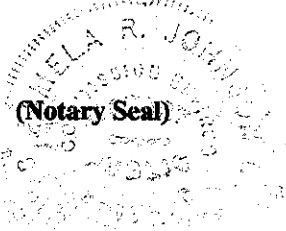
By: *Charles H. Bennett*  
CHARLES H. BENNETT, Secretary  
WORLDWIDE FIBER NETWORKS, INC.

By: *Jerry N. Sharp*  
Its President

STATE OF WASHINGTON )  
                                  ) ss.  
COUNTY OF SKAGIT )

On this 22<sup>nd</sup> day of October, 1999, before me personally appeared MARVIN B. CANNON and CHARLES H. BENNETT, to me known to be the Chairman/President and Secretary, respectively, of SKAGIT COUNTY DIKING DISTRICT NO. 12, a special purpose district, Grantor named herein, who executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute the said instrument, and that the seal affixed is the corporate seal of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Signature: *Pamela R. Johnson*  
Print Name: PAMELA R. JOHNSON  
Notary Public  
My Appointment Expires: 5-15-00

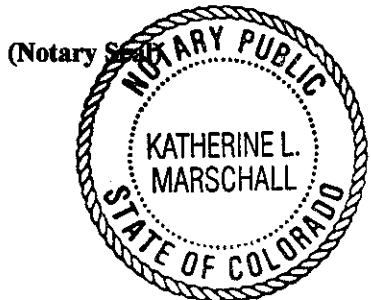


STATE OF Colorado )  
COUNTY OF Adams )

ss.

On this 13 day of October, 1999, before me personally appeared Jerry N. Tharp, to me known to be the President of WORLDWIDE FIBER NETWORKS, INC., a Nevada corporation authorized to do business in the State of Washington, Grantee named herein, who executed the within and foregoing instrument, and acknowledged the said instrument to be the 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 the said instrument, and that the seal affixed is the corporate seal of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



My Comm. Expires 01-09-2001

Signature: Katherine L. Marschall  
Print Name: KATHERINE L. MARSCHALL  
Notary Public  
My Appointment Expires: 01-09-2001



Kathy Hill, Skagit County Auditor  
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