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Skagit County Auditor

10/12/2007 Page

1 of

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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 2ND day of October, 2007, between **RASPBERRY RIDGE APARTMENTS LIMITED PARTNERSHIP**, 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:

P62528, P62518 & P62519 - Easement Map - Exhibit "A"**Parcel "O":**

That portion of Lot 2 of Skagit County Short Plat No. 7-85, approved December 3, 1985 and recorded December 4, 1985 as Auditor's File No. 8512040005 in Book 7 of Short Plats, Page 85 that lies within the East 183.2 feet of the East 1/2 of Tract 37 "Plat of the Burlington Acreage Property" as per plat recorded in Volume 1 of Plats, Page 49, records of Skagit County, Washington, Except the North 16.5 feet thereof.

Parcel "P":

That portion of Lot 2 of Skagit County Short Plat No. 7-85, approved December 3, 1985 and recorded December 4, 1985 as Auditor's File No. 8512040005 in Book 7 of Short Plats, Page 85 that lies within the East Y2 of Tract "Plat of the Burlington Acreage Property" as per plat recorded in Volume 1 of Plats, Page 49, records of Skagit County, Washington, Except the East 183.2 feet of said East 1/2 and also except the north 16.5 feet thereof, and also except the West 16.5 feet of the North 208 feet of said East 1/2.

Parcel "Q":

That portion of Lot 2 of Skagit County Short Plat No. 7-85, approved December 3, 1985 and recorded December 4, 1985 as Auditor's File No. 8512040005 in Book 7 of Short Plats, Page 85 that lies within the West 1/2 of Tract 37 "Plat of the Burlington Acreage Property" as per plat recorded in Volume 1 of Plats, Page 49, records of Skagit County, Washington.

Easement Description:

A strip of land 30 feet in width, having 15 feet on either side of the following described centerline: Beginning at the northeastern most corner of the above described Reference Tract; thence S89°33'04"W along the North line of said Reference Tract a distance of 659.96 feet; thence S00°25'05"E a distance of 212.73 feet to the true point of beginning; thence N71°44'35"E a distance of 10.51 feet to a point herein referred to as Point "A"; thence continue N71°44'35"E a distance of 47.32 feet; thence N89°41'35"E a distance of 234.05 feet; thence S45°26'55"E a distance of 57.64 feet; thence S00°18'25"E a distance of 261.21 feet to a point herein referred to as Point "B"; thence S89°41'35"W a distance of 206.63 feet;

thence N39°57'47"W a distance of 45.24 feet; thence N00°18'09"W a distance of 267.04 feet to the terminus of said centerline.

Together with a strip of land 20 feet in width, having 10 feet on either side of the following described centerline:

Beginning at the above-described Point "A"; thence N00°25'05"W a distance of 209.52 feet to the North line of said Reference Tract and the terminus of said centerline.

Together with a strip of land 20 feet in width, having 10 feet on either side of the following described centerline:

Beginning at the above described Point "B"; thence N89°41'35"E a distance of 5.00 feet to the true point of beginning; thence S00°18'25"E a distance of 161.15 feet to the South line of said Reference Tract and the terminus of said centerline.

Situate in Skagit County, 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 2nd day of October, 2007.

RASPBERRY RIDGE APARTMENTS LIMITED PARTNERSHIP:

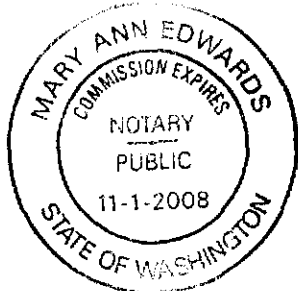
[Signature]

STATE OF Washington
COUNTY OF Skagit

I certify that I know or have satisfactory evidence that Paul Colbert is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as of **RASPBERRY RIDGE APARTMENTS LIMITED PARTNERSHIP** to be the free and voluntary act for the uses and purposes mentioned in the instrument.

Date: Oct 2, 2007

[Signature]
Notary Public in and for the State of Washington
My appointment expires: 11-01-2008



SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

OCT 12 2007

Amount Paid \$ 0
By Skagit Co. Treasurer
MEM County



P62528, P62518 & P62519
Easement Map - Exhibit "A"

