

Filed for Record at Request of City of Mount Vernon

When Recorded Return To:
P.O. Box 809
Finance Director
City of Mount Vernon
Mount Vernon, WA 98273



200405200039

Skagit County Auditor

5/20/2004 Page

1 of

4 10:58AM

Document Title:	RIGHT OF WAY DEED
Grantor:	DOMINICK'S FINER FOODS, LLC. a Delaware limited liability company
Grantee :	CITY OF MOUNT VERNON, a Washington municipal corporation
Abbreviated legal description: full legal on Exhibit A attached hereto and made part hereof	A portion of the South 330.00 feet of the Northeast ¼ of the Northeast ¼ of Section 18, Township 34 North, Range 4 East, W.M., in Skagit County, Washington, lying within a strip of land 60.00 feet in width as described in Exhibit A attached hereto and made part hereof.
Parcel No.	P118175
In the matter of that City Project known as:	Market Street Extension

RIGHT OF WAY DEED

Know all men by these presents, that Grantor, **Dominick's Finer Foods, LLC**, a Delaware limited liability company, as successor-by-merger to Dominick's Finer Foods, Inc., a Delaware corporation, for and in consideration of the sum of \$10.00 and other good and valuable consideration, hereby dedicates unto the **City of Mount Vernon**, a Washington municipal corporation, its successors, and assigns, a perpetual right-of-way for use by the public for the following purposes, to wit: The right to enter upon the hereinafter described land and grade, level, fill, drain, pave, construct, operate, maintain, repair, and rebuild a road or highway, together with such bridges, culverts, drainage ways, ramps, sidewalks, curbs, gutters, and cuts as may be necessary to construct, operate, and maintain any public utility lines, cables, pipes, or poles, on, over, under, and across the ground embraced within the property situated in the City of Mount Vernon, State of Washington, and described as follows:

See attached **Exhibit "A" – Legal Description**

The said right-of-way to include the right to cut back and trim such portions of branches and tops of trees now growing or which may hereafter grow or extend over said right-of-way, so as to prevent the same from interfering with

the efficient maintenance and operation of said public highways and public utilities.

The **Grantor** hereby covenants that they are lawfully seized and possessed on the aforementioned tract or parcel of land; that they have a good and lawful right to convey and/or dedicate it; and that they will warrant the title and quiet possession thereto against the lawful claim of all persons.

IN WITNESS WHEREOF, we have hereunto set my hand and seal this 22nd day of April, 2004.

Dominick's Finer Foods, LLC,
a Delaware limited liability company

By: Dominick's Supermarkets, Inc.
a Delaware corporation
Its: Member

By: *Debra M. Stetson*
Its: Assistant Vice President

By: *Linda S. MacDonald*
Its: Assistant Secretary

Right of Way Deed
SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax

MAY 20 2004

Amount Paid \$0
Skagit County Treasurer
By: *man* Deputy



200405200039

Skagit County Auditor

ACKNOWLEDGMENT

STATE OF CALIFORNIA)
County of Alameda }

ss.

On April 22, 2004 before me, Dina Gutierrez, Notary Public, personally appeared Wendall Mitchell and Linda S. MacDonald personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, 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

Dina Gutierrez

(Seal)



200405200039

Skagit County Auditor

5/20/2004 Page

3 of

4 10:58AM

EXHIBIT A

LEGAL DESCRIPTION

That portion of the South 330.00 feet of the Northeast ¼ the Northeast ¼ of Section 18, Township 34 North, Range 4 East, W.M., in Skagit County, Washington, lying within a strip of land 60.00 feet in width described as follows:

Commencing at the Northwest corner of the East 670.00 feet of said South 330.00 feet, said point being the Northeast corner of Lot 3C, City of Mount Vernon Binding Site Plan No. MV-1-94 BSP, approved May 31, 1994, and recorded May 31, 1994 in Volume 11 of Short Plats, pages 77 through 81, under recording No. 9405310129, records of Skagit County, Washington; thence Sough 00 degrees 24'07" East 124.90 feet along the West line of said East 670.00 feet and the East line of said Lot 3C to the Northwesterly margin of Market Street as said street is shown and so designated on said Binding Site Plan, and th true point of beginning; thence North 35 degrees 08'11" East 106.77 feet along the Northeasterly prolongation of said Westerly margin to the beginning of a curve concave Northwesterly having a radius of 150.00 feet; thence Northeasterly and Northerly 42.11 feet along said curve through a central angle of 16 degrees 05'07" to the North line of said 330.00 feet; thence South 89 degrees 50'52" East 62.39 feet along said North line to the beginning of a non-tangent curve concave Northwesterly having a radius of 210.00 feet (a radial line through said beginning bears South 76 degrees 28'15" East); thence Southerly and Southwesterly 79.20 feet along said curve through a central angle of 21 degrees 36'26" to the Northeasterly prolongation of the Southeasterly margin of said Market Street; thence South 35 degrees 08'11" West 190.76 feet along last said prolongation to said West line of the East 670.00 feet; thence North 00 degrees 24'07" West 103.23 feet along said West line to the true point of beginning.



200405200039

Skagit County Auditor