



200711060073

Skagit County Auditor

11/6/2007 Page

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8 3:05PM

WHEN RECORDED RETURN TO:
CASCADE NATURAL GAS CORPORATION
P.O. BOX 24464
SEATTLE, WASHINGTON 98124-0464
ATTENTION: Engineering / Right of Way

RIGHT OF WAY EASEMENT

CNG317

City: Burlington
County: Skagit
W.O.#: GG011844

The undersigned **PORT OF SKAGIT**, a Washington municipal corporation (hereinafter referred to as the "Grantor"), the owner of the real property described in Exhibit A hereto, for and in consideration of mutual benefit of the parties and other good and valuable consideration, the receipt of which is hereby acknowledged, does this 6TH day of November 2007, hereby grant and quit claim to **CASCADE NATURAL GAS CORPORATION**, a Washington corporation (hereinafter referred to as the "Grantee"), a nonexclusive easement over the property, legally described in Exhibit B and depicted in Exhibit C hereto:

ABBREVIATED LEGAL DESCRIPTION:

Portions of Section 33 and 34, Township 35 North, Range 3 East, W.M., and Sections 3, 4, and 10, Township 34 North, Range 3 East, W.M.

TAX PARCEL NUMBERS: P118877, 118876, 118882, 21081, 115562

The Grantee is granted the right to construct, install, operate, maintain, protect, improve, repair, and abandon in place a natural gas pipeline or pipelines, regulation devices, and metering equipment under, over, through, and across the above-described property. The Grantee is further granted an easement for the nonexclusive right of access to and from said property for the purpose of utilizing the rights herein granted. The pipeline to be installed pursuant to this easement will provide additional capacity and enhance Grantee's existing system and therefore will benefit Grantor and Grantor's tenants in the Bayview Business and Industrial Park and at the Skagit Regional Airport.

The term "pipeline" includes gas lines, services, machinery, equipment, and facilities related to the operation or maintenance of said gas lines so long as such pipeline is underground and does not interfere with Grantor's use of the property. The Grantor, on behalf of itself and its agents, invitees and licensees, agrees not to impair or interfere with the full use and enjoyment by the Grantee of the rights herein granted except as permitted hereby.

Without limiting the generality of the foregoing, the Grantor shall not erect any structure within the easement area, or conduct or permit any activities that may impair or interfere with the rights herein granted.

Grantor agrees to cooperate with Grantee who shall obtain all necessary permits, licenses and governmental action at the Grantee's sole expense so that Grantee may enjoy the full use and benefit of this right-of-way easement. Grantee shall at all times install, maintain and operate the pipeline in strict compliance with all applicable local, state and federal laws and regulations.

The Grantee agrees to hold the Grantor harmless from any loss, cost, or damage resulting from the installation, operation, or maintenance of any pipelines installed under the easement premises. Additionally, Grantee shall immediately repair any and all damage caused by the installation, operation or maintenance of any pipelines installed and/or, at Grantor's sole option, compensate Grantor therefor. Grantee shall not damage or interfere with long-term maintenance of other utilities located in the vicinity of Grantee's pipeline.

In any action to enforce its rights hereunder (and any appeal therefrom), the prevailing party shall receive an award of its costs, including attorney fees. Venue for any suit is exclusively Skagit County Superior Court.

This easement shall be binding upon the heirs, executors, administrators, personal representatives, successors, and assigns of the parties hereto.

IN WITNESS WHEREOF, the undersigned have executed this easement this 6th day of November 2007.

5172
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

NOV 06 2007

Amount Paid \$ 6
Skagit Co. Treasurer
By nam Deputy

PORT OF SKAGIT COUNTY

BY:

[Signature]
KEVIN WARE

Its: Commission President

BY:

[Signature]
JERRY KAUFMAN

Its: Commission Vice President

BY:

[Signature]
GLENN B. ALLEN, JR.

Its: Commission Secretary

RIGHT OF WAY EASEMENT
GRANTOR: PORT OF SKAGIT COUNTY
GRANTEE: CASCADE NATURAL GAS

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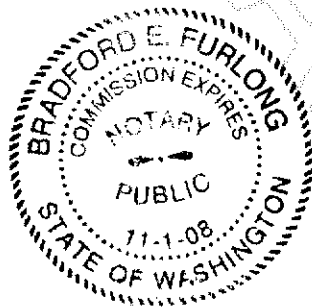
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Skagit County Auditor

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

On this 6th day of November 2007, before me, the undersigned, a Notary Public in and for the state of Washington, duly commissioned and sworn, personally appeared KEVIN WARE, JERRY KAUFMAN and GLENN B. ALLEN, JR., to me known to be the Commission President, Commission Vice President and Commission Secretary, respectively of the Port of Skagit County, the Washington 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.

Witness my hand and official seal hereto affixed the day and year first above written.



Bradford E. Furlong
Notary Public
Bradford E. Furlong
Print Name
In and for the state of Washington
Residing at Mt. Vernon
My Commission expires 11/1/8

RIGHT OF WAY EASEMENT
GRANTOR: PORT OF SKAGIT COUNTY
GRANTEE: CASCADE NATURAL GAS



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IN WITNESS WHEREOF, the undersigned has executed this easement and hereby accepts the terms set forth therein this 29th day of October 2007.

CASCADE NATURAL GAS CORPORATION

BY:

DANIEL E. MEREDITH

Its: Sr. Director, Safety & Engineering

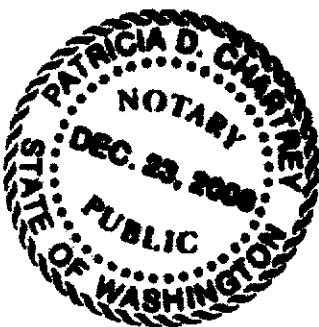
STATE OF WASHINGTON)

) ss.

COUNTY OF KING)

On this 29 day of OCTOBER 2007 before me, the undersigned, a Notary Public in and for the state of Washington, duly commissioned and sworn, personally appeared DANIEL E. MEREDITH, to me know to be the Sr. Director, Safety & Engineering of Cascade Natural Gas Corporation, the 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 he is authorized to execute the said instrument.

Witness my hand and official seal hereto affixed the day and year first above written.



Patricia Chartrey
Notary Public

PATRICIA D. CHARTREY

Printed Name

In and for the State of Washington

Residing at KITSAP COUNTY

My Commission expires Dec. 23, 2008

RIGHT OF WAY EASEMENT
GRANTOR: PORT OF SKAGIT COUNTY
GRANTEE: CASCADE NATURAL GAS



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EXHIBIT A

BAYVIEW AIRPORT - PERIMETER DESCRIPTION

Those portions of Sections 33 and 34, Township 35 North, Range 3 East, W.M., and of Sections 3, 4 and 10, Township 34 North, Range 3 East, W.M., described as follows:

Beginning at the intersection of the South line of the County Road along the North line of Section 34, Township 35 North, Range 3 East, W.M., and the West line of said Section 34;
thence East, along said South line of the County Road, a distance of 208 feet;
thence South to a point 300 feet North of the South line of the North $\frac{1}{4}$ of the North $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 34;
thence East, along a line which is 300 feet North of said South line, a distance of 291 feet to the East line of the West $\frac{1}{2}$ of the North $\frac{1}{4}$ of the North $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 34;
thence South, along the East line of said West $\frac{1}{2}$ of the North $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 34, a distance of 300 feet to the South line of said North $\frac{1}{4}$ of the North $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 34;
thence East, along said South line, to the East line of the Northwest $\frac{1}{4}$ of said Section 34;
thence South, along said East line, to the center of said Section 34;
thence East, along the East/West center line of said Section 34, to the East line of the West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of said Section 34;
thence South, along said East line, and along the East line of the West $\frac{1}{2}$ of the East $\frac{1}{2}$ of Section 3, Township 34 North, Range 3 East, W.M., to the North line of Ovenell Road;
thence West, along the North line of Ovenell Road, a distance of 100 feet;
thence Northwesterly to a point on the North line of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 3 that is 150 feet West of the Northeast corner thereof;
thence West, along the North line of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ to the Northwest corner thereof;
thence South, along the North/South center line of said Section 3 and the North/South center line of Section 10, Township 34 North, Range 3 East, W.M., to the Southeast corner of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 10;
thence South $0^{\circ}21'30''$ West, along the East line of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 10, a distance of 379.7 feet to the center of Higgins Slough;
thence South $83^{\circ}45'00''$ East, along the center of said slough, a distance of 56.1 feet;
thence South $77^{\circ}49'00''$ East a distance of 171.0 feet;
thence South $54^{\circ}30'00''$ East a distance of 67.0 feet;
thence South $46^{\circ}17'30''$ East a distance of 479.0 feet to the Northerly line of the Great Northern Railway right-of-way;
thence South $73^{\circ}20'30''$ West, along said Northerly line, to the North/South center line of said Section 10;
thence Southwesterly, along Northerly right-of-way line, to the East line of the West 687.7 feet, as measured along the North line, of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 10.



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thence North, along said East line of the West 687.7 feet, to the North line of said Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$;
thence West, along the North line thereof, a distance of 687.7 feet to the Northwest corner thereof;
thence North, along the West line of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 10, to the North line thereof, which point is also the South line of Section 3, Township 34 North, Range 3 East, W.M.;
thence West, along the South line of Sections 3 and 4 of said Township 34 North, Range 3 East, W.M., to the Southwest corner of said Section 4;
thence North, along the West line of said Section 4, to the Southwest corner of a tract conveyed to PACCAR Inc., a Delaware corporation, by deed recorded December 21, 1979, under Auditor's File No. 7912210064, said point being South $1^{\circ}18'41''$ West a distance of 746.70 feet from the West $\frac{1}{4}$ corner of said Section 4;
thence South $88^{\circ}37'12''$ West, a distance of 3,139.05 feet, along the South line of said PACCAR, Inc. tract, to the Southeast corner thereof;
thence North $0^{\circ}37'03''$ East, along the East line of said PACCAR, Inc. tract, a distance of 3,159.99 feet;
thence North $88^{\circ}39'12''$ West a distance of 120.01 feet;
thence North $0^{\circ}37'13''$ East a distance of 320.36 feet to the North line of said Section 4;
thence North $88^{\circ}37'12''$ West, along the North line of said Section 4, a distance of 2,601.20 feet to the Northwest corner of said Section 4;
thence North, along the West line of Section 33, Township 35 North, Range 3 East, W.M., to the North line of the South $\frac{1}{4}$ of the North $\frac{1}{4}$ of the North $\frac{1}{4}$ of said Section 33;
thence East, along said North line, to the East line of said Section 33;
thence North, along said East line, to the point of beginning.

EXCEPTING THEREFROM those portions above described which lie within the rights-of-way of the County Roads known as Ovenell Road, Farm-to-Market Road, Josh Wilson Road, Peterson Road and Higgins Airport Way.

Situate in the County of Skagit, State of Washington

NOTE: A portion of the property described above has been included within a Binding Site Plan known as "SKAGIT REGIONAL AIRPORT BINDING SITE PLAN PHASE 1", as approved August 22, 1986, and recorded August 25, 1986, in Volume 7 of Short Plats, pages 111 through 120, under Auditor's File No. 8608250002, records of Skagit County, Washington; being a portion of Section 34, Township 35 North, Range 3 East, W.M.

END OF EXHIBIT A



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EXHIBIT 'B'

LEGAL DESCRIPTION: Easement for Natural Gas Line

Parcel 'A'

An easement of varying width in Section 3, Township 34 North, Range 3 East, W.M., Skagit County, Washington, lying between the easterly right-of-way line of Higgins Airport Way, said road as described in deed to Skagit County filed under Auditor's File No. 8703030001, records of Skagit County, and the existing Skagit PUD water line centerline, said centerline as described in easement to Public Utility District No. 1 of Skagit County, recorded in Volume 1023 on pages 148 and 149, filed under Auditor's File No. 9111040032, records of Skagit County. The easement location is more specifically described as lying East of the easterly right-of-way line of Higgins Airport Way and West of the following described line:

Commencing at the Southwest corner of said Section 3, thence South 88° 05' 07" East along the South line of said Section 3, a distance of 2100.48 feet to the centerline of said water line, lying 60 feet, more or less, East of the centerline of said Higgins Airport Way, being also the TRUE POINT OF BEGINNING of this description; thence North 1° 28' 47" East, parallel to the centerline of said Higgins Airport Way, a distance of 1789.85 feet to the beginning of a curve to the right, having a radius of 640.00 feet; thence along the arc of said curve to the right through a central angle of 37° 31' 30" an arc distance of 419.16 feet; thence North 39° 00' 17" East, a distance of 1780.07 feet to the beginning of a curve to the left having a radius of 760.00 feet; thence along said curve to the left through a central angle of 70° 00' 07" an arc length of 928.54 feet; thence North 30° 59' 50" West a distance of 347.91 feet to the South line of Lot 4 of the Skagit Regional Airport Binding Site Plan Phase I, as per plat filed in Book 7 of Short Plats at pages 111 through 120, records of Skagit County, Washington, also shown as Lot 5 amended Skagit Regional Airport Binding Site Plan, Phase 1, as recorded under AF #200303040030, page 6 of 14, records of Skagit County, Washington, being the terminus of said easement.

Parcel 'B'

An easement across the Westerly 20.00 feet of Lot 4, as measured at right angles to the Westerly line of said Lot 4 of the Skagit Regional Airport Binding Site Plan Phase I, as per Plat filed in Book 7 of Short Plats, at pages 111 through 120, records of Skagit County, Washington, also shown as Lot 5 amended Skagit Regional Airport Binding Site Plan, Phase 1, as recorded under AF #200303040030, page 6 of 14, records of Skagit County, Washington.

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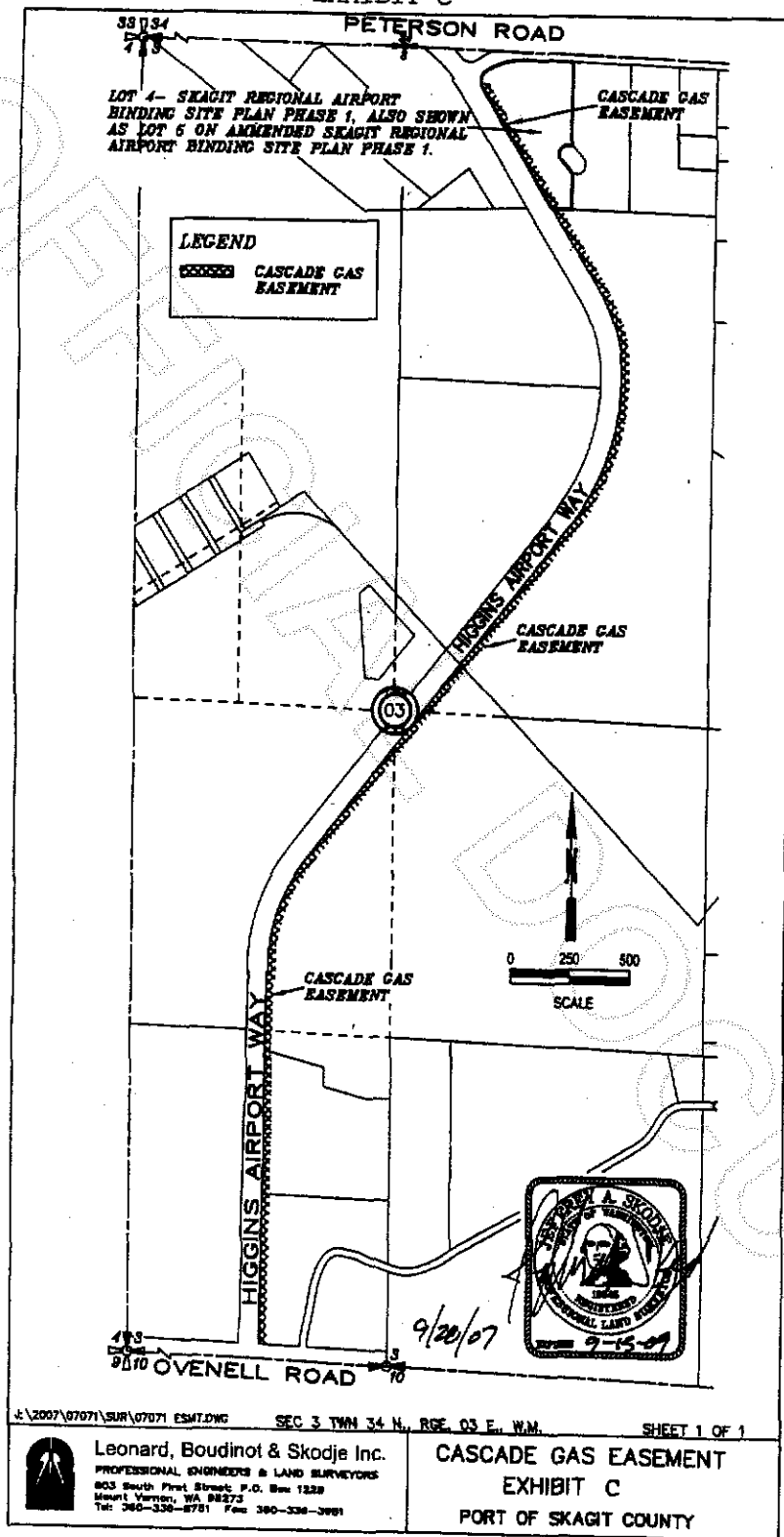


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10/09/07



EXHIBIT C



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