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Anacortes, WA 98221-0547



200304080123
Skagit County Auditor

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<i>Document Title:</i>	<i>Mitigation Easement</i>
<i>Grantor(s):</i>	<i>Gregory T. Haynes and Karen A. Kline</i>
<i>Grantee:</i>	<i>City of Anacortes</i>
<i>Legal Description:</i>	<i>Ptn. NE SW, Sec. 25, T35N, R1EWM</i>
<i>Additional Legal Description is on:</i>	<i>Attached Exhibit "A"</i>
<i>Assessor's Tax Parcel Numbers:</i>	<i>350125-0-142-0008 (P32139)</i>

MITIGATION EASEMENT

IN THE MATTER OF: **CITY OF ANACORTES**
 H AVENUE IMPROVEMENT PROJECT
 Parcel #. P32139

The Grantors, GREGORY T. HAYNES, as his separate estate and KAREN A. KLINE, as her separate estate, each as their interests may appear, for and in consideration of the sum of ZERO AND NO/100 (\$0.00) DOLLARS, and other valuable consideration, convey and warrant unto the CITY OF ANACORTES and its assigns, a Mitigation Easement over, under, upon and across the hereinafter described lands for the purpose of stream relocation, mitigation, and buffer planting, to the same extent and purpose as if the rights herein granted had been acquired under Eminent Domain statutes of the State of Washington:

Said lands being situated in Skagit County, State of Washington, and described as follows:

See Exhibit A attached hereto and made a part hereof.

The CITY shall have the right of ingress and egress to enter upon the above-described lands to clean, construct, maintain, and operate a creek mitigation system. All expense and costs for the construction, maintenance, and operation of said creek mitigation shall be the responsibility of the CITY. The CITY may cut and remove from the said premises any trees and other obstructions that may endanger the safety of or interfere with the use of such facilities or appurtenances in the CITY easement. The CITY has the right of ingress and egress to and over said premises at any and all times for the purpose of doing anything necessary, useful or convenient for the enjoyment of the easement hereby granted; and the right of conveyance of said easement and privileges.

MITIGATION EASEMENT

THE GRANTOR AND THE CITY HEREBY COVENANT AND AGREE that this Easement shall be binding upon their heirs, assigns, executors, or administrators.

It is understood and agreed that delivery of this easement is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Anacortes unless and until accepted and approved hereon in writing for the City of Anacortes, by the mayor of the City of Anacortes.

Dated this 6th day of March, 2003.

GRANTOR:

By: Gregory T Haynes

By: [Signature]

Print Name: GREGORY T HAYNES

Print Name: Karen A. Kline

STATE OF WASHINGTON)
) §
COUNTY OF SKAGIT)

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

#11049
APR 08 2003

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

I certify that I know or have satisfactory evidence that Gregory T. Haynes and Karen A Kline signed this instrument, on oath stated that (he/she/they) (was/were) 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.

Dated: March 6, 2003

Notary Signature: Kathy J. Andersen

Notary Public in and for the State of Washington

Notary (print name): Kathy J. Andersen

Residing at: Whatcom County

My appointment expires: 3-8-03



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MITIGATION EASEMENT

Dated this 21 day of MARCH, 2003.

CITY OF ANACORTES

H. Dean Maxwell
H. Dean Maxwell, Mayor

Approved as to form:

Ian S. Munce
Ian Munce, City Attorney



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Skagit County Auditor

EXHIBIT A

CREEK MITIGATION EASEMENT
SKAGIT COUNTY ASSESSOR'S
PARCEL NUMBER P-32139

THE WEST 50 FEET OF THE EAST 60 FEET OF THE FOLLOWING DESCRIBED
PROPERTY:

THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF
SECTION 25, TOWNSHIP 35 NORTH, RANGE 1 EAST OF THE WILLAMETTE
MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SUBDIVISION; THENCE WEST
ALONG THE SOUTH LINE THEREOF, A DISTANCE OF 577.1 FEET TO THE EAST LINE
OF THE WEST 742.5 FEET OF SAID SUBDIVISION; THENCE NORTH AT RIGHT
ANGLES ALONG SAID EAST LINE, 116.5 FEET; THENCE EAST AT RIGHT ANGLES
577.1 FEET TO THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST
QUARTER OF SAID SECTION 25; THENCE SOUTH ALONG THE EAST LINE THEREOF
TO THE POINT OF BEGINNING.

EXCEPT THE EAST AND SOUTH 30 FEET FOR ROAD RIGHTS OF WAY THEREOF;

AND EXCEPT THE WEST 300 FEET THEREOF.

SITUATED IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON.



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