

After Recording Return to:  
Jack R. Wallace  
P.O. Box 372  
Burlington, WA 98233



200201070173

Skagit County Auditor

1/7/2002 Page 1 of 9 2:39PM

## **EASEMENT**

Grantor(s): **G & D WALLACE, INC.; RLGM WALLACE VENTURES, LLC;  
and Fredonia Farms, LLC**

Grantee(s): **City of Burlington**

Abbreviated Legal Description: **Fredonia Business Park Preliminary  
Binding Site Plan, Phase I**

Additional legal description on page 5 of document.

Assessor's Tax Parcel Number(s): **P21234; P21233; P73470; P21310;  
P117535; P21268; P117970; P21265**

**G & D WALLACE, INC.**, a Washington Corporation; **RLGM WALLACE VENTURES, LLC**, a Washington Limited Liability Company; and **FREDONIA FARMS, LLC**, a Washington Limited Liability Company (hereinafter collectively "Grantor"), grant and convey to the City of Burlington an easement for sewer system as provided herein.

**1. Description of Grantor's Property.** Grantor is the owner of approximately 143 acres of industrially-zoned real property located south of Ovenell Road in Skagit County, Washington, known as the "Fredonia Business Park."

**2. Description of Easement.** The easement shall include a 20-foot wide path for underground sewer lines, together with manholes and other related installations and equipment, the centerline of which is described on Exhibit "A-1 through A-4," and the area occupied by the sewer pump station described on Exhibit "B," attached hereto and incorporated herein by this reference.

Amendment to Sewer Easement 1  
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3. **Construction, Maintenance and Replacement.** Grantee shall have the right to enter upon Grantor's Property (at Grantee's expense) for the purpose of constructing, operating, maintaining, inspecting, altering, removing, and replacing or repairing said sewer line or lines, the pump station, and related components. This easement is for sewer lines and equipment only.

4. **Successors.** This easement shall run with the land and bind the Grantors, their heirs, successors and assigns.

5. **Excise Tax.** No monetary consideration shall be paid for this easement. Accordingly, no excise tax is or shall be due.

6. **Enforcement.** This easement shall be construed according to the laws of the State of Washington.

DATED THIS 30 day of December, 2001.

G & D WALLACE, INC.

By: [Signature]  
Jack R. Wallace, Secretary

RLGM WALLACE VENTURES, LLC

By: [Signature]  
Jack R. Wallace  
Managing Member

FREDONIA FARMS, LLC

By: [Signature]  
Jack R. Wallace  
Managing Member

*Easement*  
SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

JAN 07 2002

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

Amendment to Sewer Easement 2  
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Skagit County Auditor

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STATE OF WASHINGTON     )  
COUNTY OF SKAGIT     )

I certify that I know or have satisfactory evidence that Jack R. Wallace 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 the Secretary of **G & D WALLACE, INC.**, a Washington corporation, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: December 30, 2001.

Barbara A. Schildt

NOTARY PUBLIC

Barbara A. Schildt

(Print or Type Name of Notary)

My Appointment Expires 2/19/04

STATE OF WASHINGTON     )  
COUNTY OF SKAGIT     )

I certify that I know or have satisfactory evidence that Jack R. Wallace 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 the Managing Member of **RLGM WALLACE VENTURES, LLC**, a Washington Limited Liability Company, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: December 30, 2001.

Barbara A. Schildt

NOTARY PUBLIC

Barbara A. Schildt

(Print or Type Name of Notary)

My Appointment Expires 2/19/04

Amendment to Sewer Easement 3  
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Skagit County Auditor

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STATE OF WASHINGTON     )  
COUNTY OF SKAGIT       )

I certify that I know or have satisfactory evidence that Jack R. Wallace 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 the Managing Member of **FREDONIA FARMS, LLC**, a Washington Limited Liability Company, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: December 30, 2001.

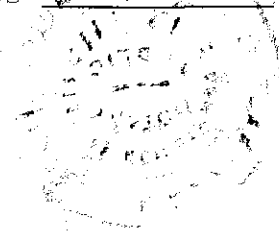
Barbara A. Schildt

NOTARY PUBLIC

Barbara A. Schildt

(Print or Type Name of Notary)

My Appointment Expires 2/19/04



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Skagit County Auditor

Exhibit A-1

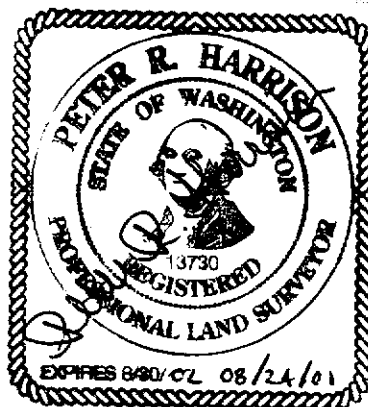
August 8, 2001

LEGAL DESCRIPTION FOR: G & D Wallace, Inc./RLGM Wallace Ventures, LLC

Fredonia Business Park Preliminary Binding Site Plan, Phase I  
Sanitary Sewer Gravity Main Easement - North

A strip of land 20.00 feet in width, said strip lying within portions of the Southwest quarter of the Northeast quarter and of the Northwest quarter of the Southeast quarter, Section 9, Township 34 North, Range 3 East, W.M., Skagit County, Washington, said strip lying 10.00 feet on each side of the following described center line:

Commencing at the Northeast corner of said Lot D, Skagit County Short Plat No. 93-007; thence South  $89^{\circ} 21' 11''$  East along the North line of said Northwest quarter of the Southeast quarter of Section 9, a distance of 5.29 feet; thence South  $01^{\circ} 09' 54''$  West, a distance of 50.00 feet to the South line of that certain easement conveyed to the City of Burlington by instrument recorded under Auditor's File No. 8408220016, records of said County and State; **thence** continuing South  $01^{\circ} 09' 54''$  West, a distance of 610.57 feet; **thence** South  $01^{\circ} 40' 46''$  West, a distance of 1767.30 feet; **thence** South  $01^{\circ} 15' 56''$  West, a distance of 727.66 feet to the beginning of a curve to the right, the center of which bears North  $88^{\circ} 44' 04''$  West, a distance of 250.00 feet; **thence** Southerly, following said curve to the right through a central angle of  $14^{\circ} 09' 24''$  for an arc distance of 64.77 feet to the end of said curve; **thence** South  $15^{\circ} 25' 20''$  West a distance of 230.10 feet to the beginning of a curve to the left, the center of which bears South  $74^{\circ} 34' 40''$  East, a distance of 250.00 feet; **thence** Southerly, following said curve to the left through a central angle of  $08^{\circ} 28' 51''$  for an arc distance of 37.00 feet to the end of said curve; **thence** South  $06^{\circ} 56' 29''$  West a distance of 40.01 feet; **thence** North  $76^{\circ} 02' 24''$  West a distance of 14.27 feet to the **TRUE POINT OF BEGINNING**; **thence** North  $13^{\circ} 55' 59''$  East a distance of 356.22 feet; **thence** North  $01^{\circ} 15' 56''$  East a distance of 350.06 feet; **thence** North  $01^{\circ} 16' 04''$  East a distance of 369.95 feet; **thence** North  $00^{\circ} 36' 43''$  West a distance of 178.59 feet; **thence** North  $01^{\circ} 40' 46''$  East a distance of 1194.62 feet to the end of said center line.



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Exhibit A-1

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Exhibit A-2

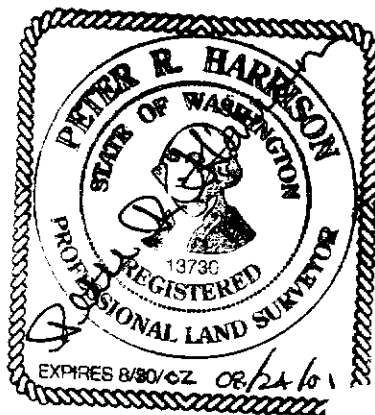
August 8, 2001

LEGAL DESCRIPTION FOR: G & D Wallace, Inc./RLGM Wallace Ventures, LLC

Fredonia Business Park Preliminary Binding Site Plan, Phase I  
Sanitary Sewer Gravity Main Easement - South

A strip of land 20.00 feet in width, said strip lying within portions of the Northwest quarter of the Southeast quarter and of the Northeast quarter of the Southwest quarter, Section 9, Township 34 North, Range 3 East, W.M., Skagit County, Washington, said strip lying 10.00 feet on each side of the following described center line:

Commencing at the Northeast corner of said Lot D, Skagit County Short Plat No. 93-007; thence South  $89^{\circ} 21' 11''$  East along the North line of said Northwest quarter of the Southeast quarter of Section 9, a distance of 5.29 feet; thence South  $01^{\circ} 09' 54''$  West, a distance of 50.00 feet to the South line of that certain easement conveyed to the City of Burlington by instrument recorded under Auditor's File No. 8408220016, records of said County and State; thence continuing South  $01^{\circ} 09' 54''$  West, a distance of 610.57 feet; thence South  $01^{\circ} 40' 46''$  West, a distance of 1767.30 feet; thence South  $01^{\circ} 15' 56''$  West, a distance of 727.66 feet to the beginning of a curve to the right, the center of which bears North  $88^{\circ} 44' 04''$  West, a distance of 250.00 feet; thence Southerly, following said curve to the right through a central angle of  $14^{\circ} 09' 24''$  for an arc distance of 64.77 feet to the end of said curve; thence South  $15^{\circ} 25' 20''$  West a distance of 230.10 feet to the beginning of a curve to the left, the center of which bears South  $74^{\circ} 34' 40''$  East, a distance of 250.00 feet; thence Southerly, following said curve to the left through a central angle of  $08^{\circ} 28' 51''$  for an arc distance of 37.00 feet to the end of said curve; thence South  $06^{\circ} 56' 29''$  West a distance of 40.01 feet; thence South  $76^{\circ} 02' 24''$  East a distance of 16.12 feet; thence South  $13^{\circ} 57' 20''$  West a distance of 46.57 feet; thence South  $74^{\circ} 39' 15''$  West a distance of 22.00 feet to the TRUE POINT OF BEGINNING; thence South  $04^{\circ} 46' 31''$  East a distance of 47.88 feet; thence South  $75^{\circ} 12' 39''$  West a distance of 351.64 feet; thence South  $74^{\circ} 50' 08''$  West a distance of 309.77 feet; thence South  $81^{\circ} 40' 44''$  West a distance of 450.13 feet; thence South  $89^{\circ} 03' 21''$  West a distance of 365.05 feet; thence North  $89^{\circ} 25' 44''$  West a distance of 188.82 feet; thence North  $87^{\circ} 15' 31''$  West a distance of 273.50 feet to the end of said center line.



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Exhibit A-2



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August 8, 2001

## LEGAL DESCRIPTION FOR: G &amp; D Wallace, Inc./RLGM Wallace Ventures, LLC

Fredonia Business Park Preliminary Binding Site Plan, Phase I  
Sanitary Sewer Gravity Main Easement – Olympia Avenue West

A strip of land 20.00 feet in width, said strip lying within portions of the Northeast quarter of the Southwest quarter and of the Northwest quarter of the Southeast quarter, Section 9, Township 34 North, Range 3 East, W.M., Skagit County, Washington, said strip lying 10.00 feet on each side of the following described center line:

Commencing at the Northeast corner of said Lot D, Skagit County Short Plat No. 93-007; thence South  $89^{\circ} 21' 11''$  East along the North line of said Northwest quarter of the Southeast quarter of Section 9, a distance of 5.29 feet; thence South  $01^{\circ} 09' 54''$  West, a distance of 50.00 feet to the South line of that certain easement conveyed to the City of Burlington by instrument recorded under Auditor's File No. 8408220016, records of said County and State; **thence** continuing South  $01^{\circ} 09' 54''$  West, a distance of 610.57 feet; **thence** South  $01^{\circ} 40' 46''$  West, a distance of 1767.30 feet; **thence** South  $01^{\circ} 15' 56''$  West, a distance of 727.66 feet to the beginning of a curve to the right, the center of which bears North  $88^{\circ} 44' 04''$  West, a distance of 250.00 feet; **thence** Southerly, following said curve to the right through a central angle of  $14^{\circ} 09' 24''$  for an arc distance of 64.77 feet to the end of said curve; **thence** South  $15^{\circ} 25' 20''$  West a distance of 230.10 feet to the beginning of a curve to the left, the center of which bears South  $74^{\circ} 34' 40''$  East, a distance of 250.00 feet; **thence** Southerly, following said curve to the left through a central angle of  $08^{\circ} 28' 51''$  for an arc distance of 37.00 feet to the end of said curve; **thence** South  $06^{\circ} 56' 29''$  West a distance of 40.01 feet; **thence** North  $76^{\circ} 02' 24''$  West a distance of 14.27 feet; **thence** North  $13^{\circ} 55' 59''$  East a distance of 356.22 feet to the **TRUE POINT OF BEGINNING**; **thence** North  $89^{\circ} 43' 03''$  West a distance of 340.00 feet; **thence** North  $89^{\circ} 43' 00''$  West a distance of 425.00 feet; **thence** North  $89^{\circ} 14' 46''$  West a distance of 265.36 feet to the end of said center line.

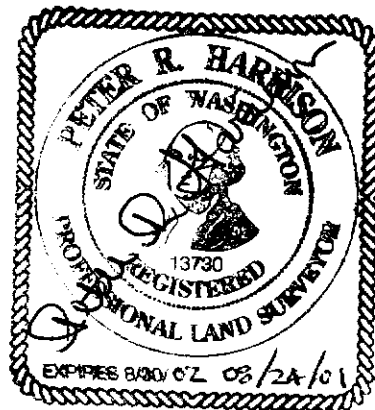


Exhibit A-4

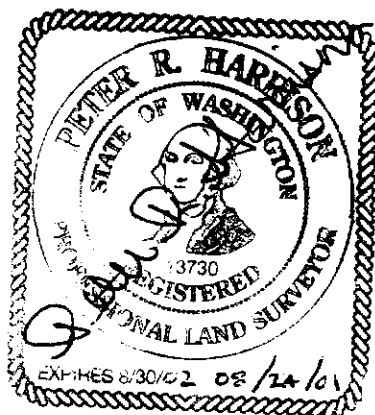
August 20, 2001

LEGAL DESCRIPTION FOR: G & D Wallace, Inc./RLGM Wallace Ventures, LLC

Fredonia Business Park Preliminary Binding Site Plan, Phase II  
Proposed Sanitary Sewer Easement Across Pond 3 Tract

The North 20.00 feet of all that portion of the Southwest quarter of the Northeast quarter of Section 9, Township 34 North, Range 3 East, W.M., Skagit County, Washington, being more particularly described as follows:

Commencing at the Southwest corner of said Southwest quarter of the Northeast quarter of Section 9; thence North  $01^{\circ}09'42''$  East along the West line thereof, a distance of 288.50 feet to the point of beginning of that certain line described in exception 5 of instrument dated May 12, 2000 and recorded under Recording No. 200006060085, in the Auditor's office of said County and State; thence South  $89^{\circ}36'55''$  East along said line, a distance of 778.26 feet to an angle point thereon; **thence North  $86^{\circ}48'17''$  East**, continuing to follow said line, a distance of 1.09 feet; **thence North  $01^{\circ}15'56''$  West**, a distance of 2.46 feet; **thence North  $01^{\circ}40'46''$  East**, a distance of 269.46 feet to the **TRUE POINT OF BEGINNING**; **thence** continuing North  $01^{\circ}40'46''$  East, a distance of 178.81 feet; **thence South  $85^{\circ}49'35''$  West**, a distance of 786.74 feet to the West line of said Southwest quarter of the Northeast quarter of Section 9; **thence South  $01^{\circ}09'42''$  West** along said West line, a distance of 184.63 feet to a point lying North  $01^{\circ}09'42''$  East, a distance of 492.05 feet from said Southwest corner of said Southwest quarter of the Northeast quarter of Section 9; **thence North  $86^{\circ}17'10''$  East**, a distance of 186.69 feet; **thence North  $85^{\circ}20'11''$  East**, a distance of 161.57 feet; **thence North  $85^{\circ}11'38''$  East**, a distance of 179.76 feet; **thence North  $84^{\circ}55'01''$  East**, a distance of 257.70 feet to the **TRUE POINT OF BEGINNING**.



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Exhibit B

August 7, 2001

LEGAL DESCRIPTION FOR: G & D Wallace, Inc./RLGM Wallace Ventures, LLC

Fredonia Business Park Preliminary Binding Site Plan, Phase I  
Sanitary Sewer Lift Station Easement

A portion of the Northwest quarter of the Southeast quarter of Section 9, Township 34 North, Range 3 East, W.M., Skagit County, Washington, said portion being more particularly described as follows:

Commencing at the Northeast corner of said Lot D, Skagit County Short Plat No. 93-007, according to the map thereof approved June 21, 1993 and recorded July 20, 1993 in Book 10 of Short Plats at pages 217 and 218, under Auditor's File No. 9307200029, in the Auditor's office of said County and State; thence South  $89^{\circ} 21' 11''$  East along the North line of the Northwest quarter of the Southeast quarter of said Section 9, a distance of 5.29 feet; thence South  $01^{\circ} 09' 54''$  West, a distance of 50.00 feet to the South line of that certain easement conveyed to the City of Burlington by instrument recorded under Auditor's File No. 8408220016, records of said County and State; thence continuing South  $01^{\circ} 09' 54''$  West, a distance of 610.57 feet; thence South  $01^{\circ} 40' 46''$  West, a distance of 1767.30 feet; thence South  $01^{\circ} 15' 56''$  West, a distance of 727.66 feet to the beginning of a curve to the right, the center of which bears North  $88^{\circ} 44' 04''$  West, a distance of 250.00 feet; thence Southerly, following said curve to the right through a central angle of  $14^{\circ} 09' 24''$  for an arc distance of 64.77 feet to the end of said curve; thence South  $15^{\circ} 25' 20''$  West a distance of 230.10 feet to the beginning of a curve to the left, the center of which bears South  $74^{\circ} 34' 40''$  East, a distance of 250.00 feet; thence Southerly, following said curve to the left through a central angle of  $08^{\circ} 28' 51''$  for an arc distance of 37.00 feet to the end of said curve; thence South  $06^{\circ} 56' 29''$  West a distance of 40.01 feet to the TRUE POINT OF BEGINNING; thence South  $76^{\circ} 02' 24''$  East a distance of 16.12 feet; thence South  $13^{\circ} 57' 20''$  West a distance of 46.57 feet; thence South  $74^{\circ} 39' 15''$  West a distance of 121.63 feet to a point on a curve to the left, the center of which bears North  $42^{\circ} 33' 53''$  West, a distance of 683.80 feet, said point lying on the Southeasterly margin of that certain strip of land granted to Skagit County for Right-of-Way Easement as described on pages 7 and 8 of 12 in instrument recorded under Auditor's Recording No. 200107270007, records of said County and State; thence Northeasterly, following said curve to the left along said Southeasterly margin, through a central angle of  $10^{\circ} 07' 16''$  for an arc distance of 120.79 feet; thence South  $76^{\circ} 02' 24''$  East a distance of 32.54 feet to the TRUE POINT OF BEGINNING.



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Skagit County Auditor

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Exhibit B

