

After Recording Mail To:
Law Office of Cole & Cole, PC
PO Box 249
Stanwood, WA. 98292



200611080123

Skagit County Auditor

11/8/2006 Page 1 of 3 3:15PM

GRANT OF EASEMENT

Grantor: Skagit County Dike District No. 3
Grantee: Daniel D. Erlendson, a married man as his separate estate
Legal Description: GL4, 18-33-4
Assessor's Parcel No. P16780/330418-0-028-0005

GRANTOR, SKAGIT COUNTY DIKING DISTRICT NO. 3, owner of land in Government Lot 4, as condemned in Skagit County Superior Court Cause No. 2982 by Decree entered July 19, 1900, hereby grants and conveys to GRANTEE, DANIEL F. ERLENDSON, a married man as his separate estate, as owner of the parcel which is in the floodway and outside the District and legally described in Exhibit "A" attached hereto, a nonexclusive Easement over and across the said land in the area between Dike Road and the left bank of the South Fork of the Skagit River, described in Exhibit "B" attached hereto, located adjacent to and South of GRANTEE's parcel of the purposes of ingress and egress on or near the existing dike crossing roadway.

The following Terms and Conditions apply to this Grant:

1. Grantee's use shall be subordinate to the flood control purposes and uses of the District in all respects including, without limitation, such uses as may be necessary to sandbag, raise, clean, clear, grub, mow, cut, or remove vegetation, and to construct, reconstruct, repair or improve the dike and its drainage, and to generally fight flooding.

2. Grantee's use shall also be subordinate to access by Federal Emergency Management Agency ("FEMA") personnel, the US Army Corps of Engineers and their contractors, Skagit County Public Works, and Skagit County Emergency Management Services in the performance of their duties, with which Grantee will not interfere under any circumstances.
3. Grantee shall not have the right to authorize, install, or permit any buried utilities or above ground utilities in, on, over, or under this Easement and will not perform or allow to be performed any act that damages the diking structure or impairs its functioning or flood protection. If any work or access occurs to the detriment of the diking function, Grantee, its successors and assigns, shall be personally responsible for the damage and the cost of repair incurred by the District, including attorney's fees incurred to enforce the foregoing indemnity obligation.
4. This Easement shall run with the land, and bind and inure to the benefit of the parties, their heirs, successors, and assigns.

IN WITNESS WHEREOF, the parties hereto have mutually agreed upon the terms and conditions of this instrument and have caused it to be executed as below subscribed:

SKAGIT COUNTY DIKING DISTRICT NO. 3

Approved:

BY: David J. Olson
DAVID OLSON, Chairman

BY: Dan Erleudson
DANIEL F. ERLENDSON

BY: Brad Smith
BRAD SMITH, Commissioner

BY: _____
DARRIN MORRISON, Commissioner



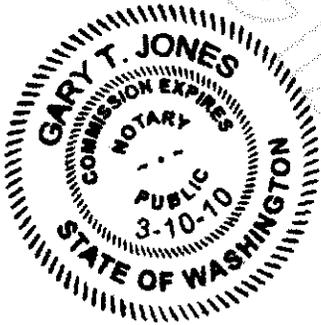
200611080123

Skagit County Auditor

STATE OF WASHINGTON)
)ss.
County of Skagit)

On this 14 day of Sept., 2006, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared DAVID OLSON, BRAD SMITH, and ~~DARRIN MORRISON~~, to me known to be the Chairman and Commissioners, respectively, of SKAGIT COUNTY DIKING DISTRICT NO. 3, a municipal corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute the said instrument and that the seal affixed, if any, is the corporate seal of said corporation.

WITNESS MY HAND AND OFFICIAL SEAL affixed the day and year first above written.



Gary T. Jones
NOTARY PUBLIC in and for the State
of Washington, residing at Mount Vernon
My commission expires: 3/10/2010

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

NOV 08 2006

Amount Paid \$
Skagit Co. Treasurer
By [Signature] Deputy



200611080123
Skagit County Auditor

11/8/2006 Page

3 of 3 3:15PM