



200011200120

, Skagit County Auditor

COVER SHEET

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Return to: Skagit Surveyors & Engineers, LLC
806 Metcalf Street
Sedro-Woolley, WA 98284

DOCUMENT TITLE(S) (or transactions contained herein):
Agreement RE: Agreement Waiver of Protest and Special Power of Attorney (LID/ULID)

PARTIES (Owner):

1. Ray M. Wine and Beulah I. Wine, Trustees for the Ray M. Wine and Beulah I. Wine Living Trust

PARTIES (City):

1. City of Sedro-Woolley

Legal Description: (Abbreviated: i.e., lot, block, plat or quarter, section township, range)

A portion of the NW $\frac{1}{4}$, NW $\frac{1}{4}$, Section 24, T35N, R4E, W.M.

ASSESSOR'S PROPERTY TAX ACCOUNT NUMBER: 350424-0-068-0006

ASSESSOR'S PROPERTY TAX PARCEL NUMBER: P 37432

AGREEMENT
WAIVER OF PROTEST
AND SPECIAL POWER OF ATTORNEY
(LID/ULID)

THIS INSTRUMENT is entered into this 16th day of October, 2000, by and between the City of Sedro-Woolley, a municipal corporation, hereinafter referred to as the "City" and RAY M. WINE and BEULAH I. WINE, Trustees of the RAY M. WINE and BEULAH I. WINE LIVING TRUST, dated September 30, 1994, hereinafter referred to as "Owner(s)".

WITNESSETH,

WHEREAS, the owner holds record title to the following described property located within Skagit County, Washington: That portion of the Northwest ¼ of the Northwest ¼ of Section 24, Township 35 North, Range 4 East, W.M., described as follows: Beginning at a point 690 feet South and 15 feet East of the Northwest corner of said subdivision; thence East, 238 feet; thence South, 183 feet; thence West, 238 feet; thence North, 183 feet to the point of beginning.

and

WHEREAS, the City has required as a condition of approval of the Owner's site plan for said property that the Owner participate in the construction of certain utilities and/or street improvements as they directly relate to said property and the Owner desires that said requirement be delayed until projects are formulate for the joint participation of other affected owners.

NOW, THEREFORE, IT IS HEREBY AGREED BETWEEN THE PARTIES AS FOLLOWS:

1. The City will delay its requirement for the immediate participation by the Owner in the construction certain utilities and/or street improvements, subject to the conditions set forth hereinafter.
2. The Owner will financially participate in the following utility and/or street projects on an equitable basis with other affected property owners:

<input checked="" type="checkbox"/>	Sanitary sewer system improvements
<input checked="" type="checkbox"/>	Storm water system improvements
<input checked="" type="checkbox"/>	Street improvements
<input checked="" type="checkbox"/>	Street lighting improvements
<input checked="" type="checkbox"/>	Sidewalk improvements



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3. The Owner hereby waives all rights to protest against future Local Improvement District (LID) or Utility Local Improvement District (ULID) proceedings for the construction of said improvements described in Section 2., herein. For purposes of this Instrument, "rights of protest" shall mean only those formal rights to protest contained within the LID or ULID statutes, except, however, nothing herein shall constitute a waiver of Owner or the Owner's heirs, assigns or successors in interest of the right to object to the Owner's individual assessment amount or to appeal to the Superior Court the decisions of the Council affirming the final assessment roll, which rights are specifically preserved.

4. The Owner hereby grants and conveys to the City Engineer at City of Sedro-Woolley, or his successor in interest or designee, a Special Power of Attorney to exercise any and all rights of the Owner, including any purchasers, mortgage holders, lien holders or other persons who may claim an interest in the property described hereinabove, to accomplish the following:

At such time as a Local Improvement District or Utility Local Improvement District is proposed that would cause said improvements to be made available to the Owner's property described hereinabove, to execute a Petition on behalf of the Owner for the creation of such LID or ULID. This Special Power of Attorney is granted in consideration of the City executing this Instrument, and shall be a power coupled with an interest which may not be terminated. This Special Power of Attorney shall not be affected by the disability of the Owner.

5. If the Owner fails to perform in good faith in accordance with this Instrument, it is agreed that the City may discontinue utility service to the property described herein, after giving 20 days notice thereof and an opportunity for hearing thereon, or may pursue other equitable or legal remedies.

6. The Owner hereby declares that RAY M. WINE and BEULAH I. WINE, TRUSTEES of the RAY M. WINE and BEULAH I. WINE LIVING TRUST, dated September 30, 1994 are the sole owners of the property described herein and have full power to commit said property to this Agreement, Waiver of Protest and Special Power of Attorney.

7. This Instrument constitutes a covenant running with the land and shall be binding on all heirs, assigns, transferees, and successors in interest.

8. For purposes of compliance with RCW 35.43.182, the effective term of this instrument shall be a period of ten years from the date hereof.



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IN WITNESS WHEREOF, the parties hereto have caused this Instrument to be executed the day and year first hereinabove written.

CITY OF SEDRO-WOOLLEY:

OWNER(S):

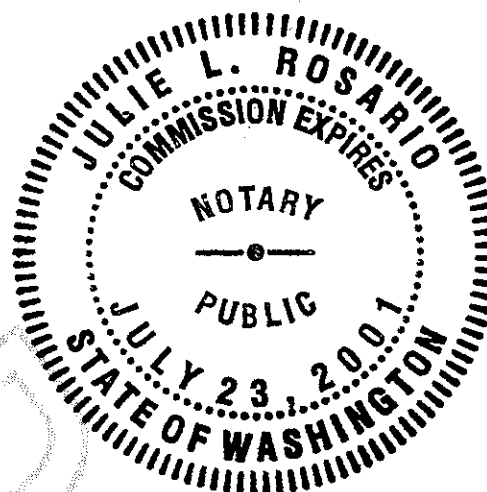
BY: Douglas Barnett
City Engineer

Ray M. Wind
Bulah I. Wine

Approved as to Form:

[Signature]
City Attorney

City of Sedro-Woolley



STATE OF WASHINGTON)

)ss.

COUNTY OF SKAGIT)

On this 20 day of November, 2000, personally appeared before me Douglas Barnett and Patrick Hayden, to me known to be the individual(s) and/or corporate officers described in and who executed the within and foregoing instrument and acknowledge that they signed the same as their free and voluntary act and deed on behalf of themselves or as corporate officers of the named corporation with full authority, for the uses and purposes herein mentioned.

Julie Rosario
Notary Public in and for the State of Washington,
residing at Sedro-Woolley
My commission expires 7/23/01

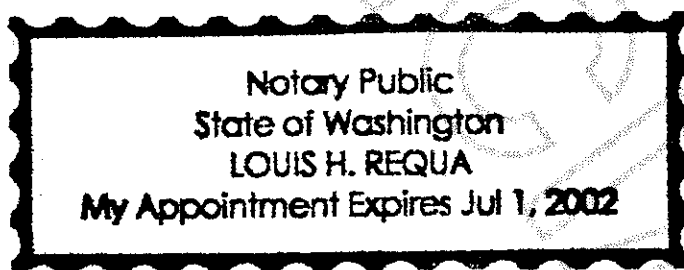


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State of Washington)
) ss.
County of Skagit)

On this day personally appeared before me RAY M. WINE and BEULAH I. WINE
to me known to be the individuals described in and who executed the within and foregoing
instrument, and acknowledged that they signed the same as their free and voluntary act and
deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 16th day of October, 2000



Louis H. Regua
Notary Public in and for the State of Washington,
residing at Sedro-Woolley, WA
My commission expires July 1, 2002
Print name: Louis H. Regua

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