

AFTER RECORDING RETURN TO:

Skagit County Public Works Department
Faye Ryan
1800 Continental Place
Mount Vernon, WA 98273

SKAGIT COUNTY

Contract # C20070056

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Skagit County Auditor

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DOCUMENT TITLE: RIGHT-OF-WAY EASEMENT

GRANTOR(S): Sierra Pacific Holding Company, a California corporation

GRANTEE: Skagit County, a Washington municipal corporation

LEGAL DESCRIPTION (abbreviated): PTN E ½ SE ¼ Section 35, Township 36, Range 8 East, W.M., LY ELY OF 440 FT CONTOUR LI USGS DATUM; Lake Shannon Road C.R.# 97229.

TAX I.D. NUMBER: 360835-4-001-0000

PARCEL NUMBER: P51694

RIGHT-OF-WAY EASEMENT

THE GRANTOR(S), Sierra Pacific Holding Company, a California corporation, owners of the property hereinafter described, for and in of the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby conveys to the GRANTEE, Skagit County, a municipal corporation of the State of Washington, a perpetual, exclusive easement for the purposes of a road right-of-way over, under, upon, and across, and through the parcel of land described in EXHIBIT "A", attached hereto and made a part hereof, which is herein incorporated by reference. The legal description for the easement is described in EXHIBIT "B", attached hereto and made a part hereof, which is herein incorporated by reference. Provided, Skagit County, as part of the consideration for this right-of-way easement, agrees to, and shall vacate any portion of the 1926 right-of-way granted to the County by Puget Sound Power and Light Co. (now Puget Sound Energy), as recorded May 4, 1926, in Volume 139, Page 448, Auditor's File #193867, records of Skagit County, Washington, that exists on the Grantor's property.

Conveying approximately 2.21 acres.

Together with the right to enter upon said land at any time with all necessary personnel, material, and equipment for the purposes of constructing, inspecting, repairing and maintaining said road right-of-way, including road slopes that may extend into Grantor's property, and necessary drainage for said road and right-of-way. Also, together with the right to grant utility franchises and install utilities, including extensions and improvements thereto.

Maintenance of Road:

Further Provided, that as part of the consideration for this Easement agreement, Skagit County accepts responsibility for the maintenance of the existing road; Provided, that the County shall only be responsible for the maintenance of the existing road subject to the following:

- a. The existing road is currently designated a "Primitive Road." The County shall not be responsible for making any improvements to the existing road, or otherwise be required to designate, maintain, or bring the existing road to any other County road standard.
- b. Because the existing road is currently designated a "Primitive Road", Grantor shall hold the County harmless for any liability and/or damages arising from and/or related to any failure of the County to maintain the existing road to any standard other than those provided and designated for roads designated a "Primitive Road."

The Skagit County Assessor will apportion the taxes as provided for by RCW 84.60.070.

This Easement shall commence upon recording of this Easement. This Easement agreement may be executed in any number of counterparts. Should any portion, term, or provision of this Easement be found to be void or unenforceable (by a Court of competent jurisdiction), all other provisions of this Easement shall remain enforceable and binding. This Easement agreement shall be construed under the laws of the State of Washington. Venue shall be in Skagit County, Washington.

The undersigned hereby agrees to surrender possession of lands or rights herein conveyed, granted, transferred, and/or released upon receipt of payment.

To Have and to Hold the same, unto the County of Skagit, in the State of Washington.

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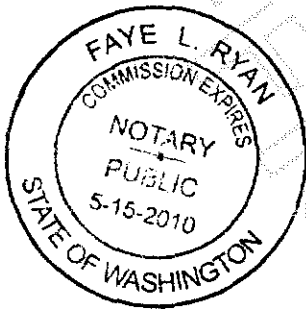
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GRANTOR(S):

In Witness Whereof, _____ hereunto
set _____ hand and seal this _____ day of _____,
2006.

Date: 1/3/07



By: Thomas C. Nelson

Print name: Thomas C. Nelson
Its (if corporation, partnership, LLC, or
other legal entity):
Sierra Pacific Industries

STATE OF WASHINGTON

COUNTY OF SKAGIT

ss.

On this day personally appeared before me

Thomas C. Nelson

To me known to be the individual described in and who executed the within
and foregoing instrument, and acknowledged that he/she signed the same as
his/her free and voluntary act and deed, and that he/she is authorized to sign
the forgoing instrument, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 3 day of January,
2006.7

Signed: _____

Print notary's name: Faye L. Ryan

Notary Public in and for the State of Washington,
residing at:

Stanwood, WA

My commission expires 5-15-2010

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SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

JAN 24 2007

Amount Paid
By Skagit Co. Treasurer
Deputy

[Signature]



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GRANTEE:

SKAGIT COUNTY, WASHINGTON

Dated this 22 day of January, 2007.

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON

Sharon D. Dillon
Sharon D. Dillon, Chairman

Don Munks
Don Munks, Commissioner

Kenneth A. Dahlstedt
Kenneth A. Dahlstedt, Commissioner

Approved:

By: W. Eugene Sampley
W. Eugene Sampley, P.E.
Director, County Engineer

By: Billie Kadrmas
Billie Kadrmas
Risk Manager

By: Trisha Logue
Trisha Logue, CPA
Budget & Finance Director

Approved as to Form Only:

By: M. Miller
Civil Deputy

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Attest: By: Linda Tanmen, Acting
JoAnne Giesbrecht, Clerk of the Board



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EXHIBIT "A"

**Sierra Pacific Holdings Legal Description
Parcel P51694**

The East $\frac{1}{2}$ of the Southeast $\frac{1}{4}$, lying easterly the 440 ft contour, USGS Datum, of
Section 35, Township 36 North, Range 8 East, W.M.

Situate in the County of Skagit, State of Washington.

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EXHIBIT "B"

**Easement Legal Description
Lake Shannon Road C.R. #97229**

A 60 foot road right of way easement located in the East $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of Section 35, Township 36 North, Range 8 East, W.M., being 30 feet on each side of the right of way centerline of Lake Shannon Road C.R.# 97229 as shown and described on that certain map entitled "Lake Shannon Road # 97229 Right of Way Easement" map, dated June 19, 2006, on file in the office of the Skagit County Engineer, Skagit County, Washington, and made a part hereof by reference, more particularly described as follows:

Said 60 foot road easement intersects and enters said East $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of Section 35 at Lake Shannon Road centerline station 97+66.72, at a point on the South line of said East $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of Section 35, as shown on "Lake Shannon Road #97229 Right of Way Easement" map; thence continues Northeasterly through said East $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of Section 35; and exits said East $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of Section 35 at Lake Shannon Road centerline station 107+30.27, being a point on the East line of said East $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of Section 35, and the termination of this easement.

Subject to easements of record.

Situate in the County of Skagit, State of Washington.

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