

RETURN ADDRESS
Jack R. Wallace
P.O. Box 372
Burlington, WA 98233



200201070174
Skagit County Auditor

1/7/2002 Page 1 of 3 2:40PM

AMENDMENT TO ASSIGNMENT OF EASEMENT

Grantor: Puget Sound Energy, Inc.

Grantee: City of Burlington

Abbreviated Legal Description: N 50' NE NW of S-10, T034N, R-4E

Additional Legal description on page 3 of document

Assessor's tax Parcel Number (s): P21336

This Amendment to Assignment of Easement is made this 3RD day of NOVEMBER, 2000, by PUGET SOUND ENERGY, INC., a Washington corporation (hereinafter "PSE").

RECITALS

- A. The Port of Skagit County (the "Port") previously granted to Puget Sound Energy, a Washington corporation, formerly known as Puget Sound Power and Light Company ("PSE"), a 50-foot easement for the installation of utilities, including, but not limited to, a sewer pipeline. Said easement agreement was dated December 21, 1982, and was recorded January 21, 1983, under Skagit County Auditor's File #8301210051. PSE subsequently assigned to the City of Burlington a partial interest in that easement for the installation of one sewer line by document dated August 4, 1994 and recorded August 22, 1984 under Skagit County Auditor's File #8408220016. Said Assignment of Easement shall be hereinafter referred to as the "Original Easement." The Port has agreed to amend the Original Easement to allow a second sewer line to be installed in the easement right of way – as shown on the plans attached as Exhibit "A".
- B. PSE has agreed to amend the Original Easement to provide that the City of Burlington shall have the right to install a second sewer line in the existing right of way as shown on the plans attached as Exhibit "A".

NOW, THEREFORE, PSE hereby amends the Original Easement as follows:

- Amendment of Original Easement.** PSE hereby amends the Original Easement and grants to Grantee, without warranty, the right to install a second sewer line in the existing right of way as described in the Original Easement as shown on the attached plans, and subject to the same terms and conditions as the Original Easement. Except as modified by this amendment, the terms of the Original Easement shall remain in full force and effect.
- Restoration of Grantor's Property.** Grantee covenants and agrees to restore the surface of the right of way to the condition it was in prior to the installation and/or maintenance of any utility lines installed in the easement.
- Excise Tax.** No monetary consideration shall be paid for this amendment. Accordingly, no excise tax is or shall be due.
- Enforcement.** This amendment shall be construed according to the laws of the State of Washington.

IN WITNESS WHEREOF, said corporation has caused this instrument to be executed this 3RD day of NOV., 2000.

Easement
SKAGIT COUNTY WASHINGTON BY: _____
REAL ESTATE EXCISE TAX

Howard A. Strong
Howard A. Strong
Manager Real Estate

JAN 07 2002

REDT 30408
NW10-3403

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

STATE OF WASHINGTON)
) ss
COUNTY OF KING)

On this 3rd day of NOVEMBER, 2000, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Howard A. Strong, to me known to be the person who signed as Manager Real Estate of Puget Sound Energy, Inc., the corporation that executed the within and foregoing instrument, and acknowledged said instrument to be his free and voluntary act and deed and the free and voluntary act and deed of Puget Sound Energy, Inc. for the uses and purposes therein mentioned; and on oath stated that he was authorized to execute the said instruction on behalf of said Puget Sound Energy, Inc.

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



Ronald D. Bott

(Signature of Notary)

Ronald D. Bott

(Print or stamp name of Notary)

NOTARY PUBLIC in and for the State of Washington, residing at Skagit County
My Appointment Expires: October 5, 2001



200201070174

Skagit County Auditor

1/7/2002 Page 2 of 3

2:40PM

NOTARY PUBLIC STATE OF WASHINGTON
KING COUNTY

1/7/2002

EXHIBIT 'A'

Legal Description

Right of way 50 feet in width, described as follows:

The North fifty (50) feet of the Northeast quarter of the Northwest quarter of Section 10, Township 34 North, Range 3 East, W.M., EXCEPT the following:

Commencing at the Northwest corner of said Northeast quarter of the Northwest quarter; thence South 88°05'26" East along the North line thereof a distance of 749.31 feet; thence South 1°54'34" West a distance of 39.00 feet to the TRUE POINT OF BEGINNING; thence South 88°05'26" East a distance of 36.00 feet; thence South 1°54'34" West a distance of 11.00 feet; thence North 88°05'26" West a distance of 36.00 feet; thence North 1°54'34" East a distance of 11.00 feet to the TRUE POINT OF BEGINNING.

Situate in the County of Skagit, State of Washington.



200201070174

Skagit County Auditor

1/7/2002 Page 3 of 3 2:40PM