

Return Name and Address:
AT&T Cable Services
ATTN: Elizabeth Caudillo
400 Sequoia Dr
Bellingham WA 98226



200108210055

Skagit County Auditor

8/21/2001 Page 1 of 7 11:58:07AM

Please print or type information

Document Title(s)
1. Memorandum of Easement <u>Westview Estates Townhomes</u>
Grantor(s)
1. <u>Rim Roy Inc / Starmont</u>
Grantee(s)
1. <u>TCI Cablevision of Washington Inc</u>
2.
Legal Description (abbreviated: i.e. lot, block, plat OR section, township, range, qtr.), <u>NW 1/4 of the SE 1/4 of Sec: 23, Town: 35, R: 4</u>
<input checked="" type="checkbox"/> Additional legal is on page <u>4-6</u> of document.
Reference Number(s) (Auditor File Numbers) of Documents assigned or released:
<input type="checkbox"/> Additional numbers on page _____ of document.
Assessor's Property Tax Parcel/Account Number
<input checked="" type="checkbox"/> <u>R117310</u>
Additional parcel numbers on page <u>5</u> 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
16505 Redmond Way, Suite H
Redmond, Wa. 98052
425-497-5138

MDU BROADBAND SERVICES AGREEMENT
Exhibit B
MEMORANDUM OF EASEMENT

Property Owner: <u>RIMROY, INC. / STORMLOT</u>	Complex Name: <u>Westview Estates Townhomes</u>
Address: <u>PO Box 158</u>	Address: <u>804 Westview Rd</u>
City, State, Zip: <u>Lyman, Wa. 98263</u>	City, State, Zip: <u>Sedro Woolley, WA 98284</u>
Contact Person: <u>Chris Stormlot</u>	Contact Person: <u>Chris Stormlot</u>
Telephone 1: <u>360-708-9303</u>	Telephone 1: _____
Telephone 2: _____	Telephone 2: _____
Fax: <u>360-826-4813</u>	Fax: _____

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, RIMROY, INC. / STORMLOT on behalf of itself, its successors and assigns, with an office at PO Box 158,
Lyman, Wa. 98263 (hereinafter called "Grantor") has granted

TCI Cablevision of Washington, Inc., with an office at 16505 Redmond Way, Suite H,
Redmond, Wa. 98052 (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 4-17-01 (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 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 17 day of April 2001

Owner: Rim Roy, Inc
By: Bill Rimmer
Name: Bill Rimmer
Title: SEC/TREAS (Print or type)

STATE OF Washington
COUNTY OF Skagit } ss

I certify that I know or have satisfactory evidence that Bill Rimmer
(is/are) the person(s) who appeared before me, and said person(s) acknowledged that (he/she/ they) signed this instrument, on oath stated that (he/she/they) were authorized to execute the instrument and acknowledged it as the Secretary/Treasurer of Rim Roy Inc
to be the free and voluntary act of such party(ies) for the uses and purposes mentioned in this instrument.

Dated: 4-17-2001

[Signature]
Notary Public in and for the state of Washington
Residing at Burlington
My appointment expires: 6-1-2001

Easement
SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax
PAID

1 AUG 21 2001

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



MDU BROADBAND SERVICES AGREEMENT

Exhibit A

LEGAL DESCRIPTION OF PREMISES

Property Owner: Rim Roy Inc / STORMONT Complex Name: Westview Estates Townhomes
Address: PO Box 158 Address: 804 Westview Rd
City, State, Zip: Lyman, Wa. 98263 City, State, Zip: Sedro Woolley, WA
Contact Person: Chris Stormlot Contact Person: Chris Stormlot
Telephone 1: 360-708-9303 Telephone 1: _____
Telephone 2: _____ Telephone 2: _____
Fax: 360-826-4813 Fax: _____

NW 1/4 of the SE 1/4 of Section 23, Township 35, Range 4

Parcel or Tax Account Number(s): ATTACHED

ATTACHED

Situs Address Entered: "DORIS"

#.	Property.. Del	Situs Address.....	Xref ID.....
1	R117310	601, 603 & 605 DORIS LANE SEDRO WOOLLEY, WA 98284	4766-000-007-0000
2	R117309	602, 604 & 606 DORIS LANE SEDRO WOOLLEY, WA 98284	4766-000-006-0000
3	R117308	608, 610 & 612 DORIS LANE SEDRO WOOLLEY, WA 98284	4766-000-005-0000
4	R117307	614, 616 & 618 DORIS LANE SEDRO WOOLLEY, WA 98284	4766-000-004-0000

Situs Address Entered: "WESTVIEW"

#.	Property.. Del	Situs Address.....	Xref ID.....
1	R117305	807, 809 & 811 WESTVIEW DRIVE SEDRO WOOLLEY, WA 98284	4766-000-002-0000
2	R117304	801, 803 & 805 WESTVIEW DRIVE SEDRO WOOLLEY, WA 98284	4766-000-001-0000
3	R117316	804, 806 & 808 WESTVIEW DRIVE SEDRO WOOLLEY, WA 98284	4766-000-013-0000
4	R117303	813 WESTVIEW DRIVE SEDRO WOOLLEY, WA 98284	4766-000-999-0000
5	R117311	820/822/824 WESTVIEW DRIVE SEDRO WOOLLEY, WA 98284	4766-000-008-0000
6	R117306	815, 817 & 819 WESTVIEW DRIVE SEDRO WOOLLEY, WA 98284	4766-000-003-0000
7	R117312	814/816/818 WESTVIEW DRIVE SEDRO WOOLLEY, WA 98284	4766-000-009-0000

Situs Address Entered: "DOLLY"

#.	Property.. Del	Situs Address.....	Xref ID.....
1	R117314	603, 605 & 607 DOLLY LANE SEDRO WOOLLEY, WA 98284	4766-000-011-0000
2	R117315	609, 611 & 613 DOLLY LANE SEDRO WOOLLEY, WA 98284	4766-000-012-0000

Property XRef ID Entered: "4766-000-010"

#.	Property.. Del	Xref ID.....	Owner Name.....
1	R117313	4766-000-010-0000	RIMROY INC

- - End of List - -



200108210055

Skagit County Auditor

Schedule "A-1"

DESCRIPTION:

PARCEL "A":

That portion of Lot 5, "SEDRO ACREAGE", as per plat recorded in Volume 3 of Plats, page 35, records of Skagit County, Washington, described as follows:

Beginning at the Southeast corner of said Lot 5;
thence West 356.8 feet;
thence North 195 feet;
thence East 356.8 feet;
thence South 195 feet to the point of beginning.

Situate in the City of Sedro-Woolley, County of Skagit, State of Washington.

PARCEL "B":

That portion of Lot 2, Sedro-Woolley Short Plat No. SW 03-97, approved April 27, 1998, recorded May 7, 1998 in Volume 13 of Short Plats, pages 120 and 121 under Auditor's File No. 9805070071, being a portion of Lot 5, "SEDRO ACREAGE", as per plat recorded in Volume 3 of Plats, page 35, records of Skagit County, Washington, more particularly described as follows:

Beginning at the Southeast corner of Lot 1 of said Sedro-Woolley Short Plat No. SW 03-97;
thence South, along the East line of Lot 2 of said short plat, a distance of 10.07 feet to a Southeast corner of said Lot 2;
thence South $89^{\circ}29'22''$ West a distance of 348.80 feet to an angle point in the South line of said Lot 2;
thence North $00^{\circ}24'36''$ West a distance of 10.07 feet, more or less, to a point which is South $89^{\circ}29'22''$ West of the point of beginning;
thence North $89^{\circ}29'22''$ East a distance of 348.80 feet, more or less, to the point of beginning.

Situate in the County of Skagit, State of Washington.

PARCEL "C":

Lot 2 of Sedro-Woolley Short Plat No. 3-97, approved April 27, 1998, recorded May 7, 1998, in Book 13 of Short Plats, pages 120 and 121, under Auditor's File No. 9805070071, records of Skagit County, Washington; being a portion of Lot 5, "SEDRO ACREAGE", as per plat recorded in Volume 3 of Plats, page 35, records of Skagit County, Washington;

- Continued -



200108210055
Skagit County Auditor
8/21/2001 Page 6 of 7 11:58:07AM

Schedule "A-1"

DESCRIPTION CONTINUED:

PARCEL "C" Continued:

EXCEPT that portion of Lot 2, described as follows:

Beginning at the Southeast corner of Lot 1 of said Sedro-Woolley Short Plat No. SW 03-97;
thence South, along the East line of Lot 2 of said short plat, a distance of 10.07 feet to a Southeast corner of said Lot 2;
thence South $89^{\circ}29'22''$ West a distance of 348.80 feet to an angle point in the South line of said Lot 2;
thence North $00^{\circ}24'36''$ West a distance of 10.07 feet, more or less, to a point which is South $89^{\circ}29'22''$ West of the point of beginning;
thence North $89^{\circ}29'22''$ East a distance of 348.80 feet, more or less, to the point of beginning.

TOGETHER WITH a non-exclusive easement for ingress, egress and utilities over, under and across the following described tract:

That portion of Lot 5, "SEDRO ACREAGE", as per plat recorded in Volume 3 of Plats, page 35, records of Skagit County, Washington, described as follows:

Beginning at the Northeast corner of that certain tract of land conveyed to Chris J. Stormont, et ux, by deed recorded December 17, 1992, under Auditor's File No. 9212170097;
thence South $00^{\circ}24'36''$ East, along the East line of said Stormont tract, a distance of 92.5 feet to the true point of beginning of a 50 foot wide easement, the center line of which is described hereafter;
thence South $88^{\circ}29'22''$ West a distance of 358.80 feet to the West line of said Stormont tract and the terminus of this line description.

Situate in the County of Skagit, State of Washington.



200108210055

Skagit County Auditor

8/21/2001 Page 7 of 7 11:58:07AM