



200110010018
Skagit County Auditor

10/1/2001 Page 1 of 4 8:49:11AM

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. Memorandum of Easement - Salem Village II Condos
Grantor(s)
1. Salem Village Limited Partnership
Grantee(s)
1. TCI Cablevision of Washington 2.
Legal Description (abbreviated: i.e. lot, block, plat OR section, township, range, qtr.), Q: SE Q: SE S: 8 T: 34N R: 4E
<input checked="" type="checkbox"/> Additional legal is on page <u>4</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"/> 340408-0-013-0200
Additional parcel numbers on page <u>4</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.

UNRECORDED DOCUMENT

**AT&T BROADBAND
400 SEQUOIA DR.
BELLINGHAM, WA 98226**

MDU BROADBAND SERVICES AGREEMENT

Exhibit A

LEGAL DESCRIPTION OF PREMISES

Property Owner Salem Village Limited Partnership

Complex Name: Salem Village II Condominiums

Address: 2619 N. Laventure

Address: 2601-2617 N. Laventure

City, State, Zip Mount Vernon, Wa. 98273

City, State, Zip: Mount Vernon, WA 98273

Contact Person: Beryl Fillmore

Contact Person: Beryl

Telephone 1: 360-428-5662

Telephone 1: 360-428-5662

Telephone 2: _____

Telephone 2: _____

Fax: _____

Fax: _____

SE 1/4 of the SE 1/4 of Section B, Township 34N, Range 4E

Parcel or Tax Account Number(s): 340408-0-013-0200 (R111843)

[Enter Legal Description of Premise Here] 340408-0-013-0400 (R112213)

LOT 3 OF MOUNT VERNON SHORT PLAT NO. MV-8-94, APPROVED JULY 1, 1997 AND RECORDED JULY 1, 1997 UNDER AUDITOR'S FILE NO. 9707010107 IN VOLUME 13 OF SHORT PLATS, PAGE 18, RECORDS OF SKAGIT COUNTY, WASHINGTON; EXCEPT THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 2; THENCE SOUTH 0 DEGREES 11' 21" WEST ALONG THE WEST LINE OF SAID LOT 2, ALSO BEING THE EAST LINE OF SAID LOT 3, A DISTANCE OF 229.71 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE NORTH 87 DEGREES 57' 29" WEST, ALONG THE NORTH LINE OF A 60 FOOT WIDE UTILITY AND ACCESS EASEMENT AS SHOWN ON SAID SHORT PLAT, 53.64 FEET; THENCE NORTH 0 DEGREES 11' 21" EAST 64.17 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 88.00; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 21 DEGREES 40'05", AN ARC DISTANCE OF 33.28 FEET; THENCE NORTH 21 DEGREES 51'26" EAST, 117.03 FEET TO THE BEGINNING OF A CURVE TO THE LEFT, HAVING A RADIUS OF 50.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE TO THE WEST, THROUGH A CENTRAL ANGLE OF 21 DEGREES 40' 05", AN ARC DISTANCE OF 18.91 FEET; THENCE NORTH 0 DEGREES 11' 21" EAST, 4.11 FEET TO A POINT WHICH LIES NORTH 87 DEGREES 57' 29" WEST FROM SAID NORTHWEST CORNER OF LOT 2; THENCE SOUTH 87 DEGREES 57' 29" EAST, 0.64 FEET TO THE POINT OF BEGINNING.

SITUATED IN THE STATE OF WASHINGTON, COUNTY OF SKAGIT

The Real Property or its address is commonly known as 26254 N LAVENTURE ROAD, MOUNT VERNON, WA 98273. The Real Property tax identification number is 340408-0-013-0200 R111843 AND 340408-0-013-0400 R112213.



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, Skagit County Auditor

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AT&T BROADBAND
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BELLINGHAM, WA 98226

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>Salem Village Limited Partnership</u>	Complex Name: <u>Salem Village II Condominiums</u>
Address: <u>2619 N. Laventure</u>	Address: <u>2601-2617 N. Laventure</u>
City, State, Zip: <u>Mount Vernon, Wa. 98273</u>	City, State, Zip: <u>Mount Vernon, WA 98273</u>
Contact Person: <u>Beryl Fillmore</u>	Contact Person: <u>Beryl</u>
Telephone 1: <u>360-428-5662</u>	Telephone 1: <u>360-428-5662</u>
Telephone 2: _____	Telephone 2: _____
Fax: _____	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, Salem Village Limited Partnership, on behalf of itself, its successors and assigns, with an office at 2619 N. Laventure, Mount Vernon, Wa. 98273 (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 2-28-01 (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



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(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 28th day of March, 2001

Owner: Salem Village Limited Partnership
By: [Signature]
Name: KENT HABERLY
(Print or type)
Title: President

STATE OF Washington)
COUNTY OF Skagit) ss.

On this 28th day of March, 2001, before me, a Notary Public in and for the State of Washington, personally appeared Kent Haberly to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he/she signed the same as his/her free and voluntary act and deed for the uses and purposes therein mentioned.

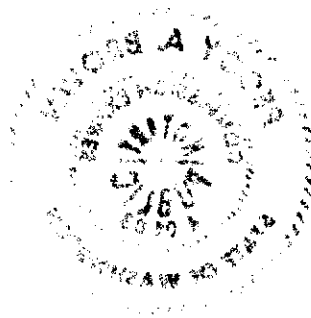
IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.

[Signature]
Notary Public
Peggy A. Brown

My Commission Expires: 4-1-03



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