

AFTER RECORDING MAIL TO:  
Gary T. Jones  
P. O. Box 1245  
Mount Vernon, WA 98273



200309260221  
Skagit County Auditor

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### DIKE EASEMENT

THE UNDERSIGNED GRANTORS, MALVIN L. AXTHELM and ERMA AXTHELM, husband and wife, for and in consideration of the correction of errors in description and to clear title, and further in consideration of land of equivalent value conveyed by the Grantee to the Grantors, convey and quit claim to SKAGIT COUNTY DIKE DISTRICT NO. 3, a municipal corporation of the State of Washington, an easement for construction, reconstruction, maintenance, and operation of a levee and flood control structures, including all improvements thereto, and together with any enlargement or reconstruction thereof and the right to trim, cut, fell, and remove all trees, brush, and other natural growth and obstructions as are necessary to provide adequate clearance and to eliminate interference with or hazards to the structures, improvements, or utilities placed on, over, or under said land and included as an appurtenance to said Easement together with a right of access thereto over existing roads, for the nonexclusive benefit of the Grantee and Grantor and not for the general public, over and through, under, along, and across all or any part of that certain parcel of land situated in Skagit County, State of Washington, legally described as follows:

A strip of land in Government Lot 14, Section 36, Township 34 North, Range 3 East, W.M. See Exhibits "A" and "B" attached hereto and incorporated herein by this reference as if fully set forth.

Tax Account No. 340336-0-019-0004; P23222

Tax Account No. 340336-0-019-0103; P23223

Said Easement and right of way are understood and agreed to benefit the Grantee District and/or the United States, their contractors or agents, who shall have the right to appropriate from the land above-described such timber, rock, earth, or gravel as may be necessary for the construction or repair of said bank protection and or flood control works. The consideration tendered with this Easement is accepted as full compensation for all damage incidental to the exercise of the rights above granted. The District shall have and hold all the above described easement and right of way together with appurtenances and improvements for the benefits of its successors, assigns, licensees, and permittees carrying out the diking function and engaging such emergency flood fighting as may be appropriate under the circumstances.



January 28, 2002

LEGAL DESCRIPTION FOR DIKING DISTRICT NO. 3

Malvin L. and Erma Axthelm Tract to Diking District No. 3 - West

That portion of the North 660 feet of Government Lot 14 of Section 36, Township 34 North, Range 3 East, W.M., described as follows:

Commencing at the Northeast corner of said Section 36, said point being marked by a 3½" diameter brass disk in monument case, said disk being marked "Wash. Co. Ref. Mark", from which bears a 1½" diameter bolt in monument case at the East ¼ corner of said Section 36, South 00°21'18" West, 2627.63 feet;  
thence South 89°53'14" West, along the North line of said Government Lot 14, a distance of 670.00 feet to the Northeast corner of that certain right-of-way for dike purposes for the construction, use and maintenance of a dike as condemned by Diking District No. 3 of Skagit County in Superior Court Cause No. 2982;  
thence continuing South 89°53'14" West along said North line and the North line of said right-of-way, 263.23 feet to the Northwest corner of said right-of-way, said point being the True Point of Beginning;  
thence South 56°27'00" East, along the Southwesterly line of said right-of-way, 94.12 feet to the Easterly toe of the dike as it existed in January 2001;

thence following said Easterly toe for the following courses:

South 05°57'06" East, 5.84 feet;  
South 29°23'37" East, 52.12 feet;  
South 24°27'05" East, 79.94 feet;  
South 25°11'30" East, 68.49 feet;  
South 22°55'28" East, 12.29 feet to the Westerly line of said right-of-way;

thence South 19°01'00" West along said Westerly line, 100.13 feet;  
thence South 05°45'00" West, continuing along said Westerly line, 130.08 feet;

thence South 17°22'00" East, continuing along said Westerly line, 195.12 feet to the South line of said North 660 feet of Government Lot 14;

thence South 89°53'14" West along said South line, 51.38 feet to the Westerly toe of the dike as it existed in January 2001;

thence following said Westerly toe for the following courses:

North 17°13'57" West, 117.51 feet;  
North 18°00'33" West, 106.13 feet;  
North 14°30'11" West, 101.72 feet;  
North 15°57'08" West, 100.73 feet;  
North 19°35'10" West, 103.29 feet;  
North 22°47'54" West, 98.90 feet;  
North 28°02'09" West, 70.89 feet to said North line of Government Lot 14;

thence North 89°53'14" East along said North line, 94.19 feet to the True Point of Beginning;

containing 1.56 acres or 67,897 square feet more or less.



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LEGAL DESCRIPTION FOR DIKING DISTRICT NO. 3

Malvin L. and Erma Axthelm Tract to Diking District No. 3 - East

That portion of the North 660 feet of Government Lot 14 of Section 36, Township 34 North, Range 3 East, W.M., described as follows:

Commencing at the Northeast corner of said Section 36, said point being marked by a 3½" diameter brass disk in monument case, said disk being marked "Wash. Co. Ref. Mark", from which bears a 1½" diameter bolt in monument case at the East ¼ corner of said Section 36, South 00°21'18" West, 2627.63 feet;  
thence South 89°53'14" West, along the North line of said Government Lot 14, a distance of 670.00 feet to the Northeast corner of that certain right-of-way for dike purposes for the construction, use and maintenance of a dike as condemned by Diking District No. 3 of Skagit County in Superior Court Cause No. 2982;  
thence South 05°20'00" East, along the Easterly line of said right-of-way, 230.00 feet to an angle point thereon;  
thence South 19°01'00" West along said Easterly line, 145.00 feet to a second angle point thereon;  
thence South 05°45'00" West along said Easterly line, 38.12 feet to the Easterly toe of the dike as it existed in January 2001, said point being the True Point of Beginning;  
thence following said Easterly toe for the following courses:  
    South 20°25'06" East, 13.02 feet;  
    South 18°34'24" East, 84.01 feet;  
    South 14°04'27" East, 51.56 feet;  
    South 13°35'55" East, 61.97 feet;  
    South 13°28'24" East, 36.81 feet;  
    South 12°26'01" East, 18.44 feet to the South line of said North 660 feet of Government Lot 14;  
thence South 89°53'14" West along said South line, 15.55 feet to said Easterly line of said right-of-way;  
thence North 17°22'00" West along said Easterly line, 205.73 feet to an angle point thereon;  
thence North 05°45'00" East along said Easterly line, 59.88 feet to the True Point of Beginning;  
containing 0.12 acre or 5,230 square feet more or less.



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