



200901210087
Skagit County Auditor

1/21/2009 Page 1 of 9 4:06PM

After Recording Please Return To:

Attn:
Skagit County Sewer District No. 2
17079 State Route 9
Mount Vernon, Washington 98274-9366
(360) 422-8373

Document Title(s): Sewer Easement

Reference Number(s) of Documents Assigned or Released: _____

☐ Additional on page _____ of document.

Grantor(s): (Print Last name, First name, and Initials)

1. Nookachamp Hills, LLC
2. _____
3. _____

☐ Additional on page _____ of document.

Grantee(s): Skagit County Sewer District No. 2

Legal Description (abbreviated: i.e. lot, block, plat of section, township, range):

Portions of Sections 30 and 31, T34N, R5E, W.M.

☒ Additional legal description is on pages two through eight of document.

Assessor's Property Tax Parcel / Account Number:

P127791, P127806, P127789, P127790, P127788, P127787, P127786,
P127785, P127764, P127763, P127762, P127761, P127758, P127757, P127756,
P127753, P127752, P127755, P127754, P127749, P127813, P127747, P127746,
P127743, P127819, P127716, P127715, P127720, P127721, P127722

☐ Additional Parcel Numbers for additional legals are on page _____ of document.

SEWER EASEMENT

THIS AGREEMENT made this 27th day of March, 2008, by and between SKAGIT COUNTY SEWER DISTRICT NO. 2, a municipal corporation of Skagit County, Washington, hereinafter termed "Grantee" and Nookachamp Hills, LLC, hereinafter termed "Grantor".

WITNESSETH:

That the said Grantor for valuable consideration does by these presents grant unto the Grantee a perpetual right-of-way or easement for sewer mains with the necessary appurtenances through, over and across the following described property situated in Skagit County, Washington, more particularly described as follows:

Portions of said Nookachamp Hills PUD Phase III & IV as recorded at AF# 20080724
0089, Records of Skagit County, more particularly described as follows:

"Lots 162, 168, and 167"

The Southerly 10.00 feet of Lot 167 as measured at a right angle therefrom, of said Nookachamp Hills PUD Phase III & IV being in a portion of the Northwest Quarter of Section 31, Township 34 North, Range 5 East, WM.,

TOGETHER WITH the following described parcel:

Commencing at the Southwest corner of Lot 162 of said Nookachamp Hills PUD Phase III & IV, being a portion of the Northwest Quarter of Section 31, Township 34 North, Range 5 East, WM; Thence North 68° 36' 57" East along the South line of said lot 162 a distance of 35.64 feet to the TRUE POINT OF BEGINNING; Thence North 10° 31' 34" West 20.36 feet to a point which lies 20.00 feet Northwesterly measured at a right angle to the South line of said lot 162; Thence North 68° 36' 57" East parallel to the South line of said Lot 162 a distance of 81.48 feet to a point on the East line of Lot 162; Thence South 13° 24' 53" East, along said line, 20.20 feet to the Southeast corner of said Lot 162; Thence South 68° 36' 57" West 82.51 feet along the South line of said Lot 162 to the TRUE POINT OF BEGINNING.

TOGETHER WITH the following described parcel:

Commencing at the Northwest corner of Lot 168 of said Nookachamp Hills PUD Phase III & IV, being in a portion of the Northwest Quarter of Section 31, Township 34 North, Range 5 East, WM; Thence North 68° 36' 57" East along the North line of said lot 168 a distance of 35.64 feet to the TRUE POINT OF BEGINNING; Thence South 10° 31' 34" East 10.18 feet to a point which lies 10.00 feet Southeasterly measured at a right angle to the North line of said Lot 168; Thence North 68° 36' 57" East parallel to the North line of said Lot 168 a distance of 83.03 feet; Thence North 13° 24' 53" West 10.10 feet to



the Southeast corner of Lot 162; Thence South 68° 36' 57" West along the North line of Lot 168 a distance of 82.51 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH the following described parcel:

"Lots 163, 162, 168, and 169"

A 35.00 foot Easement for a Sanitary Sewer line and Access road over, under and across a portion of Lots 163, 162, 168, and 169 of said Nookachamp Hills PUD Phase III & IV in a portion of the Northwest Quarter of Section 31, Township 34 North, Range 5 East, WM., described as follows:

Beginning at the Southeast corner of said Lot 169; Thence North 25° 39' 13" East along the East line of said Lot 169 a distance of 44.50 feet; Thence South 89° 40' 37" West parallel to the South line of said Lot 169 a distance of 44.93 feet; Thence North 24° 30' 03" West parallel to the West line of said Lot 169 a distance of 92.59 feet; Thence North 10° 31' 34" West parallel to the Westerly line of said Lot 168 a distance of 156.96 feet; Thence North 20° 15' 52" West parallel to the West line of said Lot 162 a distance of 297.52 to a point on the North Lot line of said Lot 163; Thence South 72° 03' 13" West along the North line of said Lot 163 a distance of 5.00 feet to the Northwest corner of said Lot 163; Thence South 20° 15' 52" East along the West line of said Lot 163 a distance of 6.00 feet to the Northern most corner of said Lot 162; Thence South 72° 03' 13" West along the Northern most line of said Lot 162 a distance of 30.02 feet to the Northwest corner of said Lot 162; Thence Southerly along the West line of Lots 162, 168 and 169 the following courses, South 20° 51' 52" East 289.95 feet; Thence South 10° 31' 34" East 158.26 feet; Thence South 24° 30' 03" East 125.01 feet to the Southwesterly corner of said Lot 169; Thence North 89° 40' 37" East along the South line of said Lot 169 a distance of 45.85 feet to the point of Beginning.

TOGETHER WITH the following described parcel:

"Lots 190, 193, 194 and Open Space"

An Easement for Sanitary Sewer and Access over, under and across a portion of Lots 190, 193, 194, and Open space of said Nookachamp Hills PUD Phase III & IV being in a portion of the Northwest Quarter of Section 31, Township 34 North, Range 5 East, WM., described as follows:

Beginning at the Northwest corner of Lot 189 of said Plat; Thence South 76° 13' 28" West 10.02 feet to a point 20.00 feet measured at right angle from the West line of said Lot 190; Thence North 10° 11' 12" West parallel to the West line of said Lot 190 a distance of 272.15 feet; Thence North 46° 04' 22" West 181.07 feet to a point on the North line of said Lot 194; Thence North 83° 19' 13" West along the North line of said Lot 194 a distance of 33.04 feet; Thence South 46° 04' 22" East 200.90 feet to a point on the Southern most section of the West line of said Lot 194; Thence South 10° 11'



12" East along the West line of Lots 194, 193, and 190 a distance of 391.75 feet to the Southwest corner of said Lot 190; Thence North 72° 03' 10" East along the Southern most line of said Lot 190 a distance of 30.28 feet to the Southeasterly corner of said Lot 190; Thence North 10° 11' 12" West along the Southern most East line of said Lot 190 a distance of 122.61 feet to the point of Beginning.

TOGETHER WITH the following described parcel:

"Tract 7"

An Easement for Sanitary Sewer and Access over, under and across Tract 7 of said Nookachamp Hills PUD Phase III & IV being in a portion of the Northwest Quarter of Section 31, Township 34 North, Range 5 East, WM.

TOGETHER WITH the following described parcel:

"Lots 202, 203, 204, 205, 208, 209, 210, and 211"

An Easement for Sanitary Sewer and Access over, under and across a portion of Lots 202, 203, 204, 205, 208, 209, 210, and 211 of said Nookachamp Hills PUD Phase III & IV being in a portion of the Northwest Quarter of Section 31 and the Southwest Quarter of Section 30, Township 34 North, Range 5 East, WM., described as follows:

Beginning at the Northwest corner of Tract 7 of said Plat; Thence North 39° 45' 28" West along the Southwesterly line of said Lots 202, 203, and 204 a distance of 245.17 feet to an angle point on the West line of said Lot 204; Thence along the Westerly line of Lots 204, 205, 208, 209, 210 and 211 the following courses, North 05° 21' 21" East 101.13; Thence North 06° 02' 04" West 156.18 feet; Thence North 00° 09' 08" West 220.02 feet; Thence North 21° 35' 18" West 200.47 feet; Thence North 57° 39' 20" West 8.49 feet; Thence leaving said line North 21° 35' 18" West 75.88 feet to a point on the Northwesterly line of said Lot 211; Thence along said line North 29° 37' 54" East 67.67 feet to the Northern most corner of said Lot 211; Thence Southeasterly along a non-tangent curve concave to the Northeast whose radius point bears North 27° 20' 06" East 300.00 feet through a central angle of 3° 49' 51" an arc distance of 20.06 feet; Thence South 29° 37' 54" West parallel to the Northwesterly line of said Lot 211 a distance of 59.56; Thence South 21° 35' 18" East 372.24 feet; Thence South 00° 09' 08" East parallel to the West line of said Lot 208 a distance 54.89 feet; Thence South 86° 49' 59" East 21.48 feet to a point on the Southeasterly line of said Lot 208; Thence South 61° 41' 54" West along said line of 33.37 feet; Thence South 03° 10' 01" West 50.92 feet; Thence South 06° 02' 04" East 106.01 feet to a point on the Southerly line of said Lot 205; Thence South 82° 37' 58" West along said line 10.00 feet; Thence South 06° 02' 04" East parallel to the Northern section of the West line of said Lot 204 a distance of 59.87 feet; Thence South 05° 21' 21" West parallel to the Southern section



of the West line of said Lot 204 a distance of 91.66 feet; Thence South 39° 45' 28" East parallel to the Southeasterly line of said Lots 202 and 203 a distance of 264.35 feet to a point on the North line of said Tract 7; Thence North 83° 19' 13" West along the North line of said Tract 7 a distance of 43.53 feet to the point of beginning.

TOGETHER WITH the following described parcel:

"Lots 232, 233, 234, 235, 236, and 237"

An Easement for Sanitary Sewer and Access over, under and across a portion of Lots 232, 233, 234, 235, 236, and 237 of said Nookachamp Hills PUD Phase III & IV being in a portion of the Southwest Quarter of Section 30, Township 34 North, Range 5 East, WM., described as follows:

Beginning at the Southwest corner of said Lot 232; Thence North 24° 07' 14" West along the West line of said Lots 232, 233, and 234 a distance of 306.91 feet to the Northeast corner of Lot 231 of said Plat; Thence South 61° 30' 20" West along the North line of said Lot 231 a distance of 10.03 feet; Thence North 24° 07' 14" West parallel to the West line of said Lots 234 and 235 a distance of 152.60 feet to a point on the Southwesterly line of said Lot 236; Thence North 61° 44' 56" West along said line 144.17 feet to the Northwest corner of said Lot 236; Thence North 63° 14' 32" East along the North line of said Lot 236 a distance of 12.21 feet; Thence South 61° 44' 56" East 159.89 feet to a point on the Southerly line of said Lot 236; Thence South 60° 36' 52" West along said line 1.80 feet; Thence South 24° 07' 14" East parallel to the West line of Lots 235, 234, 233, and 232 a distance of 292.23 feet to a point on the southwesterly line of said Lot 233; Thence North 60° 36' 52" East along said line 2.01 feet; Thence South 24° 07' 14" East a distance of 122.64 feet; Thence South 40° 11' 49" East 31.57 feet to a point on the Southeasterly line of said Lot 232; Thence Southwesterly along a non-tangent curve concave to the Northwest whose radius bears North 33° 25' 05" West 249.00 feet through a central angle of 4° 45' 18" an arc distance of 20.66 feet to the point of Beginning.

TOGETHER WITH the following described parcel:

"Lots 202 and 201"

The East 5.00 feet, as measured at a right angle therefrom, of Lot 202 said Nookachamp Hills PUD Phase III & IV being in a portion of the Southwest Quarter of Section 30, Township 34 North, Range 5 East, WM.

TOGETHER WITH the West 10.00 feet of Lot 201, as measured at a right angle therefrom, said Nookachamp Hills PUD Phase III & IV being in a portion of the Southwest Quarter of Section 30, Township 34 North, Range 5 East, WM.



TOGETHER WITH the following described parcel:

"Lots 203 and 204"

An Easement for Sanitary Sewer and Access over, under and across Lots 203 and 204 of said Nookachamp Hills PUD Phase III & IV in a portion of the Southwest Quarter of Section 30, Township 34 North, Range 5 East, WM., described as follows:

The Northwestern 7.00 feet of said Lot 203 and the Southeasterly 5.00 feet of said Lot 204, measured at a right angles therefrom, except the Southwesterly 30.00 feet thereof.

TOGETHER WITH the following described parcel:

"Lot 162"

An Easement for Sanitary Sewer over, under and across Lot 162 of said Nookachamp Hills PUD Phase III & IV being in a portion of the Northwest Quarter of Section 31, Township 34 North, Range 5 East, WM., described as follows:

Beginning at the Northeast corner of said Lot 162; Thence South $66^{\circ} 34' 51''$ West, along the North line of said Lot 162, a distance of 99.21 feet; Thence South $20^{\circ} 15' 52''$ East, parallel to the West line of Lot 162, a distance of 10.02 feet; Thence North $66^{\circ} 34' 51''$ East, parallel to the North line of said Lot 162, a distance of 98.00 feet, to a point on the East line of Lot 162; Thence North $13^{\circ} 24' 53''$ West, along the East line thereof, 10.15 to the point of beginning.

TOGETHER WITH the following described parcel:

"Lot 193 and 194"

An Easement for Sanitary Sewer over, under and across a portion of Lot 193 of said Nookachamp Hills PUD Phase III & IV being in a portion of the Northwest Quarter of Section 31, Township 34 North, Range 5 East, WM., described as follows:

Beginning at the Southeast corner of Lot 194 of said Plat; Thence South $73^{\circ} 57' 12''$ West along the South line of said Lot 194 a distance of 110.61, to a point which lies 20.00 feet Easterly of the West line of said Lot 193 when measured at a right angle therefrom; Thence South $10^{\circ} 11' 12''$ East, parallel to the West line of said Lot 193, a distance of 10.05 feet; Thence North $73^{\circ} 57' 12''$ East parallel to the South line of said Lot 194 a distance of 140.56 feet to a point on the East line of said Lot 193; Thence North $09^{\circ} 08' 16''$ West, along the East line of said Lot 193, a distance of 22.73 feet; Thence South $28^{\circ} 57' 12''$ West 17.77 feet; Thence South $73^{\circ} 57' 12''$ West 19.18 feet to the point of beginning.



TOGETHER WITH The Southeasterly 5.00 feet of Lot 194 of said plat, EXCEPT for the southwesterly 20.00 feet thereof.

TOGETHER WITH the following described parcel:

"Lot 238, Tract 1"

The East 50.00 feet of Tract 1 of said Nookachamp Hills PUD Phase III & IV being in a portion of the Southwest Quarter of Section 30, Township 34 North, Range 5 East, WM.,

TOGETHER WITH The West 10.00 feet of Lot 238 of said plat.

TOGETHER WITH the following described parcel:

"Lots 190 and 193"

An Easement for Sanitary Sewer over, under and across a portion of Lots 190 and 193 of said Nookachamp Hills PUD Phase III & IV being in a portion of the Northwest Quarter of Section 31, Township 34 North, Range 5 East, WM., described as follows:

The Northwesternly 7.00 feet of Lot 190 and the Southeasterly 5.00 feet of Lot 193 of said Plat, except the Southwesterly 20.00 feet thereof.

TOGETHER WITH the following described parcel:

"Lot 196"

An Easement for Sanitary Sewer over, under and across the Southwesterly 10 feet of Lot 196 as measured at a right angle therefrom, of said Nookachamp Hills PUD Phase III & IV being in a portion of the Northwest Quarter of Section 31 and the Southwest Quarter of Section 30, Township 34 North, Range 5 East, WM.

TOGETHER WITH the following described parcel:

"Lots 199 & 200"

An Easement for Sanitary Sewer over, under and across the Southwesterly 10 feet of Lot 199 as measured at a right angle therefrom;

TOGETHER WITH The East 2.00 feet of the North 87.39' of Lot 200 of said Nookachamp Hills PUD Phase III & IV being in a portion of the Northwest Quarter of Section 31 and the Southwest Quarter of Section 30, Township 34 North, Range 5 East, WM.



TOGETHER WITH the following described parcel:

"Open Space – Pump Station, Force Main and Sewer Main"

An Easement for Sanitary Sewer, Pump Station and Access over, under and across a portion of the Open Space of Nookachamp Hills PUD Phase III & IV being in a portion of the Northwest Quarter of Section 31 and the Southwest Quarter of Section 30, Township 34 North, Range 5 East, WM., described as follows.

Beginning at the Northeast corner of Tract 7 of said Plat; Thence North 39° 45' 28" West along the Southwesterly line of Lots 202, 203, and 204 of said Plat 237.16 feet to point on the Southwesterly line of said Lot 204; Thence South 48° 53' 46" West 78.16 feet; Thence South 07° 16' 43" West 119.93 feet; Thence South 47° 47' 14" West 136.11 feet; Thence South 84° 48' 08" West 40.16 feet; Thence North 80° 09' 14" West 45.88 feet; Thence North 68° 01' 43" West 27.85 feet; Thence South 23° 43' 51" West 24.18 feet; Thence South 66° 16' 09" East 31.76 feet; Thence South 39° 06' 16" East 29.05 feet; thence South 04° 42' 21" West 37.35 feet; Thence South 19° 14' 04" West 167.54 feet to a point on the Easterly line of Tract "H" of the Plat Nookachamp Hills PUD Phase IIB Approved August 23, 2005 and Recorded August 23, 2005 under Auditors file no 200508230082, records of Skagit County Washington; Thence South 39° 43' 18" East along the Easterly line of said Tract "H" 19.42 feet to an angle point on the East line of said Tract "H"; Thence South 04° 56' 03" West along the East line of said Tract "H" 54.09 feet; Thence North 19° 14' 04" East 238.96 feet; Thence North 47° 47' 14" East 188.48 feet; Thence North 69° 45' 00" East 102.66 feet; Thence South 79° 04' 55" East 135.45 feet to a point on the West line of said Tract 7; Thence North 06° 32' 21" East 24.58 feet to the point of beginning.

Situate in the County of Skagit, State of Washington.

That said Grantee shall have the right without prior institution of any suit or proceeding at law, at such times as may be necessary, to enter upon said property for the purpose of constructing, repairing, altering, or reconstructing said sewer main, or making any connections therewith, without incurring any legal obligation or liability therefore; provided that such constructing, repairing, altering, or reconstructing of said sewer main shall be accomplished in such a manner that the private improvements existing in this right-of-way shall not be disturbed or destroyed, or in the event they are disturbed or destroyed, they will be replaced in as good a condition as they were immediately before the property was entered upon by the Grantee.

The Grantor shall retain the right to use the surface of said easement, so long as said use does not interfere with the installation and maintenance of the sewer main and so long as no permanent buildings or structures are erected on said easement.



This easement shall be a covenant running with the land and shall be binding on the successors, heirs, and assigns of both parties hereto.

Nookachamp Hills, LLC

By:

[Signature]
Signature

Assent
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

JAN 21 2009

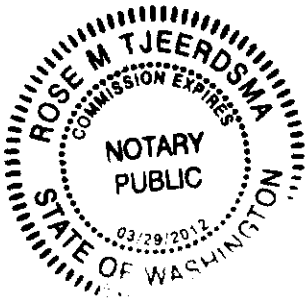
Amount Paid ☒
Skagit Co. Treasurer
By *[Signature]* Deputy

STATE OF WASHINGTON)

) SS

COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that Don R. Mitzel is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute this instrument and acknowledged it as the Managing Member of Nookachamp Hills, LLC to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.



Date: 3/27/08

Signature: *[Signature]*
Notary Public in and for the State of Washington

My Commission Expires: 3/29/2012

