



200610270065

Skagit County Auditor

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RETURN TO:
Public Utility District No. 1 of Skagit County
1415 Freeway Drive
P.O. Box 1436
Mount Vernon, WA 98273-1436

PUD UTILITY EASEMENT

THIS AGREEMENT is made this 17th day of October, 2006, between COLLEGE WAY RETAIL, LLC, hereinafter referred to as "Grantor" and PUBLIC UTILITY DISTRICT NO. 1 OF SKAGIT COUNTY, WASHINGTON, a Municipal Corporation, hereinafter referred to as "District". Witnesseth:

WHEREAS, Grantor(s) are the owners of certain lands and premises situated in the County of Skagit, and

WHEREAS, the District wishes to acquire certain rights and privileges along, within, across, under, and upon the said lands and premises.

NOW, THEREFORE, Grantor(s), for and in consideration of mutual benefits and other valuable consideration, receipt of which is hereby acknowledged, conveys and grants to the District, its successors or assigns, the perpetual right, privilege, and authority enabling the District to do all things necessary or proper in the construction and maintenance of a water and communication, lines or other similar public services related facilities, including the right to construct, operate, maintain, inspect, improve, remove, restore, alter, replace, relocate, connect to and locate at any time a pipe or pipes, line or lines or related facilities, along with necessary appurtenances for the transportation and control of water and electronic information on facilities over, across, along, in and under the following described lands and premises in the County of Skagit, State of Washington, to wit:

P25596, Utility Easement Legal Description:

A portion of land in the City of Mount Vernon, County of Skagit, State of Washington, being a portion of the Northwest 1/4 of the Southwest 1/4 of Section 17, Township 34 North, Range 4 East, W. M.

Said portion of land is described as follows:

Commencing at the intersection of the South Right-of-Way line of College Way with the East line of the right-of-way of the Pacific Northwest Traction Co., as said point is shown on Short Plat No. MV-8-80, as approved July 7, 1980 and recorded July 8, 1980 in Volume 4 of Short Plats at Pages 135 and 136, under Auditor's File No. 8007080001, records of Skagit County, Washington; thence,

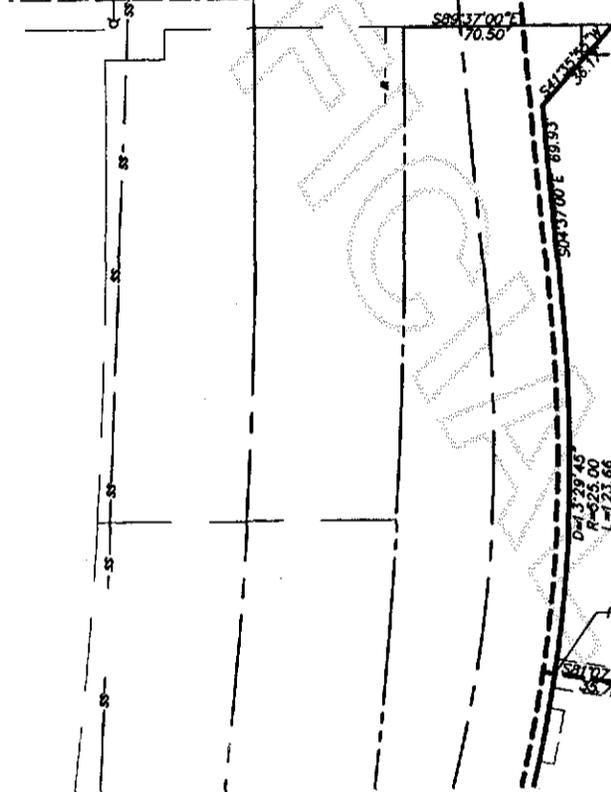
S 89° 37' 00" E along the said South right-of-way line, 70.50 feet; thence,
Leaving said South right-of-way line, S 41° 35' 55" W, 36.17 feet ; thence,
S 04° 37' 00" E, 69.93 feet to the beginning of a tangent curve to the right, having a radius of 525.00 feet and a central angle of 13° 29' 45"; thence,
along the arc of said curve in a southerly direction 123.66 feet to the True Point of Beginning of a strip of land, 10.00 feet in width, the sidelines of which lie 5.00 feet on each side of the following described centerline; thence,
Leaving said curve on a non-radial line, S 81° 07' 16" E, 35.78 feet to the end thereof.

The sidelines of this strip of land are lengthened or shortened to terminate on the aforesaid curve.

See attached Exhibit A - Easement Map

together with the right of ingress to and egress from said lands across adjacent lands of the Grantor; also, the right to cut and/or trim all timber, trees, brush, or other growth standing or growing upon the lands of the Grantor which, in the opinion of the District, constitutes a menace

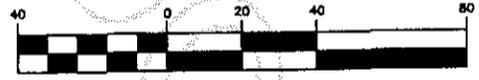
COLLEGE WAY (SR 53B)



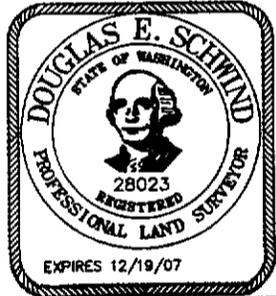
POINT OF BEGINNING



GRAPHIC SCALE



(IN FEET)
1 inch = 40 ft.



NORTHWEST DATUM & DESIGN
CIVIL ENGINEERING AND SURVEYING SOLUTIONS
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BURLINGTON, WASHINGTON 98223
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SHEET DESCRIPTION:

EXHIBIT "A"
WATER LINE EASEMENT
PORTION OF NW 1/4 OF SW 1/4
SECTION 17, T 34 N, R 4 E, W.M.

SCALE: 1" = 50'
DRAWN BY: bz
JOB NO. 06005
DATE: Sept. 2006