



200801280194

Skagit County Auditor

1/28/2008 Page 1 of 8 4:29PM

City of Burlington
Public Works Department
900 Fairview Avenue
P O Box 813
Burlington WA 98233

Document Title: Temporary Construction Easement

Reference P23730:

**Grantor(s): Daniel R. Mitzel and Patricia R. Burklund
Donald A. Debode and Patricia J. Debode**

Grantee(s): City of Burlington, Public Works Department

**Legal Description: A portion of the Northeast ¼ of Section 6, Township 34 North
Range 4 East, W. M., Skagit County, Washington**

Additional Legal Description is on Page 3 of Document.

**Assessor's Tax Parcel Number: 340406-0-105-0004 (P23730) &
340406-1-005-0600 (P112796)**

TEMPORARY EASEMENT

City of Burlington
Nevitt Road

GUARDIAN NORTHWEST TITLE CO.

B93127E-2

The Grantor(s), **Daniel R. Mitzel and Patricia R. Burklund and Donald A. Debode and Patricia J. Debode, as Trustees of the Donald A. Debode and Patricia J. Debode Revocable Living Trust**, for and in consideration of \$500.00, convey(s) and grant(s) unto the City of Burlington, Public Works Department, and its assigns under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and temporary easement over, upon, and across the hereinafter described lands for the purpose of restoration of property and access after re-construction Goldenrod Road along the east side of property and Andis Road along the northside of the property herein described:

The temporary rights herein granted shall terminate after construction of the **Nevitt**

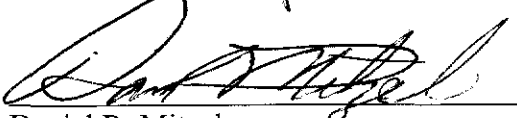
**TEMPORARY EASEMENT
Road Project.**

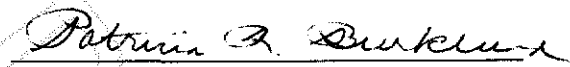
Said lands being situated in Skagit County, State of Washington, and described as follows:

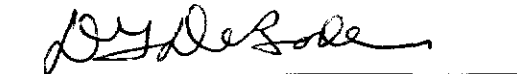
A portion of the Northeast ¼ of Section 6, Township 34 North Range 4 East, W. M., Skagit County Washington, more particularly described on "Mitzel Temporary Construction Easements 1 & 2 and South Mitzel Temporary Construction Easement" attached hereto and made a part hereof.

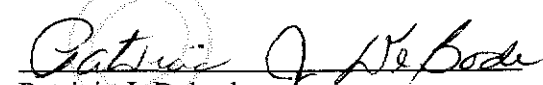
It is understood and agreed that delivery of this Easement is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Burlington, unless and until accepted and approved hereon in writing for the City of Burlington, Public Works Department by its Public Works Director.

Dated: Sept 20th, 2007


Daniel R. Mitzel


Patricia R. Burklund


Donald G. Debode


Patricia J. Debode


Accepted and Approved

CITY OF BURLINGTON
Public Works Department

By: _____
Chal A. Martin, Public Works Director

Date: _____

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REGISTERED IN WASHINGTON
JAN 8 3 2008

JAN 8 3 2008
By: 
Chal A. Martin, Public Works Director



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Skagit County Auditor

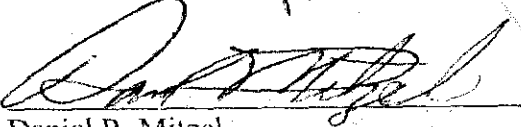
**TEMPORARY EASEMENT
Road Project.**

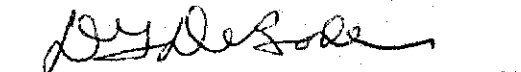
Said lands being situated in Skagit County, State of Washington, and described as follows:


A portion of the Northeast ¼ of Section 6, Township 34 North Range 4 East, W. M., Skagit County Washington, more particularly described on "Mitzel Temporary Construction Easements 1 & 2 and South Mitzel Temporary Construction Easement" attached hereto and made a part hereof.

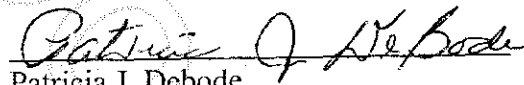
It is understood and agreed that delivery of this Easement is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Burlington, unless and until accepted and approved hereon in writing for the City of Burlington, Public Works Department by its Public Works Director.

Dated: Sept 20th, 2007


Daniel R. Mitzel


Donald G. Debode


Patricia R. Burklund


Patricia J. Debode

Accepted and Approved

CITY OF BURLINGTON
Public Works Department

By: 
Chal A. Martin, Public Works Director

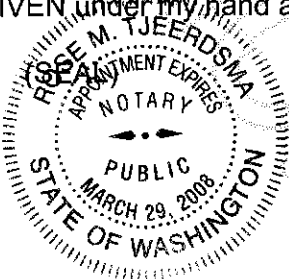
Date: October 1st, 2007



STATE OF WASHINGTON)
: ss
County of Skagit)

On this 20 day of Sept 2007 before me personally appeared Daniel R. Mitzel and Patricia R. Burklund, to me known to be the individuals described in and who executed the foregoing instrument, and acknowledged that they signed and sealed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal the day and year last above written.

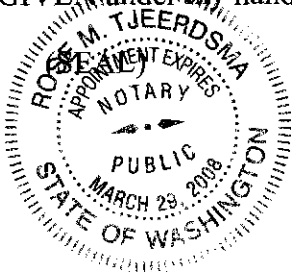


Rose M Tjeerdsma
Notary Public in and for the State of
Washington, residing at Burlington
My commission expires 3/29/08

STATE OF WASHINGTON)
: ss
County of Skagit)

On this 20 day of Sept 2007, before me personally appeared Donald G. Debone and Patricia J. Debone, as Trustee(s) of the Donald G. Debone and Patricia J. Debone Revocable Living Trust, to me known to be the individual(s) described in and who executed the foregoing instrument, and acknowledge that they signed the same as their free and voluntary act and in the capacity and for the uses and purposes therein mentioned.

GIVEN under my hand and official seal the day and year last above written.



Rose M Tjeerdsma
Notary Public in and for the State of
Washington, residing at Burlington
My commission expires 3/29/08



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MITZEL TEMPORARY CONSTRUCTION EASEMENT 1

That portion of the following described Parcel "A" in the Northeast 1/4 of Section 6, Township 34 North, Range 4 East, W.M., described as follows:

Beginning at the Northwest corner of Lot 3 of City of Burlington Short Plat Burl 4-94, approved May 16, 1995, and recorded May 24, 1995, in Book 11 of Short Plats, at pages 204 and 205, under Auditor's File No. 9505240069, records of Skagit County, Washington, being in a portion of the Northeast 1/4 of Section 6, Township 34 North, Range 4 East, W.M.;

thence South 87°51'08" East 37.61 feet along the North line of said Lot 3 (called South 88°59'18" East on said Short Plat) to the Northwest corner of said Parcel "A";

thence South 02°08'52" West 177.00 feet along the West line of said Parcel "A" (called South 01°00'42" West on said Short Plat) to the Southwest corner of said Parcel "A";

thence South 87°51'08" East 171.24' feet (called South 88°59'18" East on said Short Plat) along the South line of said Parcel "A";

thence North 07°20'45" West 22.99 feet to Highway Engineers Station (HES) NT 26+22.04, 100' Right, as determined from Record of Survey of the Nevitt Road Realignment, as per map thereof recorded under Auditor's File No. 200706060129 records of Skagit County, Washington;

thence North 82°39'15" East 64.00 feet to HES NT 26+22.04, 36' Right, as determined from said Record of Survey;

thence North 07°20'45" West 2.52 feet to HES NT 26+19.52, 36' Right, and a point of curvature;

thence Northwesterly along the arc of said curve to the left having a radius of 162.00 feet, through a central angle of 70°08'26", an arc distance of 198.32 feet to HES NT 23+77.12, 36' Right, and the True Point Of Beginning;

thence South 20°08'57" West 40.96 feet to HES NT 23+73.18, 76.65' Right;

thence North 70°05'25" West 60.00 feet to HES NT 23+29.84, 76.65' Right;

thence North 09°54'32" East 29.57 feet, more or less, to the North line of Parcel "A";

thence Easterly along said North line of Parcel "A" to a point that is North 20°08'57" East from the True Point Of Beginning;

thence South 20°08'57" West 1.74 feet, more or less to the True Point of Beginning.

PARCEL "A"

That portion of Lot 4 of City of Burlington Short Plat 4-94, approved May 16, 1995 and recorded May 24, 1995 in Book 11 of Short Plats, at pages 204 and 205, under Auditor's File No. 9505240069, being in a portion of the Northeast 1/4 of Section 6, Township 34 North, Range 4 East, W.M., described as follows:

Beginning at the Northeast corner of said Lot 4; thence North 88°59'18" West, along the North line thereof, a distance of 239.06 feet; thence South 1°00'42" West, a distance of 27.00 feet; thence South 88°59'18" East parallel to the North line of said Lot 4, a distance of 243.63 feet to the West right of way line of Goldenrod Road as shown on said



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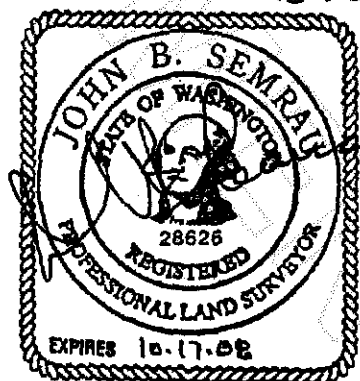
Short Plat; thence North 8°36'09" West, along said West line, a distance of 27.38 feet, more or less, to the point of beginning.

TOGETHER WITH Lot 3 of City of Burlington Short Plat 4-94, approved May 16, 1995 and recorded May 24, 1995 in Book 11 of Short Plats, at pages 204 and 205, under Auditor's File No. 9505240069, being in a portion of the Northeast ¼ of Section 6, Township 34 North, Range 4 East, W.M., EXCEPT the following described portion thereof:

Commencing at the Northeast corner of Lot 4 of said Short Plat; thence 88°59'18" West along the North line of said Lot 4, a distance of 239.06 feet to the TRUE POINT OF BEGINNING; thence North 1°00'42" East a distance of 150.00 feet to the South right of way line of Andis Road, as shown on said Short Plat; thence North 88°59'18" West along the South right of way line of Andis Road, a distance of 37.61 feet to the Northwest corner of said Lot 3; thence South 1°00'42" West, along the West line of said Lot 3, a distance of 150.00 feet to the Southwest corner thereof; thence South 88°59'18" East, along the South line of said Lot 3, a distance of 37.61 feet to the TRUE POINT OF BEGINNING.

AND ALSO TOGETHER WITH that portion of the South ½ of the Southwest ¼ of the Northeast ¼ of Section 6, Township 34 North, Range 4 East, W.M., described as follows:

Beginning at a point on the North line of the said South ½ of the Southwest ¼ of the Northeast ¼, 325.24 feet West of the Northeast corner thereof, said point being the intersection of the Westerly line of Primary State Highway No. 1 along the North line of said subdivision; thence North 89°02'30" West along the North line of said subdivision 194.14 feet; thence South 0°57'30" West 150 feet; thence South 89°02'30" East 236.66 feet, more or less, to the Westerly right of way line of said State Highway; thence North 14°52' West along said State Highway line 155.90 feet to the point of beginning; EXCEPT therefrom that portion thereof lying within the boundaries of Goldenrod Road and Andis County Road, and ALSO EXCEPT those portions thereof conveyed to Skagit County for said roads by Deeds recorded under Auditor's File Nos. 835798, 836976, 835797 and 836077, records of Skagit County, Washington; AND ALSO EXCEPT that portion conveyed to the City of Burlington by Deed recorded under Auditor's File No. 9505050031.



MITZEL TEMPORARY CONSTRUCTION EASEMENT 2

That portion of the following described Parcel "A" in the Northeast 1/4 of Section 6, Township 34 North, Range 4 East, W.M., described as follows:

Beginning at the Northwest corner of Lot 3 of City of Burlington Short Plat Burl 4-94, approved May 16, 1995, and recorded May 24, 1995, in Book 11 of Short Plats, at pages 204 and 205, under Auditor's File No. 9505240069, records of Skagit County, Washington, being in a portion of the Northeast 1/4 of Section 6, Township 34 North, Range 4 East, W.M.;
thence South 87°51'08" East 37.61 feet along the North line of said Lot 3 (called South 88°59'18" East on said Short Plat) to the Northwest corner of said Parcel "A";
thence South 02°08'52" West 177.00 feet along the West line of said Parcel "A" (called South 01°00'42" West on said Short Plat) to the Southwest corner of said Parcel "A";
thence South 87°51'08" East 171.24' feet (called South 88°59'18" East on said Short Plat) along the South line of said Parcel "A" to the True Point Of Beginning;
thence North 07°20'45" West 22.99 feet to Highway Engineers Station (HES) NT 26+22.04, 100' Right, as determined from Record of Survey of the Nevitt Road Realignment, as per map thereof recorded under Auditor's File No. 200706060129 records of Skagit County, Washington;
thence North 82°39'15" East 64.00 feet to HES NT 26+22.04, 36' Right;
thence continue North 82°39'15" East 7.16 feet, more or less to the East line of said Parcel "A";
thence Southerly along said East line to the Southeast corner of said Parcel "A";
thence North 87°51'08" West 72.23 feet, more or less, along said South line to the True Point Of Beginning.

PARCEL "A"

That portion of Lot 4 of City of Burlington Short Plat 4-94, approved May 16, 1995 and recorded May 24, 1995 in Book 11 of Short Plats, at pages 204 and 205, under Auditor's File No. 9505240069, being in a portion of the Northeast 1/4 of Section 6, Township 34 North, Range 4 East, W.M., described as follows:

Beginning at the Northeast corner of said Lot 4; thence North 88°59'18" West, along the North line thereof, a distance of 239.06 feet; thence South 1°00'42" West, a distance of 27.00 feet; thence South 88°59'18" East parallel to the North line of said Lot 4, a distance of 243.63 feet to the West right of way line of Goldenrod Road as shown on said Short Plat; thence North 8°36'09" West, along said West line, a distance of 27.38 feet, more or less, to the point of beginning.

TOGETHER WITH Lot 3 of City of Burlington Short Plat 4-94, approved May 16, 1995 and recorded May 24, 1995 in Book 11 of Short Plats, at pages 204 and 205, under Auditor's File No. 9505240069, being in a portion of the Northeast 1/4 of Section 6, Township 34 North, Range 4 East, W.M., EXCEPT the following described portion thereof:



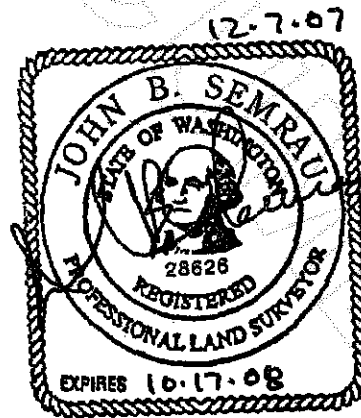
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Commencing at the Northeast corner of Lot 4 of said Short Plat; thence 88°59'18" West along the North line of said Lot 4, a distance of 239.06 feet to the TRUE POINT OF BEGINNING; thence North 1°00'42" East a distance of 150.00 feet to the South right of way line of Andis Road, as shown on said Short Plat; thence North 88°59'18" West along the South right of way line of Andis Road, a distance of 37.61 feet to the Northwest corner of said Lot 3; thence South 1°00'42" West, along the West line of said Lot 3, a distance of 150.00 feet to the Southwest corner thereof; thence South 88°59'18" East, along the South line of said Lot 3, a distance of 37.61 feet to the TRUE POINT OF BEGINNING.

AND ALSO TOGETHER WITH that portion of the South ½ of the Southwest ¼ of the Northeast ¼ of Section 6, Township 34 North, Range 4 East, W.M., described as follows:

Beginning at a point on the North line of the said South ½ of the Southwest ¼ of the Northeast ¼, 325.24 feet West of the Northeast corner thereof, said point being the intersection of the Westerly line of Primary State Highway No. 1 along the North line of said subdivision; thence North 89°02'30" West along the North line of said subdivision 194.14 feet; thence South 0°57'30" West 150 feet; thence South 89°02'30" East 236.66 feet, more or less, to the Westerly right of way line of said State Highway; thence North 14°52' West along said State Highway line 155.90 feet to the point of beginning; EXCEPT therefrom that portion thereof lying within the boundaries of Goldenrod Road and Andis County Road, and ALSO EXCEPT those portions thereof conveyed to Skagit County for said roads by Deeds recorded under Auditor's File Nos. 835798, 836976, 835797 and 836077, records of Skagit County, Washington; AND ALSO EXCEPT that portion conveyed to the City of Burlington by Deed recorded under Auditor's File No. 9505050031.



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