

RECORDED AT THE REQUEST OF
AND AFTER RECORDING RETURN TO:

City of Anacortes
P.O. Box 547
Anacortes, WA 98221



200402040107

Skagit County Auditor

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AB-2442
ACCOMMODATION RECORDING

Chicago Title Company has placed
this document for recording as a
customer courtesy and accepts no
liability for its accuracy or validity

UTILITY EASEMENT

Grantor: Similk, Inc., a Washington corporation

Grantee: City of Anacortes, a Washington municipal corporation

Legal Description: Portions of S. $\frac{1}{2}$ of NE $\frac{1}{4}$ and N. $\frac{1}{2}$ of SE $\frac{1}{4}$ of S. 5, T. 34 N., R. 2 E. W.M. and portions of E. $\frac{1}{2}$ of S. 8, T. 34 N., R. 2 E. W.M., Skagit County, Washington.
Complete description on Exhibit A.

Assessor's Tax Parcel ID#: 340205-0-039-0206
340205-0-039-0008

ACCOMMODATION RECORDING

has to be recorded with the name of the person who has been accommodated and the date of the accommodation. The recording should be made in the following manner:

UTILITY EASEMENT AGREEMENT

This Utility Easement Agreement ("Agreement") is made as of this 28th day of January, 2004, between Similk, Inc., a Washington corporation ("Grantor"), and the City of Anacortes, a Washington municipal corporation ("Grantee").

RECITALS

A. Grantor owns certain real property in Skagit County, Washington, legally described in Exhibit A attached hereto (the "Property").

B. Grantor wishes to grant to Grantee a utility easement over portions of the Grantor Property, subject to the terms and conditions set forth below.

NOW THEREFORE, for good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

AGREEMENT

1. Grant of Easement. Grantor agrees to grant to Grantee a perpetual appurtenant easement over, under and across certain portions of the Property, all as set forth in that certain Utility Easement (the "Easement") dated of even date herewith, a copy of which is attached hereto and to be recorded in the real property records of Skagit County.
2. Temporary Construction Easement. In addition to the rights granted pursuant to the Easement, Grantor hereby grants to Grantee a temporary construction easement (the "Construction Easement") over, under and across that portion of the Property legally described on Exhibit B attached hereto (the "Construction Easement Area"). The Construction Easement shall be for the purpose of constructing, installing and testing utility lines, together with all facilities, connectors, and appurtenances related thereto (collectively, the "Utilities"), and including the right of ingress and egress over the Property for said purposes. The Construction Easement shall lapse when the construction and testing of the Utilities have been completed, and the City Council of Grantee has approved final acceptance of the Utilities. Grantee shall have the right under the Easement to construct additional facilities should they become necessary at later dates. In the case of such future construction, the Construction Easement shall be revived and Grantee shall have the same rights as set forth in this Section 2 in connection with such future construction until such future facilities have been completed by Grantee and accepted by the City Council of Grantee.
3. Consideration.
 - 3.1. Grantee agrees to provide to Grantor as consideration for the Easement and Construction Easement a credit against Grantor's water usage at the Property as follows:
 - (a) Forty Million Two Hundred Thousand (40,200,000) gallons of water without charge;



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or (b) fifteen (15) years of water usage without charge, whichever occurs sooner. For purposes of this Agreement, Grantor's water usage includes all water received from City or other government or tribal water purveyor.

3.2. This right of Grantor shall be exclusive to the Property and no water under this Agreement may be transferred, sold or assigned for use off of the Property. Water usage beyond such volume or time period in section 3.1, above, shall be paid for by Grantor to City at rates applicable at time of usage.

3.3 Grantee shall pay utility tax on water used and the standard meter charge(s).

4. Binding Effect. The covenants and obligations contained in this Agreement shall run with the land and be binding upon and inure to the benefit of the respective heirs, personal representatives, transferees or successors in interest, subject to Section 3.2.
5. Attorneys' Fees. If any suit or other proceeding is instituted by either of the parties to this Agreement arising out of or pertaining to this Agreement, including but not limited to filing suit or requesting an arbitration or other alternative dispute resolution process, and appeals and collateral actions relative to such suit or proceeding, the substantially prevailing party shall be entitled to recover its reasonable attorneys' fees and all costs and expenses from the substantially nonprevailing party, in addition to such other available relief.

EXECUTED AND EFFECTIVE as of the date first written above.

GRANTOR:

SIMILK, INC., a Washington corporation

By: Tom E. Cleland

Name: Tom E. Cleland

Its: President

GRANTEE:

CITY OF ANACORTES, a Washington municipal corporation

By: H. Dean Markwell

Name: H. Dean Markwell

Its: Mayor

SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax
PAID

FEB 04 2004

Amount Paid \$
Skagit County Treasurer
By: [Signature] Deputy

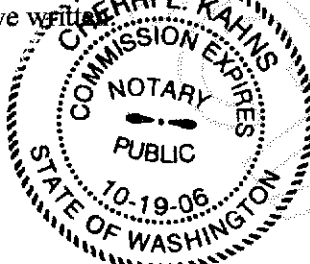


STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

On this 26th day of January, 2004 before me a Notary Public in and for the State of Washington, personally appeared TOM CLELAND, to me known to be the president of Similk, Inc., a Washington corporation, that executed the foregoing instrument, and acknowledged it to be the free and voluntary act of said corporation, for the uses and purposes mentioned in this instrument, and on oath stated that he/she was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.

(SEAL)



Cheri C. Kahns

Name: Cheri C. Kahns

NOTARY PUBLIC, in and for the State of Washington, residing at Mount Vernon

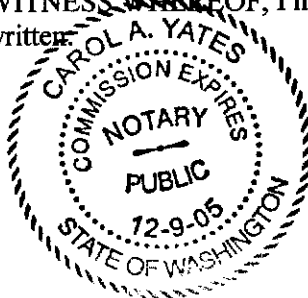
My commission expires: 10-19-06

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

On this 26th day of January, 2004, before me a Notary Public in and for the State of Washington, personally appeared MAYOR DEAN MAXWELL, to me known to be the Mayor of the City of Anacortes, a Washington municipal corporation, that executed the foregoing instrument, and acknowledged it to be the free and voluntary act of said corporation, for the uses and purposes mentioned in this instrument, and on oath stated that he/she was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.

(SEAL)



Carol A. Yates

Name: Carol A. Yates

NOTARY PUBLIC, in and for the State of Washington, residing at Anacortes

My commission expires: 12/9/05



EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

50413044.02

EXHIBIT A



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March 13, 2003

PERMANENT PIPELINE EASEMENT
SIMILK, INC.

Tax Parcel No. 340205-0-039-0206 and 340205-0-039-0008

A PERMANENT EASEMENT OVER, UNDER AND ACROSS LYING WITHIN GOVERNMENT LOTS 1 AND 2, SECTION 5, TOWNSHIP 34 NORTH, RANGE 2 EAST, W.M. DESCRIBED AS FOLLOWS:

(DESCRIPTIONS AND BEARINGS HEREIN REFER TO TITLE REPORT ISSUED BY LAND TITLE COMPANY OF SKAGIT COUNTY; ORDER NUMBER PA-103064):

THAT PORTION OF THE FOLLOWING TRACT LYING SOUTHERLY OF STATE HIGHWAY 20:

BEGINNING AT A POINT THAT IS THE EAST QUARTER CORNER OF SECTION 5, TOWNSHIP 34 NORTH, RANGE 2 EAST, W.M.; THENCE SOUTH 2°12'20" WEST ON THE EAST LINE OF SAID SECTION 5 A DISTANCE OF 2632.62 TO THE SOUTHEAST CORNER OF SAID SECTION 5; THENCE NORTH 88°21'40" WEST 1308.93 FEET TO THE NORTHWEST CORNER OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 34 NORTH, RANGE 2 EAST, W.M.; THENCE SOUTH 0°29'45" WEST A DISTANCE OF 327.26 FEET TO THE SOUTHWEST CORNER OF SAID NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 8; THENCE SOUTH 88°14'20" EAST ALONG THE SOUTH BOUNDARY OF SAID NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 8, A DISTANCE OF 370.0 FEET, PLUS OR MINUS, TO THE CENTER LINE OF SIMILK BEACH ROAD; THENCE SOUTHERLY ALONG SAID CENTERLINE OF SIMILK BEACH ROAD TO THE NORTH BOUNDARY OF FAIRWAY DRIVE ROAD AS PLATTED IN THE PLAT OF "SIMILK BEACH, SKAGIT CO., WASH.", AS PER PLAT RECORDED IN VOLUME 4 OF PLATS, PAGE 51, RECORDS OF SKAGIT COUNTY, WASHINGTON; THENCE SOUTH 76°22' WEST ALONG THE NORTH BOUNDARY OF FAIRWAY DRIVE ROAD, A DISTANCE OF 900.0 FEET, PLUS OR MINUS, TO THE SOUTH CORNER OF BLOCK 8, BEACH VIEW ADDITION TO THE SIMILK BEACH PLAT; THENCE NORTHWESTERLY ALONG THE NORTH BOUNDARY OF FAIRWAY DRIVE ROAD TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 4, BEACH VIEW ADDITION TO THE SIMILK BEACH PLAT; THENCE SOUTH 89°54' EAST ALONG THE SOUTH BOUNDARY OF SAID LOT 1, A DISTANCE OF 100.0 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE NORTH 0°06' EAST ALONG THE EAST BOUNDARY OF



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SAID LOT 1, A DISTANCE OF 40.0 FEET TO THE NORTHEAST CORNER THEREOF; THENCE NORTH 4°01' EAST A DISTANCE OF 805.0 FEET TO THE NORTHEAST CORNER OF LOT 1, BLOCK 1 OF THE WEST GOLF ADDITION TO THE SIMILK BEACH PLAT; THENCE NORTH 18°0' WEST A DISTANCE OF 431.38 FEET TO THE NORTHEAST CORNER OF SAID WEST GOLF ADDITION; THENCE NORTH 85°59' WEST ALONG THE NORTH BOUNDARY OF SAID WEST GOLF ADDITION TO THE NORTHWEST CORNER OF GREENS STREET NORTH, WHERE IT TERMINATES AT THE NORTH BOUNDARY OF WEST GOLF ADDITION TO SAID SIMILK BEACH PLAT; THENCE NORTH 18°0' WEST A DISTANCE OF 306.32 FEET; THENCE WEST A DISTANCE OF 309.50 FEET; THENCE NORTH A DISTANCE OF 705.55 FEET; THENCE NORTH 88°21'40" WEST A DISTANCE OF 489.0 FEET TO THE CENTERLINE OF THE COUNTY ROAD WHICH IS ALSO ON THE CENTERLINE OF SECTION 8, TOWNSHIP 34 NORTH, RANGE 2 EAST, W.M.; THENCE NORTH 0°05'30" EAST ALONG SAID SECTION 8 CENTERLINE A DISTANCE OF 408.02 FEET TO THE SOUTH QUARTER CORNER OF SECTION 5, TOWNSHIP 34 NORTH, RANGE 2 EAST, W.M.; THENCE NORTH 1°38'20" EAST ALONG THE CENTERLINE OF SAID SECTION 5 A DISTANCE OF 1583.08 FEET TO THE NORTHWEST CORNER OF THE SOUTH 15 RODS OF GOVERNMENT LOT 2, SECTION 5, TOWNSHIP 34 NORTH, RANGE 2 EAST, W.M.; THENCE SOUTH 87°56'32" EAST A DISTANCE OF 359.0 FEET; THENCE NORTH 1°38'20" EAST A DISTANCE OF 748.36 FEET; THENCE EAST A DISTANCE OF 404.0 FEET; THENCE NORTH 28°45' WEST A DISTANCE OF 105.0 FEET, PLUS OR MINUS; THENCE NORTH 13°33' WEST A DISTANCE OF 225.4 FEET; THENCE-NORTH 8°05' WEST A DISTANCE OF 270.0 FEET, PLUS OR MINUS TO THE SOUTH RIGHT OF WAY LINE OF WASHINGTON STATE HIGHWAY 536 (SR20); THENCE EASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE PROJECTED TO THE EAST SECTION LINE OF SECTION 5, TOWNSHIP 34 NORTH, RANGE 2 EAST, W.M.; THENCE SOUTH 1°56' WEST ALONG SAID EAST SECTION LINE TO THE EAST QUARTER CORNER OF SAID SECTION 5, THE POINT OF BEGINNING, EXCEPT ROADS WITHIN THE DESCRIBED TRACT.

SITUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON.

SAID EASEMENT BEING A STRIP OF LAND 30.00 FEET WIDE, 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

(DESCRIPTIONS AND BEARINGS OF THE FOLLOWING EASEMENT ARE BASED ON PROJECT COORDINATE VALUES DERIVED FROM WASHINGTON STATE PLANE COORDINATE SYSTEM, NORTH ZONE):



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COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION; THENCE NORTH 01°54'46" EAST ALONG THE EASTERLY LINE OF SAID SECTION A DISTANCE OF 142.37 FEET; THENCE NORTH 88°05'14" WEST A DISTANCE OF 31.45 FEET SAID POINT BEING AT THE SOUTH MARGIN OF SR-20 AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 46°01'44" WEST A DISTANCE OF 25.99 FEET; THENCE NORTH 82°12'37" WEST A DISTANCE OF 247.22 FEET; THENCE NORTH 26°51'20" WEST A DISTANCE OF 18.20 FEET; THENCE NORTH 89°02'39" WEST A DISTANCE OF 781.13 FEET; THENCE SOUTH 67°51'46" WEST A DISTANCE OF 330.87; THENCE NORTH 89°55'56" WEST A DISTANCE OF 566.84 FEET; THENCE NORTH 48°33'03" WEST A DISTANCE OF 100.98 FEET; THENCE NORTH 88°07'51" WEST A DISTANCE OF 7.71 FEET , MORE OR LESS, TO THE WESTERLY BOUNDARY OF THE ABOVE DESCRIBED TRACT AND THE TERMINUS OF THE LINE HEREIN DESCRIBED.

THE SIDELINES OF SAID EASEMENT TO BE EXTENDED TO MEET THE MARGINS OF SR-20 AND THE BOUNDARIES OF SAID TRACT.

Reid Middleton

2906 Colby Street
Everett, WA 98201
425/259-5500 (Fax 425/259-6200)



EXHIBIT B

CONSTRUCTION EASEMENT AREA

50413044.02

EXHIBIT B



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March 13, 2003

TEMPORARY CONSTRUCTION EASEMENT
SIMILK, INC.

TAX PARCEL NO. 340205-0-039-0206 AND 340205-0-039-0008

A TEMPORARY CONSTRUCTION EASEMENT OVER, UNDER AND ACROSS THAT PORTION OF A TRACT OF LAND LYING WITHIN GOVERNMENT LOTS 1 AND 2, SECTION 5, TOWNSHIP 34 NORTH, RANGE 2 EAST, W.M. DESCRIBED AS FOLLOWS (DESCRIPTIONS AND BEARINGS REFER TO TITLE REPORT ISSUED BY LAND TITLE COMPANY OF SKAGIT COUNTY; ORDER NUMBER PA-103064):

THAT PORTION OF THE FOLLOWING DESCRIBED TRACT LYING SOUTHERLY OF STATE HIGHWAY 20: BEGINNING AT A POINT THAT IS THE EAST QUARTER CORNER OF SECTION 5, TOWNSHIP 34 NORTH, RANGE 2 EAST, W.M.; THENCE SOUTH 2°12'20" WEST ON THE EAST LINE OF SAID SECTION 5 A DISTANCE OF 2632.62 TO THE SOUTHEAST CORNER OF SAID SECTION 5; THENCE NORTH 88°21'40" WEST 1308.93 FEET TO THE NORTHWEST CORNER OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 34 NORTH, RANGE 2 EAST, W.M.; THENCE SOUTH 0°29'45" WEST A DISTANCE OF 327.26 FEET TO THE SOUTHWEST CORNER OF SAID NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 8; THENCE SOUTH 88°14'20" EAST ALONG THE SOUTH BOUNDARY OF SAID NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 8, A DISTANCE OF 370.0 FEET, PLUS OR MINUS, TO THE CENTER LINE OF SIMILK BEACH ROAD; THENCE SOUTHERLY ALONG SAID CENTERLINE OF SIMILK BEACH ROAD TO THE NORTH BOUNDARY OF FAIRWAY DRIVE ROAD AS PLATTED IN THE PLAT OF "SIMILK BEACH, SKAGIT CO., WASH.", AS PER PLAT RECORDED IN VOLUME 4 OF PLATS, PAGE 51, RECORDS OF SKAGIT COUNTY, WASHINGTON; THENCE SOUTH 76°22' WEST ALONG THE NORTH BOUNDARY OF FAIRWAY DRIVE ROAD, A DISTANCE OF 900.0 FEET, PLUS OR MINUS, TO THE SOUTH CORNER OF BLOCK 8, BEACH VIEW ADDITION TO THE SIMILK BEACH PLAT; THENCE NORTHWESTERLY ALONG THE NORTH BOUNDARY OF FAIRWAY DRIVE ROAD TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 4, BEACH VIEW ADDITION TO THE SIMILK BEACH PLAT; THENCE SOUTH 89°54' EAST ALONG THE SOUTH BOUNDARY



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OF SAID LOT 1, A DISTANCE OF 100.0 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE NORTH 0°06' EAST ALONG THE EAST BOUNDARY OF SAID LOT 1, A DISTANCE OF 40.0 FEET TO THE NORTHEAST CORNER THEREOF; THENCE NORTH 4°01' EAST A DISTANCE OF 805.0 FEET TO THE NORTHEAST CORNER OF LOT 1, BLOCK 1 OF THE WEST GOLF ADDITION TO THE SIMILK BEACH PLAT; THENCE NORTH 18°0' WEST A DISTANCE OF 431.38 FEET TO THE NORTHEAST CORNER OF SAID WEST GOLF ADDITION; THENCE NORTH 85°59' WEST ALONG THE NORTH BOUNDARY OF SAID WEST GOLF ADDITION TO THE NORTHWEST CORNER OF GREENS STREET NORTH, WHERE IT TERMINATES AT THE NORTH BOUNDARY OF WEST GOLF ADDITION TO SAID SIMILK BEACH PLAT; THENCE NORTH 18°0' WEST A DISTANCE OF 306.32 FEET; THENCE WEST A DISTANCE OF 309.50 FEET; THENCE NORTH A DISTANCE OF 705.55 FEET; THENCE NORTH 88°21'40" WEST A DISTANCE OF 489.0 FEET TO THE CENTERLINE OF THE COUNTY ROAD WHICH IS ALSO ON THE CENTERLINE OF SECTION 8, TOWNSHIP 34 NORTH, RANGE 2 EAST, W.M.; THENCE NORTH 0°05'30" EAST ALONG SAID SECTION 8 CENTERLINE A DISTANCE OF 408.02 FEET TO THE SOUTH QUARTER CORNER OF SECTION 5, TOWNSHIP 34 NORTH, RANGE 2 EAST, W.M.; THENCE NORTH 1°38'20" EAST ALONG THE CENTERLINE OF SAID SECTION 5 A DISTANCE OF 1583.08 FEET TO THE NORTHWEST CORNER OF THE SOUTH 15 RODS OF GOVERNMENT LOT 2, SECTION 5, TOWNSHIP 34 NORTH, RANGE 2 EAST, W.M.; THENCE SOUTH 87°56'32" EAST A DISTANCE OF 359.0 FEET; THENCE NORTH 1°38'20" EAST A DISTANCE OF 748.36 FEET; THENCE EAST A DISTANCE OF 404.0 FEET; THENCE NORTH 28°45' WEST A DISTANCE OF 105.0 FEET, PLUS OR MINUS; THENCE NORTH 13°33' WEST A DISTANCE OF 225.4 FEET; THENCE NORTH 8°05' WEST A DISTANCE OF 270.0 FEET, PLUS OR MINUS TO THE SOUTH RIGHT OF WAY LINE OF WASHINGTON STATE HIGHWAY 536 (SR20); THENCE EASTERLY ALONG SAID SOUTH RIGHT OF WAY LINE PROJECTED TO THE EAST SECTION LINE OF SECTION 5, TOWNSHIP 34 NORTH, RANGE 2 EAST, W.M.; THENCE SOUTH 1°56' WEST ALONG SAID EAST SECTION LINE TO THE EAST QUARTER CORNER OF SAID SECTION 5 AND THE POINT OF BEGINNING,

EXCEPT ROADS WITHIN THE DESCRIBED TRACT.

SITUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON.

SAID TEMPORARY CONSTRUCTION EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

(DESCRIPTIONS AND BEARINGS OF THE FOLLOWING EASEMENT ARE BASED ON PROJECT COORDINATE VALUES DERIVED FROM WASHINGTON STATE PLANE COORDINATE SYSTEM, NORTH ZONE):



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A TEMPORARY CONSTRUCTION EASEMENT COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 5; THENCE NORTH 01°54'46" EAST ALONG THE EASTERLY LINE OF SAID SECTION A DISTANCE OF 65.90 FEET; THENCE NORTH 88°05'14" WEST A DISTANCE OF 25.00 FEET TO THE WESTERLY MARGIN OF CHRISTIANSEN ROAD AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 82°12'37" WEST A DISTANCE OF 97.74 FEET; THENCE NORTH 01°54'10" EAST A DISTANCE OF 55.29 FEET TO A POINT HEREINAFTER REFERRED TO AS "POINT A"; THENCE SOUTH 82°12'37" EAST A DISTANCE OF 73.08 FEET; THENCE NORTH 46°01'44" WEST A DISTANCE OF 25.99 FEET TO THE NORTH LINE OF SAID TRACT AND THE TERMINATION OF SAID EASEMENT.
EXCEPT FOR THE NORTH 15.00 FEET THEREOF.

TOGETHER WITH A TEMPORARY CONSTRUCTION EASEMENT LYING 35.00 FEET SOUTH OF THE FOLLOWING LINE:
BEGINNING AT THE ABOVE MENTIONED "POINT A"; THENCE CONTINUING NORTH 82°12'37" WEST A DISTANCE OF 174.14 FEET; THENCE NORTH 26°51'20" WEST A DISTANCE OF 18.20 FEET TO A POINT HEREINAFTER REFERRED TO AS "POINT B" TO THE TERMINATION OF SAID LINE AND THE EASEMENT HEREIN DESCRIBED.
EXCEPT THE NORTH 15.00 FEET THEREOF.

AND TOGETHER WITH A TEMPORARY CONSTRUCTION EASEMENT LYING 48.00 FEET SOUTH OF THE FOLLOWING LINE:
BEGINNING AT THE ABOVE MENTIONED "POINT B"; THENCE NORTH 89°02'39" WEST A DISTANCE OF 781.13 FEET TO A POINT HEREINAFTER REFERRED TO AS "POINT C" TO THE TERMINATION OF SAID LINE AND THE EASEMENT HEREIN DESCRIBED.
EXCEPT THE NORTH 15.00 FEET THEREOF.



AND TOGETHER WITH A TEMPORARY CONSTRUCTION EASEMENT LYING 55.00 FEET SOUTH OF THE FOLLOWING LINE:

BEGINNING AT THE ABOVE MENTIONED "POINT C"; THENCE SOUTH 67°51'46" WEST A DISTANCE OF 330.87; THENCE NORTH 89°55'56" WEST A DISTANCE OF 212.18 FEET TO A POINT HEREINAFTER REFERRED TO AS "POINT D" TO THE TERMINATION OF SAID LINE AND THE EASEMENT HEREIN DESCRIBED.

EXCEPT THE NORTH 15.00 FEET THEREOF.

AND TOGETHER WITH A TEMPORARY CONSTRUCTION EASEMENT LYING 25.00 FEET NORTH OF THE FOLLOWING LINE:

BEGINNING AT THE ABOVE MENTIONED "POINT D"; THENCE SOUTH 89°55'56" EAST A DISTANCE OF 114.95 FEET TO THE TERMINATION OF SAID LINE AND THE EASEMENT HEREIN DESCRIBED.

EXCEPT THE SOUTH 15.00 FEET THEREOF.

AND TOGETHER WITH A TEMPORARY CONSTRUCTION EASEMENT COMMENCING AT THE ABOVE MENTIONED POINT D"; THENCE NORTH 89°55'56" WEST A DISTANCE OF 325.26 FEET TO A POINT HEREINAFTER REFERRED TO AS "POINT E"; THENCE SOUTH 00°04'04" WEST A DISTANCE OF 65.00 FEET; THENCE NORTH 89°55'56" WEST A DISTANCE OF 70.00 FEET; THENCE NORTH 00°04'04" EAST A DISTANCE OF 80.78 FEET; THENCE NORTH 48°33'03" WEST A DISTANCE OF 7.61 FEET; THENCE NORTH 88°07'51" WEST A DISTANCE OF 32.61 FEET TO THE WEST LINE OF SAID TRACT AND THE TERMINATION OF THE EASEMENT HEREIN DESCRIBED.

EXCEPT THAT PORTION LYING 15.00 FEET SOUTH OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE ABOVE MENTIONED "POINT E"; THENCE NORTH 89°55'56" WEST A DISTANCE OF 29.40 FEET; THENCE NORTH 48°33'03" WEST A DISTANCE OF 100.98 FEET; THENCE NORTH 88°07'51" WEST A DISTANCE OF 7.71 FEET TO THE WEST LINE OF SAID TRACT AND THE TERMINATION OF THE LINE HEREIN DESCRIBED.



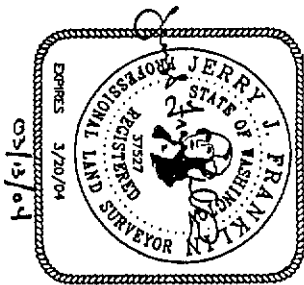
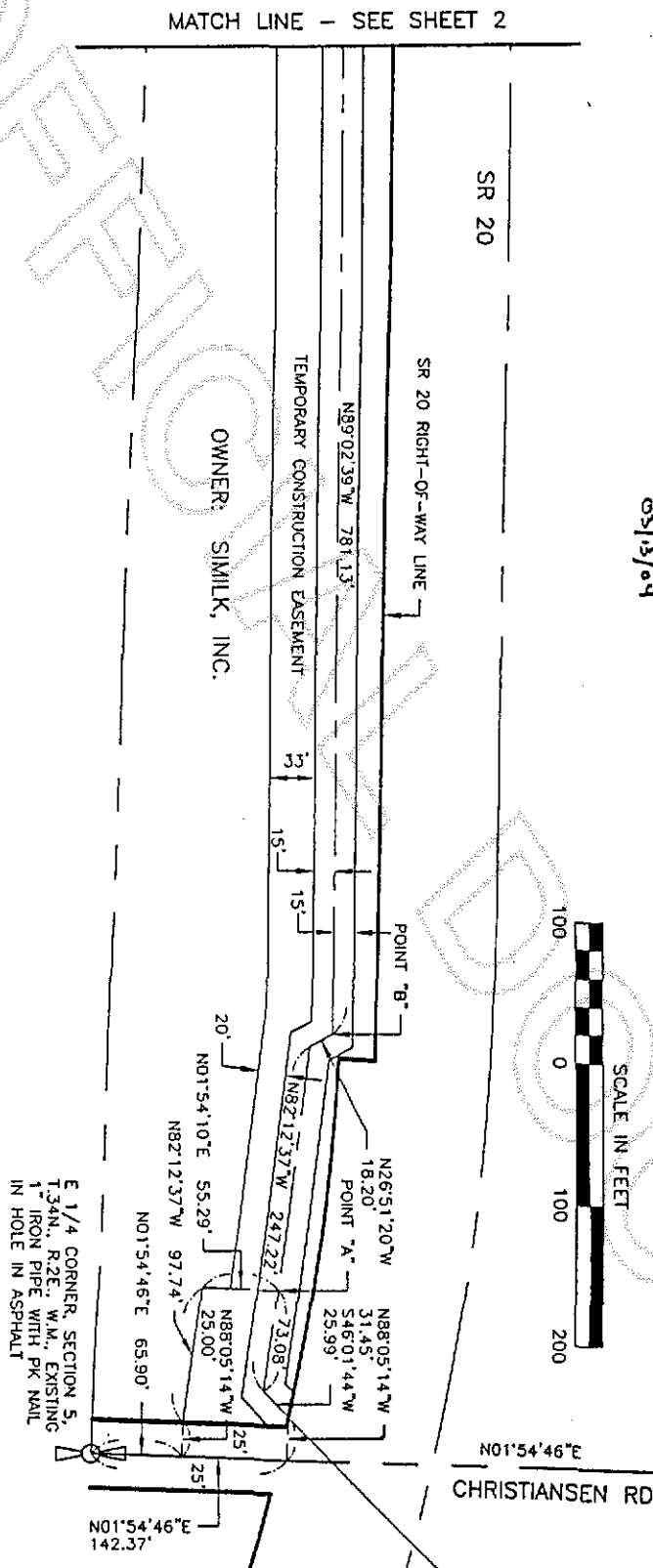
THE SIDELINES OF SAID EASEMENTS TO BE EXTENDED OR TRIMMED AS NECESSARY TO MEET THE MARGINS OF SR-20, CHRISTENSON ROAD AND THE BOUNDARIES OF SAID TRACT.

Reid Middleton

2906 Colby Street
Everett, WA 98201
425/259-5500 (Fax 425/259-6200)



WATER LINE EASEMENT EXHIBIT FOR SIMILK, INC.



S:\DRAWINGS\22\02\007\LEGALS\EXHIBIT-MASTER-REV1.DWG

SHEET 1 OF 2
SCALE: 1" = 100'
DATE: 03-13-03
JOB: 22-02-007
DR.: AMP

Reid Middleton

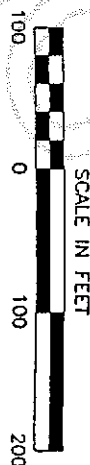
2906 Colby Avenue
Everett, Washington 98201
Ph: 425 259-5500



200402040107
Skagit County Auditor



OWNER: SIMILK, INC.



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Skagit County Auditor