



200502160078

Skagit County Auditor

2/16/2005 Page 1 of 2 1:45PM

UTILITY EASEMENT

Brad Huizenga, hereinafter referred to as "Owner", is the owner of the property legally described as:

Parcel number P 81111, 11120 Sahalie Dr. In the Kwonesum Development Section 24, Township 34 North Range 2 East. Located on the Swinomish Indian Reservation, Skagit County, In the State of Washington.

Owner grants to the Swinomish Utility Authority the right to enter upon the above-described property for the purposes of constructing, maintaining, repairing, altering or reconstructing a septic tank effluent pump sanitary sewer collection system, including a force main and control panel necessary to operate and control the system there from to the property line. Each pumping unit shall consist of septic tank, pumping system, electrical conduit, and cable, control panel, force main, service box, and related appurtenances. The Swinomish Utility Authority will be responsible to periodically pump the septic tank when required.

This right of entry is for the purpose for which it is intended: To permit the Swinomish Utility Authority employees or contractors for the Swinomish Utility Authority to enter upon the land for the purposes described above. Owner agrees to allow the Swinomish Utility Authority or its contractor's access to the equipment and facilities to make the necessary repairs and/or maintenance, subsequent construction, reconstruction or expansion of system facilities, if any.

The Swinomish Utility Authority and the Owner concur and agree that repairing, altering or reconstructing of said sewer improvements by the Swinomish Utility Authority, shall be accomplished in such a manner that the private improvements existing on this described parcel of real property shall be disturbed to the least extent possible, in the event they are disturbed or destroyed, they will be replaced to the extent reasonably possible in as good a condition as they were immediately before the property was entered upon by the Swinomish Utility Authority.

The Swinomish Utility Authority and the Owner agree that the owner shall construct a septic tank effluent pump sanitary sewer collection system, including a force main and control panel necessary to operate and control the system to the standards set by the Swinomish Utility Authority and the parties agree that the owner shall not undertake

alteration of the installed sewer system(s), including covering or obstructing access to pump basin cleanouts, the lockout switch, nor building within an 8 foot diameter of the tank, without the prior written approval of the Swinomish Utility Authority. The Swinomish Utility Authority at the Owner's expense shall repair any damage by the Owner or their agents.

Owner agrees and understands that this perpetual right of entry document will be recorded with the County Auditor and will be binding upon heirs, successors and assigns of Owner. Owner and Swinomish Utility Authority agree that the Owner has incurred no displacement costs or relocation costs by virtue of the Agreement. The Swinomish Utility Authority agrees to operate and maintain the pump system in a reasonable condition and to do the work in a workmanlike manner, promptly, neatly, and with as little interference to the real property and improvements thereon of Owner as reasonably practicable. Ownership of the **Advantex Treatment** system on the described parcel of real property shall remain with the Swinomish Utility Authority.

DATED this 16 day of Feb., 2005

OWNER

Bradley S. Huizenga
BRADLEY S. HUIZENGA

SWINOMISH UTILITY AUTHORITY

John A. Petrich, Jr.
By: John A. Petrich, Jr., Manager

Agent for Swinomish Utility Authority
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

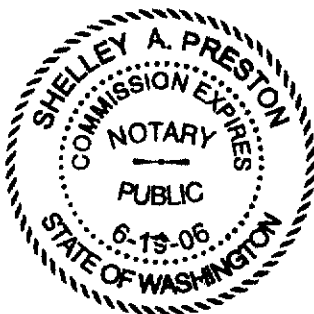
STATE OF WASHINGTON

COUNTY OF SKAGIT

FEB 16 2005

On this day personally appeared before me Bradley S. Huizenga
And who executed the within and foregoing instrument as "Owner", and acknowledged that he/she/they signed the same, as his/her/their free and voluntary act and deed, for the use and purposes therein mentioned. GIVEN under my hand and affixed my official seal this 16th day of Feb., 2005.

Amount Paid \$0
Skagit Co. Treasurer
Deputy



Shelley A. Preston

NOTARY PUBLIC in the State of WASHINGTON
residing at Burlington
My Commission expires June 15, 2006



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