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City of Mount Vernon
Post Office Box 809
Mount Vernon, WA 98273



200404090144

Skagit County Auditor

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Document Title: Roadway and Utility Easement
Grantor(s): Safeway, Inc.
Grantee: The City of Mount Vernon
Legal Description: Ptn Lot 1C Binding Site Plan MV-1-94
Additional Legal Description is on: Attached Exhibit "A"
Assessor's Tax Parcel Numbers: P107482

ROADWAY AND UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that **SAFeway INC.**, herein referred to as the Grantor, for \$10.00 and other Mutual Benefits hereby grants unto the **CITY OF MOUNT VERNON**, a Municipal Corporation of the State of Washington, referred to herein as the City, an easement over, along and across the full width and length of the premises described as follows:

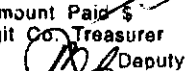
A PORTION of the following described property:

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

More particularly described as: SEE EXHIBIT A

APR 09 2004

Containing an area of 1650 square feet, more or less.

Amount Paid \$
Skagit Co. Treasurer
By  Deputy

With right, privilege and authority, to said City, to construct, or cause to construct, maintain, replace, reconstruct, and remove all cut and fill slopes, with all appurtenances incident thereto or necessary therewith, in and across the said premises, for the purpose of constructing or cause to construct, and removal of all utilities, including, but not limited to street and sidewalk facilities, sanitary sewage facilities, storm drainage facilities, power transmission facilities, telecommunication facilities, cable television facilities, and any other utilities without limitation, with all appurtenances incident thereto and necessary therewith, in the City right-of-way adjacent to the said premises, and the right of ingress and egress to and over said easement at any and all times for the purpose of doing anything necessary of useful or convenient for the enjoyment of the easement hereby granted; and the right of conveyance of said easement and privileges.

THERE IS RESERVED TO THE GRANTOR, their heirs and assigns, the right and privilege to use the above-described land of the grantor, at any time, in any manner and for any purpose not inconsistent with the full use and enjoyment by the grantee, its successors and assigns, of the rights

and privileges herein granted. THE GRANTEE is responsible for operating and maintaining the above-described works of improvement.

Dated this 19th day of March, 2004

SAFEWAY INC.
(a Delaware corporation)

By [Signature]
Its Assistant Vice President

By [Signature]
Its Assistant Secretary

State of _____)
County of _____)§

(See attached certificate)

On this _____ day of _____, 2004, before me a Notary Public in and for the County and State personally appeared _____ to me known to be the _____ (title) of Safeway Inc. that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the purposes and uses therein mentioned, and on oath stated that he was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public in and for the State of Washington
Residing at _____
My commission expires _____

Approved as to form:



ACKNOWLEDGMENT

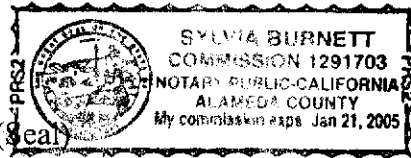
STATE OF CALIFORNIA)
)
COUNTY OF ALAMEDA) ss.

On March 19, 2004, before me, Sylvia Burnett, Notary Public, personally appeared Wendall Mitchell and Jerome P. Harrison personally known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacity, and that by their signatures on the instrument, the persons or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.

Signature

Sylvia Burnett



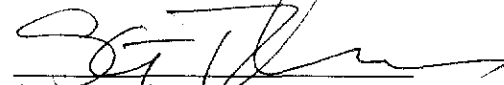
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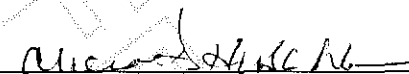
CITY OF MOUNT VERNON


Bud Norris, Mayor

Approved as to Form:


Scott G. Thomas, City Attorney

Attest:


Alicia D. Huschka, Finance Director



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EXHIBIT "A"

SANITARY SEWER EASEMENT
DESCRIPTION

A STRIP OF LAND 30.00 FEET IN WIDTH BEING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE OVER LOTS 1, 1C AND 1D OF CITY OF MOUNT VERNON BINDING SITE PLAN NUMBER MV-1-94 AS RECORDED UNDER SKAGIT COUNTY RECORDING NUMBER 9405310129, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1C;
THENCE SOUTH $00^{\circ}05'48''$ EAST, ALONG THE EAST LINE OF SAID LOT 1C ALSO BEING THE WEST LINE OF SAID LOT 1D, 26.40 FEET TO THE INTERSECTION WITH THE NORTHERLY MARGIN OF AN EXISTING 20.00 FOOT SEWER EASEMENT AS GRANTED UNDER SKAGIT COUNTY RECORDING NUMBER 9405310129;

THENCE NORTH $90^{\circ}00'00''$ WEST, ALONG THE NORTHERLY MARGIN OF SAID SEWER EASEMENT, 9.99 FEET TO THE TRUE POINT OF BEGINNING OF THIS CENTERLINE DESCRIPTION;

THENCE NORTH $00^{\circ}00'00''$ EAST 16.09 FEET;
THENCE NORTH $90^{\circ}00'00''$ WEST 62.77 FEET TO THE EASTERLY MARGIN OF THE SEWER EASEMENT GRANTED UNDER SKAGIT COUNTY RECORDING NUMBER 567852 AND THE TERMINUS OF THIS CENTERLINE DESCRIPTION;

THE SIDELINES OF THIS EASEMENT AT THE TRUE POINT OF BEGINNING SHALL BE SO SHORTENED OR LENGTHENED SO AS TO TERMINATE AT THE NORTHERLY MARGIN OF THE SEWER EASEMENT GRANTED UNDER SKAGIT COUNTY RECORDING NUMBER 9405310129;

THE SIDELINES OF THIS EASEMENT AT THE TERMINUS SHALL BE SO SHORTENED OR LENGTHENED SO AS TO TERMINATE AT THE EASTERLY MARGIN OF THE SEWER EASEMENT GRANTED UNDER SKAGIT COUNTY RECORDING NUMBER 567852;

SITUATE IN THE CITY OF MOUNT VERNON, COUNTY OF SKAGIT, STATE OF WASHINGTON.



SAFEWAY, INC.
BRYAN L. CAMPBELL
BRH JOB NO. 2003144.01
FEBRUARY 27, 2004

BUSH ROED & HITCHINGS, INC
2009 MINOR AVENUE EAST
SEATTLE, WA 98102
(206) 323-4144



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