



200104090098

Skagit County Auditor

4/9/2001 Page

1 of 4

12:54:55PM

Return Name and Address:

AT&T Cable Services

ATTN: Elizabeth Caudillo

400 Sequoia Dr

Bellingham WA 98226

Please print or type information

Document Title(s)

1. MDU Broadband Services Agreement Memorandum of Easement---Where the Heart Is

2.

Grantor(s)

1. Homeplace, Inc.

2.

3.

Grantee(s)

1. TCI Cablevision of Washington, Inc.

2.

3.

Legal Description (abbreviated: i.e. lot, block, plat OR section, township, range, qtr.)
Section 31 Township 35N Range 4E

☐

Additional legal is on page 4 of document.

Reference Number(s) (Auditor File Numbers) of Documents assigned or released:

UNRECORDED

☐

Additional numbers on page _____ of document.

Assessor's Property Tax Parcel/Account Number

3867-000-050-2300

Property Tax Parcel ID is not yet assigned.

☐

Additional parcel numbers on page 4 of document.

☐

The Auditor/Recorder will rely on the information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information.

RECORDING REQUESTED BY AND WHEN RECORDED RETURN TO:

Attn: Business Services Group

AT&T Broadband
22025 30th Ave SE
Bothell, WA 98021-4444
(425) 398-6000

MDU BROADBAND SERVICES AGREEMENT

Exhibit B

MEMORANDUM OF EASEMENT

Property Owner HOMEPLACE, INC.

Address: 204 N. Skagit
City, State, Zip Burlington, WA 98233
Contact Person: Nancy Gentry
Telephone 1: 755-1493
Telephone 2: _____
Fax: 755-5437

Complex Name: WHERE THE HEART IS

Address: 410 Norris
City, State, Zip: Burlington, WA 98233
Contact Person: Nancy Gentry
Telephone 1: 755-1493
Telephone 2: _____
Fax: 755-5437

This MEMORANDUM OF EASEMENT is to provide public notice that, for and in consideration of the mutual covenants made by the parties hereto, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, HOMEPLACE, INC., on behalf of itself, its successors and assigns, with an office at 204 N. Skagit, Burlington, WA 98233 (hereinafter called "Grantor") has granted TCI Cablevision of Washington, Inc., with an office at 777 W. Horton Road, Bellingham, Wa. 98226 (hereinafter in the aggregate called "Grantee"), and its successors and assigns, a non-exclusive easement in gross, which easement runs with the land and is subject to, and more particularly defined in, the terms of that certain MDU Broadband Services Agreement dated 8/18, 2000 (the "Agreement") between Grantor and Grantee.

The purpose of the easement is to permit Grantee and any entity which owns or controls, is owned or controlled by or is under common ownership or control with Grantee, and to which Grantee has assigned, sublet or apportioned any right granted it under the Agreement, to provide Services, as defined in the Agreement, and to permit Grantee and such affiliated entities to operate and maintain the Facilities, as defined in the Agreement, necessary to provide those Services, to, over and upon the property described on Exhibit "A" attached to the Agreement, and all improvements thereon; together with the rights of ingress, entry and egress to and over the described property, solely in accordance with, and as provided in, the Agreement. The easement shall continue in effect for a fifteen (15) year term and shall

Exhibit B - Memorandum of Easement - Version dated 5-1-00



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, Skagit County Auditor

automatically renew for consecutive five (5) year terms unless otherwise terminated by the parties as set forth in the Agreement. The easement and this memorandum shall terminate ninety (90) days after the expiration or earlier termination of the Agreement. No easement or other rights are created in Grantee, or given by Grantor, in this Memorandum of Easement, as this Memorandum of Easement is for notification purposes only. In the event of any conflict between the terms and conditions of this Memorandum and the terms of the Agreement, as between the parties, their successors and assigns, the Agreement shall control.

EXECUTED on this 18TH day of AUG. 2000

Grantor:

HOMEPLACE, INC.

By: [Signature]

Name: Nancy Gentry

(Print or type)

Title: Pres

STATE OF WASHINGTON

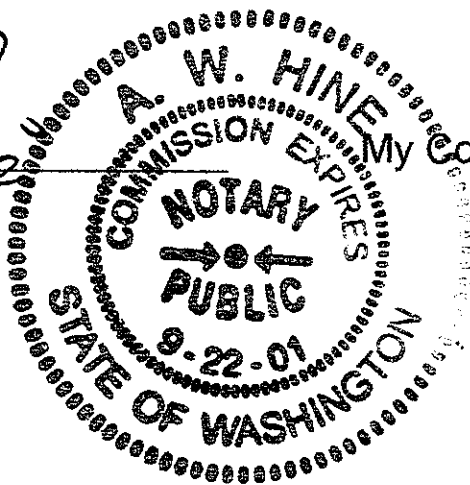
COUNTY OF SKAGIT

) ss.

On this 18TH day of AUG. 2000, before me, a Notary Public in and for the State of WASHINGTON, personally appeared NANCY GENTRY to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged the he/she signed the same as his/her free and voluntary act and deed for the uses and purposes therein mentioned.

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

[Signature]
Notary Public



My Commission Expires:

9/22/01

SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax

APR 09 2001

Amount Paid \$ 0
By Skagit Co. Treasurer
Deputy [Signature]



200104090098
Skagit County Auditor

MDU BROADBAND SERVICES AGREEMENT

Exhibit A

LEGAL DESCRIPTION OF PREMISES

Property Owner HOMEPLACE, INC.

Address: 204 N. Skagit
City, State, Zip Burlington, Wa. 98233
Contact Person: Nancy Gentry
Telephone 1: 755-1493
Telephone 2: _____
Fax: _____

Complex Name: WHERE THE HEART IS

Address: 410 Norris
City, State, Zip: Burlington, Wa. 98233
Contact Person: _____
Telephone 1: _____
Telephone 2: _____
Fax: _____

Parcel or Tax Account Number(s): P109266 cross ref. 3867-000-050-2300

LEGAL DESCRIPTION

LOT 1 OF SHORT PLAT OF BURLINGTON -1-95

AF # 9504 42 000 32

A PTN OF N 1/2 OF THE W 1/2 OF TRACT 50
OF THE BURLINGTON ACREAGE

TOWNSHIP 35N
RANGE 4E
SECTION 31

