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Kathy Hill, Skagit County Auditor

6/2/2000 Page 1 of 4 9:29:05AM

RETURN TO:

Public Utility District No. 1 of Skagit County
1415 Freeway Drive
P.O. Box 1436
Mount Vernon, WA 98273-1436

WATER PIPELINE EASEMENT

THIS AGREEMENT is made this 1st day of July, 1999, between Dahlstedt Family Properties LLC 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, 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:

This easement is revising the easement recorded June 1, 1998 in Book 1819, Page 0585, Auditor's File No. 9806010103, Records of Skagit County, State of Washington.

Parcel No. P21284

The West 20.00 feet along with the west 50.00 feet of the ^{south} ~~north~~ 40.00 feet of the following tract of land:

The South 966.00 feet of Lot 3 Skagit County Short Plat No. 7-89 approved March 1, 1989, and recorded March 2, 1989 in Volume 8 of Short Plats, pages 112 and 113, records of Skagit County, Washington, being a portion of the Southwest 1/4 of the Northwest 1/4 of Section 9, Township 34 North, Range 3 East, W.M.

EXCEPT the East 210.00 feet thereof;

AND EXCEPT any portion thereof lying Northeasterly of a line drawn parallel with and 25 feet Southwesterly of the Southwesterly bank of the existing drainage ditch maintained by Drainage District No. 19, running along the toe of the hill;

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

4/7/00
5/31/00
4/7/00
5/31/00
MK
PD
MYR

reason of proximity to the 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 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 29 day of June, 1999.

SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax

JUN 02 2000

Amount Paid \$
Skagit Co. Treasurer
By CHW Deputy

Dahlstedt Family Properties, LLC

Norman H. Dahlstedt
Norman H. Dahlstedt

Patricia Louise Dahlstedt
Patricia Louise Dahlstedt

STATE OF WASHINGTON
COUNTY OF SKAGIT

I certify that I know or have satisfactory evidence that Norman H. Dahlstedt is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument for Dahlstedt Family Properties, LLC, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Date: 6-29-99

Denise M. Nelson

Notary Public in and for the State of Washington
Appointment Expires: 4-1-01

STATE OF WASHINGTON
COUNTY OF SKAGIT

I certify that I know or have satisfactory evidence that Patricia Louise Dahlstedt is the person who appeared before me, and said person acknowledged that she signed this instrument, on oath stated that she was authorized to execute the instrument for Dahlstedt Family Properties, LLC, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Date: 6-29-99

Denise M. Nelson

Notary Public in and for the State of Washington
Appointment Expires: 4-1-01



ADDENDUM TO WATER PIPELINE EASEMENT

COMES NOW the parties hereto, **Dahlstedt Family Properties LLC, Washington Alder LLC, and Public Utility District No. 1 of Skagit County**, and acknowledge and agree as follows:

1. **The Public Utility District No. 1** requires a pipeline easement in order to provide service to the property owned by **Dahlstedt Family Properties LLC**, described as follows:

This easement is revising the easement recorded June 1, 1998 in Book 1819, Page 0585, Auditor's File No. 9806010103 Records of Skagit County, State of Washington.

Parcel No. P21284

The West 20.00 feet along with the west 50.00 feet of the ~~north~~ 40.00 feet of the following tract of land:

The South 966.00 feet of Lot 3 Skagit County Short Plat No. 7-89 approved March 1, 1989, and recorded March 2, 1989 in Volume 8 of Short Plats, pages 112 and 113, records of Skagit County, Washington, being a portion of the Southwest 1/4 of the Northwest 1/4 of Section 9, Township 34 North, Range 3 East, W.M.

EXCEPT the East 210.00 feet thereof;

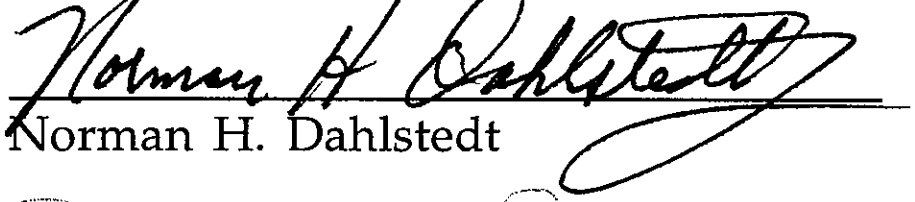
AND EXCEPT any portion thereof lying Northeasterly of a line drawn parallel with and 25 feet Southwesterly of the Southwesterly bank of the existing drainage ditch maintained by Drainage District No. 19, running along the toe of the hill.

2. **Dahlstedt Family Properties LLC**, as Lessor, has leased the property to **Washington Alder LLC**, as Lessee.
3. **Washington Alder LLC** acknowledges that **Dahlstedt Family Properties LLC** will execute the pipeline easement and agrees to lease the property subject to said easement. **Washington Alder LLC** further agrees that neither **Dahlstedt Family Properties LLC's** execution, nor the existence of, the easement unreasonably impairs the leased property.

Washington Alder LLC (Lessee)


Michael L. Knobel, President

Dahlstedt Family Properties, LLC (Lessor)


Norman H. Dahlstedt


Patricia Louise Dahlstedt

Public Utility District No. 1 of Skagit County


Kenneth K. Kukuk, General Manager



STATE OF WASHINGTON
COUNTY OF SKAGIT

I certify that I know or have satisfactory evidence that Norman H. Dahlstedt is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument for Dahlstedt Family Properties, LLC, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Date: 6-29-99

Denise M. Nelson

Notary Public in and for the State of Washington
Appointment Expires: 4-1-01

STATE OF WASHINGTON
COUNTY OF SKAGIT

I certify that I know or have satisfactory evidence that Patricia Louise Dahlstedt is the person who appeared before me, and said person acknowledged that she signed this instrument, on oath stated that she was authorized to execute the instrument for Dahlstedt Family Properties, LLC, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Date: 6-29-99

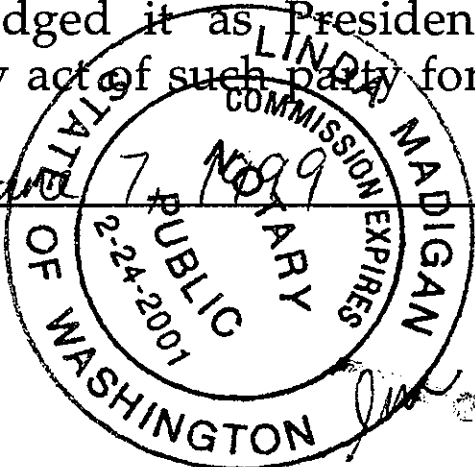
Denise M. Nelson

Notary Public in and for the State of Washington
Appointment Expires: 4-1-01

STATE OF WASHINGTON
COUNTY OF SKAGIT

I certify that I know or have satisfactory evidence that Michael L. Knobel is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as President of Washington Alder, LLC, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Date: 7-1-99



Linda Madigan

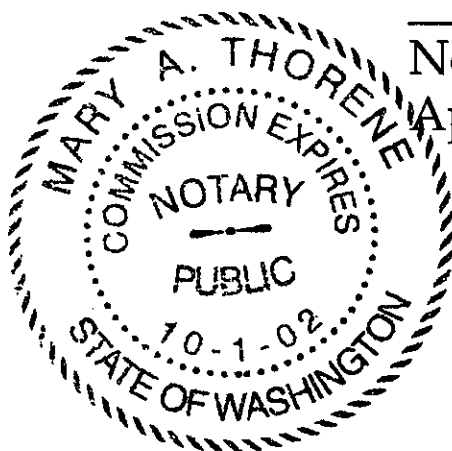
Notary Public in and for the State of Washington
Appointment Expires: 2-24-2001

STATE OF WASHINGTON
COUNTY OF SKAGIT

I certify that I know or have satisfactory evidence that ~~James P. Kirkpatrick~~ Kenneth K. Kukuk is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as General Manager of Public Utility District No. 1 of Skagit County, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Date: 5-31-00

Mary A. Thorene



Notary Public in and for the State of Washington
Appointment Expires: 10-01-02

