



200403240044

Skagit County Auditor

3/24/2004 Page 1 of 2 11:29AM

WHEN RECORDED RETURN TO:  
CASCADE NATURAL GAS CORPORATION  
PO BOX 24464  
SEATTLE, WA 98124-0464  
ATTENTION: Engineering / Right of Way

### RIGHT OF WAY EASEMENT

CNG317

County: Skagit

The undersigned **BILL BRIGHAM** and **JAN BRIGHAM**, husband and wife, (hereinafter referred to as the "Grantor"), for and in consideration of One Dollar (\$1.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, convey, and warrant to **CASCADE NATURAL GAS CORPORATION**, a Washington corporation (hereinafter referred to as the "Grantee"), a permanent nonexclusive easement over the following described property of the Grantor:

#### PROPERTY DESCRIPTION:

MONTBORNE, BLOCK 39, NORTH HALF LOT 4, LOTS 5 & 17 TO LOT 21.  
RESERVE TO MONTBORNE LOTS 5 TO 9, BLOCK 11, TOGETHER WITH THAT PORTION OF THE 100 FOOT WIDE RAILROAD RIGHT OF WAY COMMONLY KNOWN AS THE NORTHERN PACIFIC RAILWAY (AND ORIGINALLY CONVEYED TO THE SEATTLE LAKE SHORE AND EASTERN RAILWAY), LYING EASTERLY OF THE CENTERLINE OF SAID RIGHT OF WAY AND BETWEEN THE WOUTHWESTERLY EXTENSIONS OF BOTH THE SOUTHEASTERLY LINE OF LOT 5, BLOCK 11, AND THE NORTHWESTERLY LINE OF LOT 9, BLOCK 11, AS SAID LINES ARE DELINEATED ON THE PLAT OF "RESERVE ADDITION TO THE TOWN OF MONTBORNE", AS PER PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 59, RECORDS OF SKAGIT COUNTY, WA

#### EASEMENT DESCRIPTION:

A STRIP OF LAND FIVE (5) FEET IN WIDTH HAVING TWO AND ONE HALF (2.5) FEET ON EACH SIDE OF THE CENTER OF GRANTEE FACILITIES AS CONSTRUCTED, TO BE CONSTRUCTED, EXTENDED OR RELOCATED WITHIN THE ABOVE DESCRIBED PROPERTY.

TAX PARCEL NUMBERS: P74659, P113582, P874659

The Grantee is granted the right to construct, install, operate, maintain, protect, improve, repair, and abandon in place a natural gas pipeline or pipelines under, over, through, and across the above-described property. The Grantee is further granted an easement for the nonexclusive right of access to and from said property for the purposes of utilizing the rights herein granted.

The term "pipeline" includes gas lines; services, machinery, equipment, and facilities related to the operation or maintenance of said gas lines. The Grantor, on behalf of itself and its agents, invitees and licensees, agrees not to impair or interfere with the full use and enjoyment by the Grantee of the rights herein granted. Without limiting the generality of the foregoing, the Grantor shall not erect any structure within the easement area, or conduct or permit any activities which may impair or interfere with the rights herein granted.

Grantor agrees to cooperate with Grantee to obtain all necessary permits, licenses and governmental action so that Grantee may enjoy the full use and benefit of this right-of-way easement.

The Grantee agrees to hold the Grantor harmless from any loss, cost, or damage resulting from the Grantee's negligence in connection with the operation or maintenance of any pipelines installed under or over the easement premises and the Grantor agrees to hold the Grantee harmless from any loss, cost, or damage caused by the Grantor, its agents, invitees, or licensees or from any breach of this easement.

This easement shall be binding upon the heirs, executors, administrators, personal representatives, successors, and assigns of the parties hereto.

In witness whereof, the undersigned have executed this easement this 19<sup>th</sup> day of February, 2004.

William Brigham  
BILL BRIGHAM

*Jan Brigham*  
JAN BRIGHAM

[illegible]

On this day personally appeared before me **BILL BRIGHAM** and **JAN BRIGHAM** to me known to be the individuals that executed the foregoing instrument, and on oath acknowledged said instrument to be of their free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 19<sup>th</sup> day of February, 2004.

Michael D Pozzre


Notary Public for: Skagit County

Residing at: 2507 Connelly PL

My Commission Expires: 8-7-06

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

MAR 24 2004

Amount Paid \$  
Skagit Co. Treasurer  
By  Deputy

