

**RETURN ADDRESS:**

Puget Sound Energy, Inc.  
Attn: ROW Department  
1700 East College Way  
Mount Vernon, WA 98273



200702120159

Skagit County Auditor

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**EASEMENT**

FIRST AMERICAN TITLE CO.

18969-1

ACCOMMODATION RECORDING ONLY

GRANTOR: LUND, JAY  
GRANTEE: PUGET SOUND ENERGY, INC.  
SHORT LEGAL: Portion NW 1/4 35-35-1  
ASSESSOR'S PROPERTY TAX PARCEL: P32593/350135-2-001-1539

For and in consideration of One Dollar (\$1.00) and other valuable consideration in hand paid, **JAY J. LUND** ("Grantor" herein), hereby conveys and warrants to **PUGET SOUND ENERGY, INC.**, a Washington Corporation ("Grantee" herein), for the purposes hereinafter set forth, a nonexclusive perpetual easement over, under, along across and through the following described real property ("Property" herein) in Skagit County, Washington:

**SEE EXHIBIT "A" AS HERETO ATTACHED AND BY REFERENCE INCORPORATED HEREIN.**

Except as may be otherwise set forth herein Grantee's rights shall be exercised upon that portion of the Property ("Easement Area" herein) described as follows:

**A strip of land ten (10) feet in width with five (5) feet on each side of the centerline of grantee's facilities as now constructed, to be constructed, extended or relocated lying within the above described parcel. Said centerline is generally located along that certain easement set out in Skagit County Auditor's File No. 9905070125.**

**This easement description may be superseded at a later date with a surveyed description provided at no cost to Grantee.**

**1. Purpose.** Grantee shall have the right to construct, operate, maintain, repair, replace, improve, remove, enlarge, and use the easement area for one or more utility systems for purposes of transmission, distribution and sale of electricity. Such systems may include, but are not limited to:

**Underground facilities.** Conduits, lines, cables, vaults, switches and transformers for electricity; fiber optic cable and other lines, cables and facilities for communications; semi-buried or ground-mounted facilities and pads, manholes, meters, fixtures, attachments and any and all other facilities or appurtenances necessary or convenient to any or all of the foregoing.

Following the initial construction of all or a portion of its systems, Grantee may, from time to time, construct such additional facilities as it may require for such systems. Grantee shall have the right of access to the Easement Area over and across the Property to enable Grantee to exercise its rights hereunder. Grantee shall compensate Grantor for any damage to the Property caused by the exercise of such right of access by Grantee.

**2. Easement Area Clearing and Maintenance.** Grantee shall have the right to cut, remove and dispose of any and all brush, trees or other vegetation in the Easement Area. Grantee shall also have the right to control, on a continuing basis and by any prudent and reasonable means, the establishment and growth of brush, trees or other vegetation in the Easement Area.

UG Electric 11/1998  
NW 35-35-1  
61833/105043084

No monetary consideration paid

**3. Grantor's Use of Easement Area.** Grantor reserves the right to use the Easement Area for any purpose not inconsistent with the rights herein granted, provided, however, Grantor shall not construct or maintain any buildings, structures or other objects on the Easement Area and Grantor shall do no blasting within 300 feet of Grantee's facilities without Grantee's prior written consent.

**4. Indemnity.** Grantee agrees to indemnify Grantor from and against liability incurred by Grantor as a result of Grantee's negligence in the exercise of the rights herein granted to Grantee, but nothing herein shall require Grantee to indemnify Grantor for that portion of any such liability attributable to the negligence of Grantor or the negligence of others.

**5. Abandonment.** The rights herein granted shall continue until such time as Grantee ceases to use the Easement Area for a period of five (5) successive years, in which event, this easement shall terminate and all rights hereunder, and any improvements remaining in the Easement Area, shall revert to or otherwise become the property of Grantor; provided, however, that no abandonment shall be deemed to have occurred by reason of Grantee's failure to initially install its systems on the Easement Area within any period of time from the date hereof.

**6. Successors and Assigns.** Grantee shall have the right to assign, apportion or otherwise transfer any or all of its rights, benefits, privileges and interests arising in and under this easement. Without limiting the generality of the foregoing, the rights and obligations of the parties shall inure to the benefit of and be binding upon their respective successors and assigns.

DATED this 5 day of FEBRUARY, 2008. *ddz*

GRANTOR:

BY:

JAY J. LUND

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

FEB 12 2007

STATE OF WASHINGTON )

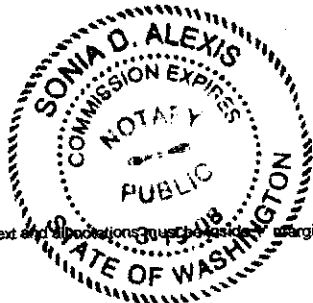
) ss

COUNTY OF )

Amount Paid \$ 0  
By lp Skagit Co. Treasurer  
Deputy

On this 5<sup>th</sup> day of FEBRUARY, 2008, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared **JAY J. LUND**, to me known to be the individual(s) who signed and executed the within and foregoing instrument, and acknowledged said instrument to be his/her/their free and voluntary act and deed.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.



Notary seal, text and all annotations must be within margins

(Signature of Notary)

SONIA D. ALEXIS

(Print or stamp name of Notary)

NOTARY PUBLIC in and for the State of Washington,  
residing at BELLINGHAM  
My Appointment Expires: 03/19/2008



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EXHIBIT "A"

PARCEL A:

All that portion of Lot 4, Short Plat No. 10-89, approved June 27, 1989, as recorded in Volume 8 of Short Plats, page 150, under Auditor's File No. 8908020066, records of Skagit County, Washington, lying West of the Plat of the Pointe Div. No. 3, as per plat filed in Volume 14 of Plats, pages 151 through 153, records of Skagit County, Washington.

PARCEL B:

All that portion of the South 200 feet of the East 980 feet of the Northwest Quarter of the Northwest Quarter of Section 35, Township 35 North, Range 1 East of the Willamette Meridian lying West of the following described tract of land:

All that portion of the Northwest Quarter of Section 35, Township 35 North, Range 1 East of the Willamette Meridian, Skagit County, Washington, being more particularly described as follows;

Beginning at the Southwest corner of the North Half of the Northwest Quarter of Section 35, as said point is shown on Short Plat No. 10-89, recorded August 2, 1989 in Book 8 of Short Plats at page 150, in the Auditor's office of said county and state;  
thence North 89°35'35" East, along the South line of said North Half, for a distance of 348.48 feet to the Southwest corner of the East 980 feet of the Northwest Quarter of the Northwest Quarter of Section 35;  
thence North 00°56'08" East along the West line of said East 980 feet for a distance of 200.00 feet to the Northwest corner of the South 200 feet of said East 980 feet;  
thence North 89°35'35" East along said North line of said South 200 feet for a distance of 343.17 feet to the true point of beginning;  
thence continuing North 89°35'35" East along said North line for a distance of 408.22 feet to the Northwest corner of that certain tract of land conveyed to Kevin P. Welch and Jenny Welch, husband and wife, by instrument dated December 19, 1995 and recorded under Auditor's File No. 9512290137, records of said county and state;  
thence South 03°40'59" West along the West line of said Welch tract for a distance of 120.79 feet to the most Northeasterly corner of Lot 38, Plat of the Point Div. No. 3, as per plat recorded in Volume 14 of Plats, pages 151, 152, and 153, records of said county and state;  
thence North 68°13'31" West along the most Northerly line of said Lot 38 for a distance of 22.31 feet;  
thence North 85°13'37" West, continuing along said most Northerly line for a distance of 68.92 feet;  
thence South 85°54'47" West, continuing along said most Northerly line for a distance of 88.21 feet;  
thence South 51°04'22" West, continuing along the most Northwesterly line of said Lot 38 for a distance of 166.06 feet to the most Northerly corner of Lot 36, said Plat of the Point Div. No. 3;  
thence South 50°44'21" West along the most Northwesterly line of said Lot 36 for a distance of 23.52 feet;  
said Lot 36 for a distance of 102.80 feet;  
thence North 40°21'05" West for a distance of 151.07 feet, more or less, to the true point of beginning;

(continued on next page)

Situate in the County of Skagit, State of Washington



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Skagit County Auditor

EXHIBIT "A"  
(continued from previous page)

PARCEL C:

All that portion of Lot 4, Short Plat No. 19-85, approved June 7, 1985, as recorded in Volume 7 of Short Plats, pages 24 and 25, under Auditor's File No. 8506100021, records of Skagit County, Washington, lying Northeasterly of Marine Drive, lying West of the Plat of the Pointe Division No. 3, as per plat recorded in Volume 14 of Plats, at pages 151, 152 and 153, records of Skagit County, Washington, and lying North of that certain tract of land described by instrument filed under Auditor's File No. 553733, records of Skagit County, Washington.

PARCEL D:

All that portion of the North Half of the Northwest Quarter of Section 35, Township 35 North, Range 1 East of the Willamette Meridian, Skagit County, Washington, more particularly described as follows:

Beginning at the Southwest corner of said North Half of the Northwest Quarter of Section 35, as said point is shown on Short Plat No. 10-89, as recorded August 2, 1989 in Book 8 of Short Plats at page 150, in the Auditor's office of said county and state;  
thence North 89°35'35" East, along the South line of said North Half, for a distance of 348.48 feet to the Southwest corner of the East 980 feet of the Northwest Quarter of the Northwest Quarter of Section 35;  
thence North 00°56'08" East along the West line of said East 980 feet for a distance of 200.00 feet to the Northwest corner of the South 200 feet of said East 980 feet;  
thence North 89°35'35" East along said North line of said South 200 feet for a distance of 343.17 feet;  
thence North 03°27'30" West for a distance of 138.08 feet;  
thence North 75°52'50" West for a distance of 564.32 feet;  
thence South 80°37'47" West for a distance of 130.28 feet to the West lipe of said North Half of the Northwest Quarter of Section 35;  
thence South 01°20'28" West along said West line for a distance of 459.35 feet, more or less, to the point of beginning.

Situate in the County of Skagit, State of Washington.



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