



200706220146
Skagit County Auditor

6/22/2007 Page 1 of 2 3:51PM

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 16th day of May, 2007, between **SKAGIT VALLEY COLLEGE FOUNDATION**, hereinafter referred to as "Grantor(s)", 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:

P25016

This easement will **supersede** that certain Water Pipeline Easement recorded under Auditor's File No. 9306150087.

Easement described as the north 35.00 feet and the east 40.00 feet of the west 830.00 feet of the following tract of land:

That portion of the Northwest quarter of the Northwest quarter of Section 16, Township 34 North, Range 4 East, W.M., described as follows:

Beginning at the Southwest corner of said subdivision; thence North 165.00 feet; thence East to the East line of said subdivision; thence South 165.00 feet; thence West to the POINT OF BEGINNING; EXCEPT the following described tract:

The road right-of-way known as the LaVenture Road along the West line thereof.

Situate in the County of Skagit, State of Washington.

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 or danger to said line or to persons or property by reason of proximity to the line. The Grantor agrees that title to all brush, other vegetation or debris trimmed, cut, and removed from the easement pursuant to this Agreement is vested in the District.

Grantors, their heirs, successors, or assigns hereby conveys and agrees not to construct or permit to be constructed structures of any kind on the easement area without written approval of the General Manager of the District. Grantors shall conduct their activities and all other activities on Grantor's

property so as not to interfere with, obstruct or endanger the usefulness of any improvements or other facilities, now or hereafter maintained upon the easement or in any way interfere with, obstruct or endanger the District's use of the easement.

The Grantors also agree to and with the District that the Grantors lawfully own the land aforesaid, has a good and lawful right and power to sell and convey same, that same is free and clear of encumbrances except as indicated in the above legal description, and that Grantors will forever warrant and defend the title to said easement and the quiet possession thereof against the lawful claims and demands of all persons whomsoever.

Any mortgage on said land held by a mortgagee is hereby subordinated to the rights herein granted to the District; but in all other respects the mortgage shall remain unimpaired.

In Witness Whereof, the Grantor hereunto sets his hand and seal this 16th day of May, 2007.

Rebecca Jensen
Signature

STATE OF Washington
COUNTY OF Snohomish

I certify that I know or have satisfactory evidence that Carla Johnson is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument, on oath stated that (he/she) was authorized to execute the instrument and acknowledged it as the President of **SKAGIT VALLEY COLLEGE FOUNDATION** to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Date: 5-16-07

Marion R Stewart
Notary Public in and for the State of Washington
My appointment expires: 1-9-2011



Easement
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX
JUN 22 2007
Amount Paid \$ 0
Skagit Co. Treasurer
By MM Deputy



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6/22/2007 Page 2 of 2 3:51PM