

RETURN TO:  
PUD #1 of Skagit County  
Post Office Box 1436  
Mount Vernon WA 98273-1436



200305080126  
Skagit County Auditor

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#### AGREEMENT FOR NON-LIABILITY

This agreement is entered into this 7<sup>th</sup> day of March, 2003, between Public Utility District No. 1 of Skagit County, hereinafter referred to as the "District" and Great American Dream, Inc. dba Landmark Building and Development, their successors and assigns, hereinafter referred to as the "Owners".

The District hereby agrees to allow the construction of a portion of a single family residential building at 1601 North 43rd Place, Mount Vernon, also known as Lot 5 (P119517), of the "Plat of Spinnaker Cove", as per plat recorded under Auditor's File No. 200209170010, records of Skagit County, Washington, located on a portion of the District's existing utility easement recorded under Auditor's File No. 608565, records of Skagit County, Washington, located as shown and depicted on "Attachment A" of this document.

The Owners, acknowledge and agree to indemnify and hold the District harmless for any damages, including but not limited to, damage to the building or property that is caused by leaks, breaks or failure of the District's existing or future water pipeline(s) for as long as the building exists.


The Owners will not interfere with the District's operation and maintenance of the water pipeline(s), in any manner, and agree to abide by all the rules and regulations of the District.

The Owners agree that they are fully aware of the risks involved with locating a water pipeline in the easement including but not limited to the potential for foundation settlement due to soil failure as a result of the water pipeline trench excavation or discharge from the pipe(s). The Owners assume full responsibility for any risks of loss of property damage or personal injury.

In the event of dispute between the Owners and the District over the terms and conditions thereof or over any claims pursuant hereto the prevailing party shall be entitled to their attorney fees and costs. Venue shall be in the Superior Court of the State of Washington for Skagit County.

This agreement shall remain with the land. The District shall record this agreement with the Auditor's Office of Skagit County.

#### GREAT AMERICAN DREAM, INC. DBA LANDMARK BUILDING & DEVELOPMENT

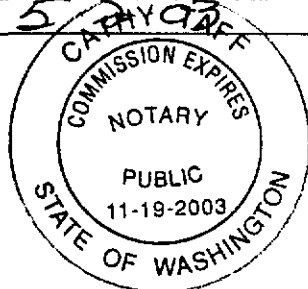
  
Signature

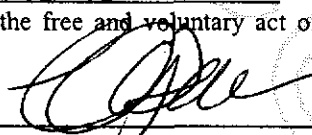
John Ellis  
Print Name  
POB  
Title

#### STATE OF WASHINGTON COUNTY OF SKAGIT

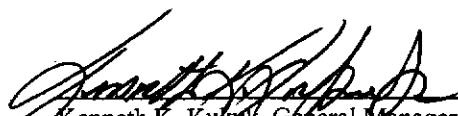
I certify that I know or have satisfactory evidence that John Ellis is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the President of Great American Dream, Inc. dba Landmark Building & Development to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Date: 5-7-03



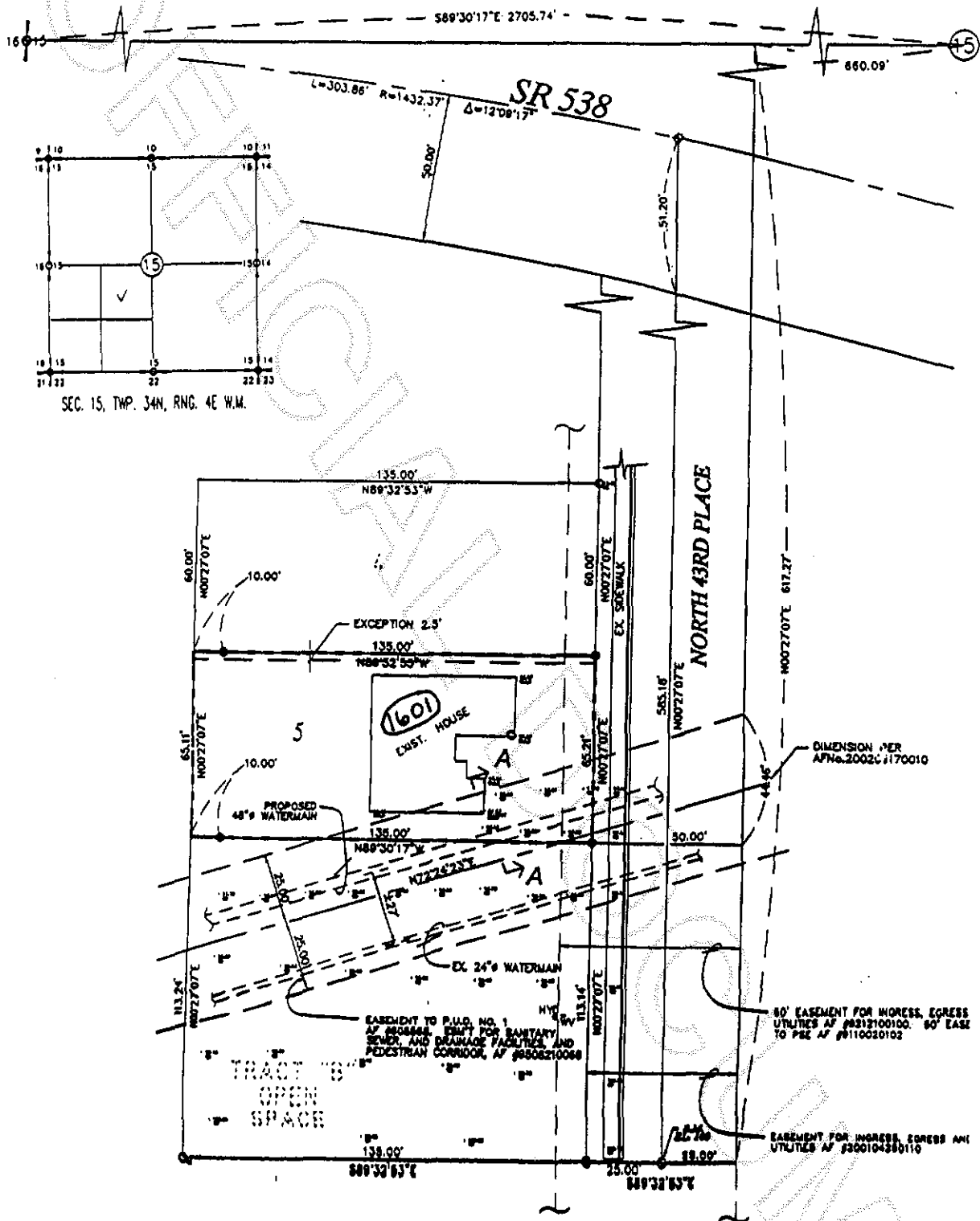
  
Notary Public in and for the State of Washington  
My appointment expires: 11-19-03

#### PUBLIC UTILITY DISTRICT NO. 1 OF SKAGIT COUNTY:

  
Kenneth K. Kukuk, General Manager

5-7-03  
Date

# ATTACHMENT "A"



**BASES OF BEARING**  
THE NORTH LINE OF SW 1/4 OF SECTION 15 WHICH BEARS  $N 89^{\circ}30'17" W$ .

## LEGAL DESCRIPTION

THE FOLLOWING DESCRIBED REAL ESTATE, SITUATED IN THE COUNTY OF SLAGIT, STATE OF WASHINGTON:

LOT 5, OF THE "PLAT OF SPINNAKER COVE", AS PER PLAT RECORDED SEPTEMBER 17, 2002, AS SLAGIT COUNTY AUDITOR'S FILE NO. 200208170010, EXCEPT THE NORTH 2.5 FEET THEREOF.

## LEGEND

- SET REBAR & CAP #33169
- PND CONC. MON.
- PND REBAR & CAP
- CALCULATED POINT

## NOTE

SECTION BREAK DOWN AND LOT LAYOUT PER PLAT OF "SPINNAKER COVE" AF # 200208170010

