



200505260069

Skagit County Auditor

WHEN RECORDED RETURN TO:

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6 11:39AM

Jeffery J. Solomon  
BELCHER, SWANSON, LACKEY, DORAN,  
LEWIS & ROBERTSON, P.L.L.C.  
900 Dupont Street  
Bellingham, WA 98225

LAND TITLE OF SKAGIT COUNTY

114816-S

Document Title: Water Line Easement  
Grantor: Cliff Leight  
Grantees: Don and Lorelee Ruzicka  
Legal Description: Ptn NW ¼ of NW ¼ of Sec. 22 Twp. 36N Range 3E, W.M.  
Assessor's Tax Parcel ID#: Ptn 360322-2-007-0008

**WATER LINE EASEMENT**

**THIS EASEMENT**, is made and entered into this 6 day of April 2005, by and between **CLIFF LEIGHT**, hereinafter referred to as "Grantor", and **DON and LORALEE RUZICKA**, hereinafter collectively referred to as "Grantees".

**RECITALS:**

**WHEREAS**, the Grantor owns real property located in Skagit County, Washington legally described as follows:

*See attached Exhibit "A"*

hereinafter referred to as "Lot A";

**WHEREAS**, the Grantees own real property located in Skagit County, Washington legally described as follows:

*See attached Exhibit "B"*

hereinafter referred to as "Lot B";

**WHEREAS**, a water line presently exists across Lot A to benefit Lot B as sketched in Exhibit "C". The water line servicing Lot B is the westernmost water line in that location; and

**WHEREAS**, the parties wish to enter into an agreement granting an easement in order to

perpetuate the use and location of the water line across Lot A for the benefit of Lot B;

**NOW, THEREFORE,** the parties covenant and agree as follows:

1. **Easement.** In consideration of Grantee's promise to pay seven thousand five hundred dollars (\$7,500), the Grantor does hereby grant to Grantees a nonexclusive easement which will run with the land for an underground water line over and across that portion of Lot A located seven and one half (7 ½) feet on either side of the water line servicing Lot B. This grant of easement also includes the right to enter the easement area for the purposes of maintaining and/or repairing the water line.

2. **Relocation of Easement.** Grantor hereby reserves the right to relocate the water line servicing Lot B for any purpose; PROVIDED THAT such relocation will be at the sole expense of Grantor and shall not cause any material interruption of water service to Lot B. Grantor shall notify the owner(s) of Lot B, in writing, not later than thirty days prior to relocating the water line and shall identify the new location of the water line in said notice.

3. **Payment, Recordation and Effectiveness.** Grantees shall pay Grantor from the proceeds of the sale of Lot B. This signed Agreement shall be held in trust by Grantees until such time as the sale of Lot B is prepared to close. Grantees will instruct escrow to record this Agreement before the deed transferring Grantees' interest in Lot B and to pay Grantor directly from the proceeds of the corresponding sale. Grantees are responsible for payment of excise tax, escrow and recording fees. This Agreement shall not be effective until recorded with the Skagit County Auditor and until payment is tendered to Grantor.

4. **Maintenance and Indemnification.** Grantees shall be solely responsible for maintenance of the water line and any damages thereby. Grantees shall further indemnify and hold harmless Grantor against any claims for damages caused by the water line.

5. **Binding Effect.** In all respects, the provisions of this agreement shall be construed and interpreted as covenants which run with and are appurtenant to the land of the parties above described, and shall be binding upon and inure to the benefit of the heirs, assigns, successors to and personal representatives of the parties hereto.

IN WITNESS WHEREOF, the parties have executed this document as of the date first above written.

GRANTOR:

Cliff Leight  
CLIFF LEIGHT

GRANTEES:

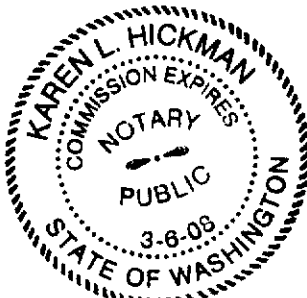
Don Ruzicka  
DON RUZICKA

Loralee Ruzicka  
LORALEE RUZICKA

STATE OF WASHINGTON )  
COUNTY OF PIERCE )ss.

On this 12th day of April, 2005, before me personally appeared Don and Lorelee Ruzicka, to me known to be the individuals described in and who executed the within and foregoing instrument and acknowledged to me that they signed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN UNDER my hand and official seal the day and year first above written.



STATE OF WASHINGTON )  
COUNTY OF WHATCOM )ss.

[Signature]  
Notary Public in and for the State of Washington,  
residing at TACOMA, WA  
My Commission Expires: 3/6/08

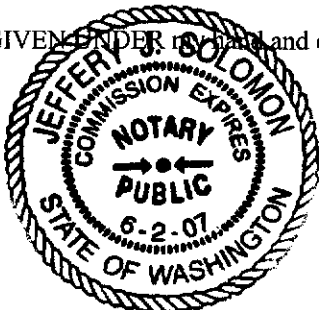
SKAGIT COUNTY WASHINGTON  
Real Estate Excise Tax  
PAID

MAY 26 2005

Amount Paid \$ 0  
Skagit County Treasurer  
By: [Signature] Deputy

On this 6 day of April, 2005, before me personally appeared Cliff Leight, to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged to me that he signed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN UNDER my hand and official seal the day and year first above written.



[Signature]  
Notary Public in and for the State of Washington,  
residing at BELOW GOLF  
My Commission Expires: 6-2-07

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## EXHIBIT A

### PARCEL A:

The West 10 acres of the Northwest Quarter of the Northwest Quarter of Section 22, Township 36 North, Range 3 East of the Willamette Meridian, lying Northerly and Easterly of the right of way of the county road, as same was established and constructed on July 14, 1938;

TOGETHER WITH the West 140 feet of the following parcel:

The Northwest Quarter of the Northwest Quarter of Section 22, Township 36 North, Range 3 East of the Willamette Meridian, lying Northeastly of the County road;

EXCEPT the West 10 acres of the Northwest Quarter of the Northwest Quarter of said Section 22, lying Northerly and Easterly of the right of way of the county road, as same as was established and constructed on July 14, 1938;

AND EXCEPT that portion conveyed to Larry G. Hower et ux by deed recorded August 14, 1978, under Auditor's File No. 885458;

ALSO TOGETHER WITH county road right of way running through property described as follows:

Located in the Northwest Quarter of Section 22, Township 36 North, Range 3 East of the Willamette Meridian, that portion of unopened county right of way known as Wood Road #24400 being 80 feet in width lying Westerly of the center line of said Section 22 and continuing in a Northwestly direction with the West line of said Section 22, per final order of vacation under resolution #R20020285, recorded under Auditor's File No. 200208080139, records of Skagit County, Washington.

Situated in Skagit County, Washington

### PARCEL B:

The West 11.63 feet of the following parcel: The Northwest quarter of the northwest quarter of Section 22, Township 36 North, Range 3 East, W.M., lying northeasterly of the County Road, except the west 10 acres of the northwest quarter of the northwest quarter of said Section 22, lying north and easterly of the right of way of the county road, as same as was established and constructed on July 14, 1938 and except that portion conveyed to Larry G. Hower et ux by Deed Recorded August 14, 1978, under auditor's file No. 885459. Also together with County Road right of way running through property described as follows: Located in the northwest quarter of the of Section 22, Township 36 North, Range 3 East, W.M., that portion of unopened county right of way known as Wood Road #24400 being 80 feet in width lying westerly of the center line of said Section 22 and continuing in a northwesterly direction with the west line of said Section 22, per final order of vacation under resolution #R20020285, recorded under AF#200208080139;

Situated in Skagit County, Washington

PARCEL NUMBER: P48052

TAX ID NUMBER: 360322-2-007-0008



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## EXHIBIT B

### PARCEL A:

That portion of Government Lot 1 of Section 21, Township 36 North, Range 3 East of the Willamette Meridian, described as follows:

Beginning at a point 681 feet South of the Northeast corner of said Government Lot 1;  
Thence North along the East line of said Government Lot 1, a distance of 416 feet;  
Thence West parallel with the North line of said Government Lot 1, a distance of 208 feet;  
Thence South a distance of 416 feet;  
Thence East to the point of beginning;

EXCEPT that portion embraced within the boundaries of that certain tract conveyed to Mrs. O.J. Frederickson, by deed recorded January 9, 1931, under Auditor's File No. 240131, records of Skagit County, Washington.

### PARCEL B:

An easement in Government Lot 1 of Section 21, Township 36 North, Range 3 East of the Willamette Meridian, 20 feet in width, along the North line of the old railway grade in said Government Lot 1, from said Parcel A to the County road.

All situated in Skagit County, Washington.

PARCEL NUMBER: P47944

TAX ID NUMBER: 360321-0-007-0003



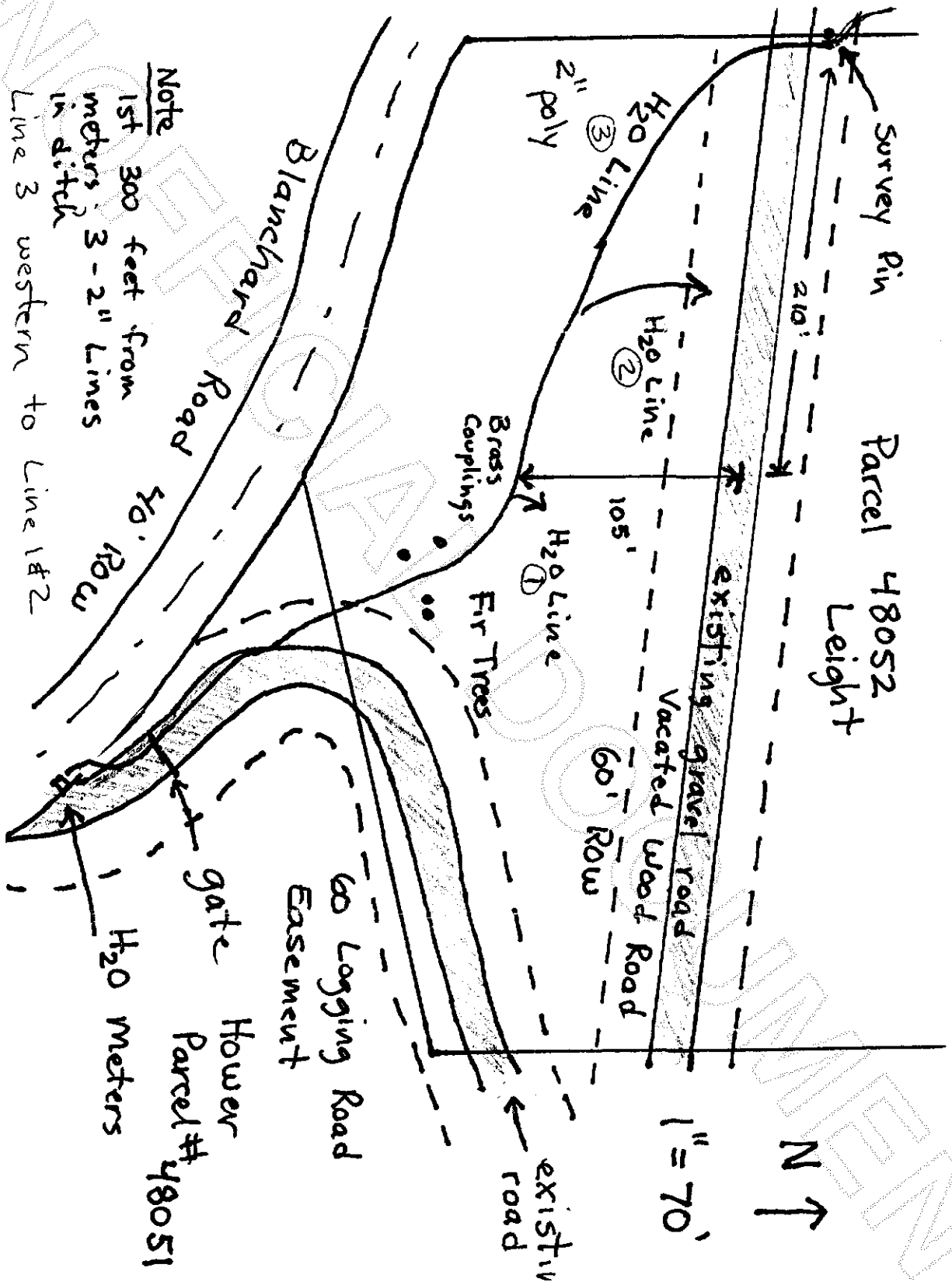
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EXHIBIT C



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