



200806030046

Skagit County Auditor

6/3/2008 Page

1 of

4 10:27AM

**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 2<sup>ND</sup> day of June, 2008, between **HOUSING AUTHORITY OF SKAGIT COUNTY**, 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:

**P62437 & P126057:**

(Exhibit Map attached)

THAT PORTION OF NEW PARCELS 1 AND 2 OF BOUNDARY LINE ADJUSTMENT DESCRIBED IN QUIT CLAIM DEED RECORDED UNDER AUDITOR'S NO. 200703140071, RECORDS OF SKAGIT COUNTY, WASHINGTON, LYING WITHIN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 35 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN, AND LYING WITHIN THE LIMITS OF A STRIP OF LAND 20.00 FEET WIDE AND HAVING 5.00 FEET OF SUCH WIDTH TO THE EAST, NORTHEAST, AND NORTH OF THE FOLLOWING DESCRIBED LINE, AND HAVING 15.00 FEET OF SUCH WIDTH TO THE WEST, SOUTHWEST, AND SOUTH OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT A MONUMENT MARKING THE INTERSECTION OF GARDNER ROAD AND LAFAYETTE ROAD IN THE SOUTHWEST QUARTER OF SAID SECTION 33; THENCE NORTH 89°46'20" EAST ALONG THE CENTERLINE OF LAFAYETTE ROAD A DISTANCE OF 1143.79 FEET; THENCE SOUTH 00°13'40" EAST A DISTANCE OF 30.00 FEET TO THE SOUTHERLY MARGIN OF LAFAYETTE ROAD; THENCE NORTH 89°46'20" EAST ALONG SAID SOUTHERLY MARGIN A DISTANCE OF 5.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 02°02'36" WEST A DISTANCE OF 41.58 FEET; THENCE SOUTH 02°52'04" WEST A DISTANCE OF 53.54 FEET; THENCE SOUTH 04°33'50" EAST A DISTANCE OF 123.25 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "A"; THENCE SOUTH 00°20'09" EAST A DISTANCE OF 58.41 FEET; THENCE SOUTH 04°40'34" WEST A DISTANCE OF 79.10 FEET; THENCE SOUTH 45°00'00" EAST A DISTANCE OF 23.30 FEET; THENCE SOUTH 90°00'00" EAST A DISTANCE OF 6.35 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "B"; THENCE CONTINUING SOUTH 90°00'00" EAST A DISTANCE OF 94.81 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "C"; THENCE CONTINUING SOUTH 90°00'00" EAST A DISTANCE OF 9.50 FEET; THENCE NORTH 76°09'26" EAST A

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 2<sup>nd</sup> day of June, 2008.

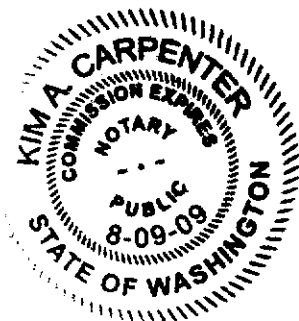
  
Paul Colbert, Executive Director

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 the **Executive Director of Housing Authority of Skagit County** to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.


Date: 6/2/2008

  
Notary Public in and for the State of WASHINGTON  
My appointment expires: 08/09/2009



SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

JUN 03 2008

Approved by  
Skagit Co. Treasurer  
By 



200806030046  
Skagit County Auditor

6/3/2008 Page 2 of 4 10:27AM

DISTANCE OF 66.12 FEET; THENCE NORTH 87°38'28" EAST A DISTANCE OF 221.35 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "D" AND THE END OF THIS CENTERLINE DESCRIPTION.

THE SIDELINES OF SAID STRIP BEING SHORTENED OR LENGTHENED SO THAT THEY INTERSECT UPON EACH OTHER AND UPON THE SOUTHERLY MARGIN OF LAFAYETTE ROAD.

TOGETHER WITH THAT PORTION OF NEW PARCEL 1 OF BOUNDARY LINE ADJUSTMENT DESCRIBED IN QUIT CLAIM DEED RECORDED UNDER AUDITOR'S NO. 200703140071, RECORDS OF SKAGIT COUNTY, WASHINGTON, LYING WITHIN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SEC 1 ION 33, TOWNSHIP 35 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN, AND LYING WITHIN THE LIMITS OF A STRIP OF LAND 20.00 FEET WIDE AND HAVING 5.00 FEET OF SUCH WIDTH TO THE NORTH, NORTHEAST, EAST, AND SOUTHEAST OF THE FOLLOWING DESCRIBED LINE, AND HAVING 15.00 FEET OF SUCH WIDTH TO THE SOUTH, SOUTHWEST, WEST, AND NORTHWEST OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE HEREINBEFORE DESCRIBED POINT "A"; THENCE NORTH 86°16'37" EAST A DISTANCE OF 34.05 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "E"; THENCE CONTINUING NORTH 86°16'37" EAST A DISTANCE OF 112.76 FEET; THENCE NORTH 88°54'21" EAST A DISTANCE OF 57.30 FEET; THENCE SOUTH 89°13'11" EAST A DISTANCE OF 57.52 FEET; THENCE SOUTH 86°25'25" EAST A DISTANCE OF 135.58 FEET; THENCE SOUTH 45°13'40" EAST A DISTANCE OF 28.77 FEET; THENCE SOUTH 00°13'40" EAST A DISTANCE OF 10.25 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "F"; THENCE CONTINUING SOUTH 00°13'40" EAST A DISTANCE OF 87.67 FEET; THENCE SOUTH 42°38'28" WEST A DISTANCE OF 16.30 FEET TO THE HEREINBEFORE DESCRIBED POINT "D" AND THE END OF THIS CENTERLINE DESCRIPTION.

THE SIDELINES OF SAID STRIP BEING SHORTENED OR LENGTHENED SO THAT THEY INTERSECT UPON EACH OTHER AND UPON THE PREVIOUSLY DESCRIBED STRIP.

TOGETHER WITH THAT PORTION OF NEW PARCEL 1 OF BOUNDARY LINE ADJUSTMENT DESCRIBED IN QUIT CLAIM DEED RECORDED UNDER AUDITOR'S NO. 200703140071, RECORDS OF SKAGIT COUNTY, WASHINGTON, LYING WITHIN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 35 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN, AND LYING WITHIN THE LIMITS OF A STRIPS OF LAND 10.00 FEET WIDE AND HAVING 5.00 FEET OF SUCH WIDTH TO EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINES:

BEGINNING AT THE HEREINBEFORE DESCRIBED POINT "B"; THENCE NORTH 00°00'00" EAST A DISTANCE OF 14.00 FEET TO THE END OF THIS CENTERLINE DESCRIPTION.

ALSO BEGINNING AT THE HEREINBEFORE DESCRIBED POINT "C"; THENCE NORTH 00°00'00" EAST A DISTANCE OF 16.55 FEET TO THE END OF THIS CENTERLINE DESCRIPTION.

ALSO BEGINNING AT THE HEREINBEFORE DESCRIBED POINT "E"; THENCE NORTH 04°49'34" WEST A DISTANCE OF 15.92 FEET TO THE END OF THIS CENTERLINE DESCRIPTION.

ALSO BEGINNING AT THE HEREINBEFORE DESCRIBED POINT "F"; THENCE NORTH 89°46'20" EAST A DISTANCE OF 16.00 FEET TO THE END OF THIS CENTERLINE DESCRIPTION.



