



200309220121

Skagit County Auditor

9/22/2003 Page 1 of 3 9:33AM

**RETURN TO:**

Public Utility District No. 1 of Skagit County  
1415 Freeway Drive  
P.O. Box 1436  
Mount Vernon, WA 98273-1436

**PUD UTILITY EASEMENT**

THIS AGREEMENT is made this 23 day of July, 2003, between **WHATCOM-SKAGIT MINI STORAGE LLC**, hereinafter referred to as "Grantor", and **PUBLIC UTILITY DISTRICT NO. 1 OF SKAGIT COUNTY, WASHINGTON**, a Municipal Corporation, hereinafter referred to as "District". Witnesseth:

WHEREAS, Grantors are the owners of certain lands and premises situated in the County of Skagit, and

WHEREAS, the District wishes to acquire certain rights and privileges along, within, across, under, and upon the said lands and premises.

NOW, THEREFORE, Grantors, for and in consideration of mutual benefits and other valuable consideration, receipt of which is hereby acknowledged, conveys and grants to the District, its successors or assigns, the perpetual right, privilege, and authority enabling the District to do all things necessary or proper in the construction and maintenance of a water, sewer and communication, lines or other similar public services related facilities, including the right to construct, operate, maintain, inspect, improve, remove, restore, alter, replace, relocate, connect to and locate at any time a pipe or pipes, line or lines or related facilities, along with necessary appurtenances for the transportation and control of water, sewer and electronic information on facilities over, across, along, in and under the following described lands and premises in the County of Skagit, State of Washington, to wit:

**P48997**: The East 40 feet of the parcel described on the attached Exhibit "A".

together with the right of ingress to and egress from said lands across adjacent lands of the Grantor; also, the right to cut and/or trim all timber, trees, brush, or other growth standing or growing upon the lands of the Grantor which, in the opinion of the District, constitutes a menace or danger to said line or to persons or property by reason of proximity to the line. The Grantor agrees that title to all brush, other vegetation or debris trimmed, cut, and removed from the easement pursuant to this Agreement is vested in the District.

Grantors, their heirs, successors, or assigns hereby conveys and agrees not to construct or permit to be constructed structures of any kind on the easement area without written approval of the General Manager of the District. Grantors shall conduct their activities and all other activities on Grantor's property so as not to interfere with, obstruct or endanger the usefulness of any improvements or other facilities, now or hereafter maintained upon the easement or in any way interfere with, obstruct or endanger the District's use of the easement.

The Grantors also agree to and with the District that the Grantors lawfully own the land aforesaid, has a good and lawful right and power to sell and convey same, that same is free and clear of encumbrances except as indicated in the above legal description, and that Grantors will forever warrant and defend the title to said easement and the quiet possession thereof against the lawful claims and demands of all persons whomsoever.

Any mortgage on said land held by a mortgagee is hereby subordinated to the rights herein granted to the District; but in all other respects the mortgage shall remain unimpaired.

In Witness Whereof, the Grantor hereunto sets his hand and seal this 23<sup>rd</sup> day of July, 2003.

**WHATCOM-SKAGIT MINI STORAGE LLC:**

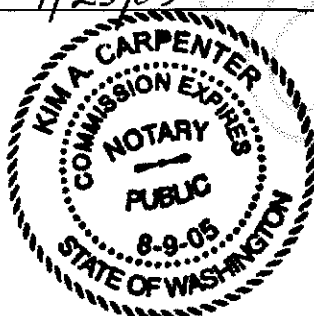
Thomas W. Buggia

Sheila Archangeli Buggia

STATE OF WASHINGTON  
COUNTY OF SKAGIT

I certify that I know or have satisfactory evidence that **Thomas W. Buggia** 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 MANAGER of **WHATCOM-SKAGIT MINI STORAGE LLC** to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Date: 7/23/03



Kim A. Carpenter  
Notary Public in and for the State of Washington  
My appointment expires: 08/09/2005

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

SEP 22 2003

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

STATE OF WASHINGTON  
COUNTY OF \_\_\_\_\_

I certify that I know or have satisfactory evidence that **Sheila Archangeli Buggia** 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 as the \_\_\_\_\_ of **WHATCOM-SKAGIT MINI STORAGE LLC** to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Date: \_\_\_\_\_

\_\_\_\_\_  
Notary Public in and for the State of Washington  
My appointment expires: \_\_\_\_\_



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Skagit County Auditor

## EXHIBIT "A"

That portion of Government Lot 4 of Section 7, Township 36 North, Range 4 East, W.M., Skagit County, Washington, described as follows:

Commencing at the Southwest corner of said Government Lot 4; thence South 89 degrees 01'34" East 1451.78 feet to the Southeast corner of said Government Lot 4, being the Southeast corner of Skagit County Short Plat No. 11-85, as filed under Auditor's File No. 8603110018 and the Point of Beginning; thence North 00 degrees 18'56" West along the East line of said Government Lot and said Short Plat a distance of 1201.82 feet to the Southerly line of Alger-Lake Samish Road; thence North 70 degrees 55'30" West along said Southerly line a distance of 261.41 feet to the centerline of Patrick Lane as shown on said Short Plat; thence South 03 degrees 20'47" East along said centerline a distance of 22.10 feet; thence South 25 degrees 41'33" West along said centerline a distance of 215.99 feet; thence South 03 degrees 03'26" West along said centerline a distance of 123.31 feet; thence North 89 degrees 01'34" West 290.00 feet; thence South 30 degrees 00'00" West 150.00 feet; thence South 13 degrees 00'00" West 100.00 feet; thence South 25 degrees 50'30" West 104.59 feet to the Easterly line of Interstate Hwy. No. 5; thence Southerly along said Easterly line the following courses: South 23 degrees 56'55" East 301.93 feet; thence South 27 degrees 24'52" East 146.80 feet; thence South 27 degrees 56'00" East 237.89 feet to the South line of said Government Lot 4; thence South 89 degrees 01'34" East along said South line a distance of 467.09 feet to the true point of beginning.

TOGETHER WITH AND SUBJECT TO an easement for ingress, egress and utilities, described as follows:

Beginning at the intersection of the Southerly line of Alger-Lake Samish Road with the Easterly line of Interstate Hwy. No. 5; thence Southerly along said Easterly line as shown on Skagit County Short Plat No. 11-85 the following courses: South 19 degrees 04'31" West 95.97 feet; thence South 12 degrees 27'14" West 308.83 feet; thence South 05 degrees 44'23" East 150.30 feet; thence departing from said Easterly line of Interstate Hwy. No. 5 South 89 degrees 01'34" East 489.51 feet to the Westerly line of Patrick Lane as shown on said Short Plat; thence North 03 degrees 03'26" East along said Westerly line a distance of 20.01 feet; thence departing therefrom North 89 degrees 01'34" West 462.38 feet to a line parallel to and 30 feet Easterly of said Easterly line of Interstate Hwy. No. 5; thence North 05 degrees 44'23" West parallel to said Easterly line a distance of 128.89 feet; thence North 12 degrees 27'14" East parallel to said Easterly line a distance of 73.47 feet; thence South 89 degrees 01'34" East 30.61 feet to a line parallel to and 60 feet Easterly of said Easterly line; thence North 12 degrees 27'14" East parallel to said Easterly line a distance of 221.00 feet; thence North 19 degrees 04'31" East parallel to said Easterly line a distance of 32.50 feet; thence North 66 degrees 21'56" East 88.46 feet to said Southerly line of Alger-Lake Samish Road; thence North 70 degrees 55'30" West along said Southerly line a distance of 125.00 feet to the Point of Beginning.

ALSO an easement for ingress, egress and utilities over that portion of the above described Patrick Lane lying North of the Easterly projection of the South line of the 20 foot wide portion of the above described easement.

Situate in the County of Skagit, State of Washington.

