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Public Utility District No. 1 of Skagit County
PO Box 1436
Mount Vernon WA 98273-1436


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Skagit County Auditor
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RODRIGUEZ FENCE AGREEMENT

THIS AGREEMENT is entered into effective the 23rd day of September, 2002, by and between Public Utility District No. 1 of Skagit County, a municipal corporation of the State of Washington (hereinafter referred to as "District"), whose address is PO Box 1436, Mount Vernon WA 98273-1436, and Epifanio and Aime Rodriguez, husband and wife (hereinafter referred to as "Owners"), owners of real property **P111949**, whose address is 2907 E. Broadway, Mount Vernon WA 98273, and their successors, heirs, and assigns

WITNESSETH, that the parties to this Agreement do hereby mutually agree that the District does not object to the Owners constructing and maintaining a fence on the Owners property (P111949) over and adjacent to an existing District waterline on a non-exclusive easement deeded to the District under AF#199709230061, PROVIDED:

1. The Owners will remove any fence and landscaping on said District easement at Owners' own expense to allow the District access to any required maintenance, repair or replacement of the District's waterline; and

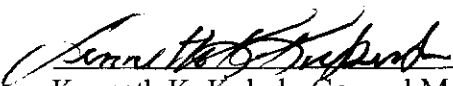
2. In case of emergency, the District may remove any of Owners' fence and landscaping on said District easement, and will exercise reasonable care to minimize material damage. In case of damage during District removal, the District will provide Owners reasonable replacement materials for reinstallation by Owners after completion of District work; and

3. This Agreement shall remain with the land. The District shall record this Agreement with the Auditor's office of Skagit County.


Washington State Law shall govern this Agreement and all disputes arising thereunder. Venue shall be in the Superior Court of the State Washington for Skagit County. The prevailing party shall be compensated for attorney fees.

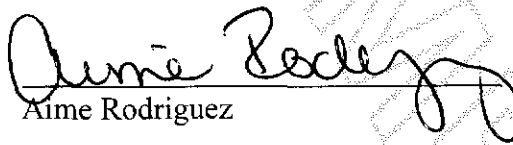
IN WITNESS WHEREOF the parties to this Agreement have hereunto affixed their signatures, effective the date above written.

PUBLIC UTILITY DISTRICT NO. 1 OF SKAGIT COUNTY


Kenneth K. Kukuk, General Manager

OWNERS


Epifanio Rodriguez


Aime Rodriguez

(continued)

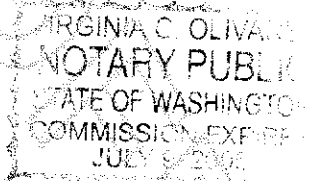
STATE OF WASHINGTON
COUNTY OF SKAGIT

I certify that I know or have satisfactory evidence that **Epifanio Rodriguez** 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 to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Virginia C. Oliveira
Notary Public in and for the State of Washington

My appointment expires: 07-09-05

Date: 09-16-02



STATE OF WASHINGTON
COUNTY OF SKAGIT

I certify that I know or have satisfactory evidence that **Aime Rodriguez** is the person who appeared before me, and said person acknowledged that she signed this instrument, on oath stated that she was authorized to execute the instrument and acknowledged it to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Virginia C. Oliveira
Notary Public in and for the State of Washington

My appointment expires: 07-09-05

Date: 09-16-02

