

After Recording Return To:
Washington Department of Fish and Wildlife
Real Estate Division
600 Capitol Way North
Olympia, WA 98501-1091



200005110050

Kathy Hill, Skagit County Auditor
5/11/2000 Page 1 of 2 11:15:34AM

Document Title: Easement
Reference No.: None
Grantor: State of Washington, Department of Fish and Wildlife
Grantee: State of Washington, Department of Transportation
Legal Description: SW 1/4 of Section 17, Twp. 33 N., Rge 10 East W.M.
Additional Legal Description is on Page 1 of document.
Parcel No.: 331017-0-006-0111

WASHINGTON DEPARTMENT OF FISH AND WILDLIFE

EASEMENT

The Grantor, THE STATE OF WASHINGTON, DEPARTMENT OF FISH AND WILDLIFE, hereinafter called "Grantor" or "WDFW", for valuable consideration in hand paid, and subject to the terms and conditions as set forth below, hereby conveys and grants to THE STATE OF WASHINGTON, DEPARTMENT OF TRANSPORTATION, hereinafter called "Grantee" or "WSDOT", their successors and assigns, an easement for the purpose of stabilizing the bank of the Sauk River and protecting the integrity of the state highway, over the following described property located in Skagit County, State of Washington:

TOWNSHIP 33 NORTH, RANGE 10 EAST W.M.

Section 17: Beginning at the one 1/4 corner between Sections 17 and 18; thence South along section line for a distance of 2,640.56 feet to the Southwest corner of said Section 17; thence North 32° 49' 43" East, a distance of 1,696.04 feet to a point on the Easterly right of way line of State Highway 530, said point being the **TRUE POINT OF BEGINNING**; thence South 16° 53' 00" East a distance of 102.95 feet; thence South 43° 23' 47" East, 117.10 feet, more or less, to the Westerly bank of the Sauk River; thence North 39° 50' 37" East a distance of 250.50 feet along said bank to its intersection with the Southerly right of way of said Highway 530; thence North 82° 11' 50" West a distance of 57.70 feet along said right of way; thence along a curve, concave Southeasterly, having a radius of 505.68 feet subtending an arc of 24° 28' 06" for an arc distance of 215.95 feet to the true point of beginning.

THIS EASEMENT IS GRANTED SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

1. The rights and obligations of this easement shall run with the land and shall inure to the benefit of and be binding upon the respective successors and assigns of Grantor and Grantee.

Sauk River Easement
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- 2. In the event of a lawsuit involving this easement, jurisdiction and venue shall be proper only in the State of Washington, Thurston County Superior Court.
- 3. WSDOT will protect, save, and hold harmless WDFW, its authorized agents, officers, and employees, from all claims, actions, costs, damages, or expenses of any nature whatsoever by reason of the acts or omissions of WSDOT, its authorized agents and contractors, or arising out of or in connection with any acts or activities authorized by this easement. WSDOT further agrees to defend WDFW, its authorized agents, officers, or employees in any litigation, including payment of any costs or attorney's fees, for any claims or actions commenced, arising out of, or in connection with acts or activities authorized by this easement. This obligation shall not include such claims, costs, damages, or expenses which may be caused by the sole negligence of WDFW or its authorized agents, officers, or employees; PROVIDED, that if the claims or damages are caused by or result from the concurrent negligence of (a) WDFW, its authorized agents, officers, or employees and (b) WSDOT, its authorized agents, contractors, or employees, and involves those actions covered by Ch. 4.24.115 RCW, this indemnity provision shall be valid and enforceable only to the extent of the negligence of WSDOT or WSDOT'S authorized agents, contractors, or employees.

WASHINGTON DEPARTMENT OF FISH AND WILDLIFE

5/8/00
Date

Elyse Axell Kane
Elyse Axell Kane, Lands Division Manager
SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax PAID

STATE OF WASHINGTON)
County of Thurston) ss

MAY 11 2000

Amount Paid \$ 0
Skagit County Treasurer
By: [Signature] Deputy

I certify that I know or have satisfactory evidence that Elyse Axell Kane signed this instrument, on oath stated that she was authorized to execute the instrument and acknowledged it as the Lands Division Manager of the Washington Department of Fish and Wildlife to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Date 5/8/00

David D. Budd
Notary Public for the State of Washington

April 30, 2003
My appointment expires

residing at Olympia

