



200811190053

Skagit County Auditor

11/19/2008 Page 1 of 4 11:26AM

RETURN TO:

Attn: Director of Public Works/City Engineer
City of Sedro-Woolley
325 Metcalf Street
Sedro-Woolley, WA 98284

DOCUMENT TITLE(S) (or transactions contained herein):

**WAIVER OF PROTEST REGARDING ULID/LID WITHIN
THE CITY OF SEDRO-WOOLLEY**

REFERENCE NUMBER(S) OF DOCUMENTS ASSIGNED OR RELEASED:

GRANTOR(S) (Last name, first name and initials):

1. Skagit Habitat for Humanity, a Washington Non-Profit Corporation

GRANTEE(S) (Last name, first name and initials):

1. City of Sedro-Woolley

P126573

LEGAL DESCRIPTION (Abbreviated: i.e., lot, block, plat or quarter, quarter, section, township and range).

Lot 14 and the East ½ of Lot 15, Block 27, "PLAT OF THE TOWN OF SEDRO-WOOLLEY"
as per plat recorded in Volume 1 of Plats, page 17, records of Skagit County, Washington.

Except that portion of Lot 14 of said plat described as follows:

Beginning at the Southeast corner of said Lot 14; thence North 89° 59' 54" West, along the South line thereof, a distance of 11.80 feet; thence North 00°00' 07" West, a distance of 63.70 feet; thence North 89° 49'55" East, a distance of 3.89 feet; thence North 00° 00' 07" West , a distance of 56.25 feet, to a point on the North line of said Lot 14 which is 7.91 feet from the

Northeast corner thereof; thence North 89° 59' 55" East, a distance of 7.91 feet to the Northeast corner of said Lot 14; thence South 00° 00' 08" East, along the East line of said Lot 14, a distance of 119.97 feet, to the point of beginning of this description.

(Also known as Parcel "B" of Survey recorded under Auditor's File No. 200708230122.)

ASSESSOR'S PARCEL/TAX I.D. NUMBER:

P126573

**WAIVER OF PROTEST REGARDING ULID/LID FOR DEVELOPMENT
WITHIN THE CITY OF SEDRO-WOOLLEY**
(Must be recorded with the Skagit County Auditor)

THE UNDERSIGNED hereby agree as follows:

1. Parties. The Grantors to this agreement are: Skagit Habitat of Humanity, a Washington Non-Profit Corporation, owners, of certain real property situated in Skagit County, Washington, (hereinafter "Owner"). The Grantee is the City of Sedro-Woolley, a Washington Municipal Corporation.

2. Requested Approval. The Owner has applied to the City of Sedro-Woolley, Washington, for:

- ☐ City sewer service
- ☐ Approval of a short plat / subdivision / BSP / PUD
- ☒ Variance: Frontage improvements
- ☐ Other: Condition of short plat in City UGA under former ordinance.

This waiver is given as a condition of approval of the building permit BP-8-08.

3. Real Property. This Waiver of Protest concerns the following described real property, situated in Skagit County, Washington, and legally described as follows:

Lot 14 and the East ½ of Lot 15, Block 27, "PLAT OF THE TOWN OF SEDRO-WOOLLEY" as per plat recorded in Volume 1 of Plats, page 17, records of Skagit County, Washington.

Except that portion of Lot 14 of said plat described as follows:

Beginning at the Southeast corner of said Lot 14; thence North 89° 59' 54" West, along the South line thereof, a distance of 11.80 feet; thence North 00° 00' 07" West, a distance of 63.70 feet; thence North 89° 49' 55" East, a distance of 3.89 feet; thence North 00° 00' 07" West, a distance of 56.25 feet, to a point on the North line of said Lot 14 which is 7.91 feet from the Northeast corner thereof; thence North 89° 59' 55" East, a distance of 7.91 feet to the Northeast corner of said Lot 14; thence South 00° 00' 08" East, along the East line of said Lot 14, a distance of 119.97 feet, to the point of beginning of this description.

(Also known as Parcel "B" of Survey recorded under Auditor's File No. 200708230122.)



200811190053
Skagit County Auditor

4. LID/ULID Districts.

a. The Owner hereby waives all rights to protest against future Local Improvement District (LID) or Utility Local Improvement District (ULID) proceedings of the City of Sedro-Woolley for the construction of municipal improvements for: *(Check if applicable)*

- ☒ Sanitary sewer system improvements
- ☒ Water system improvements
- ☒ Streets, sidewalks, and ROW improvements
- ☒ Drainage facilities / storm sewer system improvements
- ☒ Other: street light improvements

For purposes of this waiver and power of attorney, "rights of protest" shall mean only those formal rights to protest contained within LID or ULID statutes, except, however, nothing herein shall constitute a waiver of Owner of the Owner's heirs, assign or successors in interest, of the right to object to the Owner's individual assessment amount or to appeal to the Superior Court the decisions of the Council affirming the final assessment roll, which rights are specifically preserved.

b. The Owner hereby grants and conveys to the Public Works Director/City Engineer at City of Sedro-Woolley, or his successor in interest or designee, a Special Power of Attorney to exercise any and all rights of the Owner, including any purchasers, mortgage holders, lien holders or other person who may claim an interest in the property described herein, to accomplish the following: At such time as a Local Improvements District or Utility Local Improvements District is proposed that would cause said improvements to be made available to the Owner's property described hereinabove, to execute a Petition on behalf of the Owner for the creation of such LID or ULID. This Special Power of Attorney is granted in consideration of the City executing this Instrument, and shall be a power coupled with an interest which may not be terminated. This Special Power of Attorney shall not be affected by the disability of the Owner.

c. The Owner hereby declares that she/he is/are the sole owner(s) of the property described herein and has/have full power to commit said property to this Waiver of Protest and Special Power of Attorney.

d. For purposes of compliance with RCW 35.43.182, the effective term of this Section (LID/ULID Districts) shall be a period of ten (10) years from the date hereof.

5. Enforcement. If the Owner fails to perform in good faith in accordance with this instrument, it is agreed that the City of Sedro-Woolley may, after giving 20 days notice thereof and an opportunity for hearing thereon, pursue any remedy, legal or equitable, including specific performance. The obligations set forth herein are in addition to any other obligations and conditions or annexation, sewer service, and other utilities, and not in lieu or satisfaction thereof

6. Ownership. The undersigned Owner(s) hereby declares that he/they is/are the sole owner(s) of the property described herein and has/have full power to commit said property to this Waiver of Protest and Special Power of Attorney.



200811190053
Skagit County Auditor

7. **Successors in Interest.** This waiver and power of attorney, and the promises and powers granted herein, do constitute a covenant running with the land described above and shall be binding on the Owner, his heirs, assigns and successors in interest to such property, and that this document shall be filed for record in the office of the Skagit County Auditor.

8. **Non-Merger.** The obligations set forth in this document are in addition to any other conditions of approval, obligations, and duties imposed by law, statute, ordinance, administrative approval, or otherwise, including those required by the permitting authority, hearing body, or shown on the face of the recorded plat or subdivision document, and are not in lieu thereof.

DATED this 19th day of November, 2008.

OWNER(S):

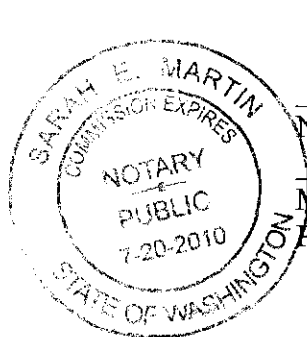
Skagit Habitat for Humanity, a Washington Non-Profit Corporation

By: Wayne Wegner
Authorized Agent

STATE OF Washington)
) SS.
COUNTY OF Skagit)

On this day personally appeared before me Wayne Wegner, to me known to be the Authorized Agent of Skagit Habitat for Humanity, a Non-Profit Corporation described in and who executed the within and foregoing instrument, and acknowledged that he/she signed the same with full authority on behalf of said corporation, as the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 19th day of November, 2008.



Sarah E Martin
Notary Public in and for the State of Washington, residing at Skagit County
My Commission Expires: 7/20/2010
Print Name Sarah Martin



200811190053
Skagit County Auditor