

RETURN ADDRESS:

Puget Sound Energy, Inc.
Attn: R/W Department
1660 Park Lane
Burlington, WA 98233



200904200154

Skagit County Auditor

4/20/2009 Page

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4 2:13PM

EASEMENT

GRANTOR: TWADDLE FAMILY TRUST
GRANTEE: PUGET SOUND ENERGY, INC.
SHORT LEGAL: Portion NE 1/4 28-36-4
ASSESSOR'S PROPERTY TAX PARCEL: P50170 & P114133

GUARDIAN NORTHWEST TITLE CO.

ACCOMMODATION RECORDING ONLY

M9326

For and in consideration of One Dollar (\$1.00) and other valuable consideration in hand paid, **Jeanne M. Twaddle, as Trustee of the TWADDLE FAMILY TRUST, dated July 14, 1988** ("Grantor" herein), hereby conveys and warrants to **PUGET SOUND ENERGY, INC.**, a Washington Corporation ("Grantee" herein), for the purposes hereinafter set forth, a nonexclusive perpetual easement over, under, along, across, and through the following described real property ("Property" herein) in Skagit County, Washington:

SEE EXHIBIT "A" AS HERETO ATTACHED AND BY REFERENCE INCORPORATED HEREIN.

Except as may be otherwise set forth herein Grantee's rights shall be exercised upon that portion of the Property ("Easement Area" herein) described as follows:

A strip of land ten (10) feet in width with five (5) feet on each side of the centerline of grantee's facilities as now constructed, to be constructed, extended or relocated lying within the above described parcel. This easement description may be superseded at a later date with a surveyed description provided at no cost to Grantee.

1. Purpose. Grantee shall have the right to use the Easement Area to construct, operate, maintain, repair, replace, improve, remove, and enlarge one or more utility systems for purposes of transmission, distribution and sale of electricity. Such systems may include, but are not limited to:

Underground facilities. Conduits, lines, cables, vaults, switches and transformers for electricity; fiber optic cable and other lines, cables and facilities for communications; semi-buried or ground-mounted facilities and pads, manholes, meters, fixtures, attachments and any and all other facilities or appurtenances necessary or convenient to any or all of the foregoing.

Following the initial construction of all or a portion of its systems, Grantee may, from time to time, construct such additional facilities as it may require for such systems. Grantee shall have the right of access to the Easement Area over and across the Property to enable Grantee to exercise its rights hereunder. Grantee shall compensate Grantor for any damage to the Property caused by the exercise of such right of access by Grantee.

2. Easement Area Clearing and Maintenance. Grantee shall have the right to cut, remove and dispose of any and all brush, trees or other vegetation in the Easement Area. Grantee shall also have the right to control, on a continuing basis and by any prudent and reasonable means, the establishment and growth of brush, trees or other vegetation in the Easement Area.

3. Grantor's Use of Easement Area. Grantor reserves the right to use the Easement Area for any purpose not inconsistent with the rights herein granted, provided, however, Grantor shall not construct or maintain any buildings, structures or other objects on the Easement Area and Grantor shall do no blasting within 300 feet of Grantee's facilities without Grantee's prior written consent.

OH Electric
RW-072404/105057245
NE 28-36-4

No monetary consideration paid

4. **Indemnity.** Grantee agrees to indemnify Grantor from and against liability incurred by Grantor as a result of Grantee's negligence in the exercise of the rights herein granted to Grantee, but nothing herein shall require Grantee to indemnify Grantor for that portion of any such liability attributable to the negligence of Grantor or the negligence of others.

5. **Abandonment.** The rights herein granted shall continue until such time as Grantee ceases to use the Easement Area for a period of five (5) successive years, in which event, this easement shall terminate and all rights hereunder, and any improvements remaining in the Easement Area, shall revert to or otherwise become the property of Grantor; provided, however, that no abandonment shall be deemed to have occurred by reason of Grantee's failure to initially install its systems on the Easement Area within any period of time from the date hereof.

6. **Successors and Assigns.** Grantee shall have the right to assign, apportion or otherwise transfer any or all of its rights, benefits, privileges and interests arising in and under this easement. Without limiting the generality of the foregoing, the rights and obligations of the parties shall inure to the benefit of and be binding upon their respective successors and assigns.

DATED this 13 day of April, 2009.

BY: Jeanne M. Twaddle
JEANNE M. TWADDLE, as Trustee of the
TWADDLE FAMILY TRUST, dated July 14, 1988

STATE OF WASHINGTON)
) SS
COUNTY OF)

On this 13th day of April, 2009, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared JEANNE M. TWADDLE, to me known to be the person who signed as Trustee of the TWADDLE FAMILY TRUST, dated July 14, 1988 and who executed the within and foregoing instrument and acknowledged said instrument to be his free and voluntary act and deed for the uses and purposes therein mentioned; and on oath stated that he was authorized to execute the said instrument as Trustee of said TWADDLE FAMILY TRUST, dated July 14, 1988.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.

Patti M. Baker
(Signature of Notary)

(Print or stamp name of Notary)

NOTARY PUBLIC in and for the State of Washington
residing at Lake Stevens
My Appointment Expires: MAY 9, 2010

Notary seal, text and all notations must be inside 1" margins

Easement
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

APR 20 2009

Amount Paid \$ 0
Skagit Co. Treasurer
By man Deputy



200904200154
Skagit County Auditor

"EXHIBIT A"

PARCEL 2

THAT PORTION OF TRACT 2, OF SHORT PLAT NO. 135-79, APPROVED JANUARY 25, 1980, AND RECORDED JANUARY 25, 1980, IN BOOK 4 OF SHORT PLATS, PAGE 23, UNDER AUDITOR'S FILE NO. 8001250004, RECORDS OF SKAGIT COUNTY, WASHINGTON, BEING A PORTION OF THE NORTHEAST ¼ OF SECTION 28, TOWNSHIP 36 NORTH, RANGE 4 EAST, W.M.

EXCEPT THE FOLLOWING DESCRIBED TRACT:

BEGINNING AT THE NORTHWEST CORNER OF SAID TRACT 2, AS CONVEYED TO EBEN AND JEANNE M. TWADDLE, BY QUIT CLAIM DEED RECORDED IN VOL. 395, PAGE 435, UNDER AUDITOR'S FILE NO. 80022110021; THENCE NORTH 88°06'13" EAST ALONG THE NORTH LINE OF SAID TRACT 2, A DISTANCE OF 704.87 FEET TO THE NORTHEAST CORNER OF SAID TRACT 2; THENCE SOUTH 1°50'48" EAST ALONG THE EAST LINE OF SAID TRACT 2, A DISTANCE OF 536.00 FEET; THENCE SOUTH 1°18'06" EAST A DISTANCE OF 3.01 FEET; THENCE SOUTH 59°06'54" WEST A DISTANCE OF 821.05 FEET TO THE WEST LINE OF SAID TRACT 2; THENCE NORTH 1°03'06" WEST ALONG SAID WEST LINE OF TRACT 2, A DISTANCE OF 937.03 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH THAT PORTION OF THE SOUTHWEST ¼ OF THE NORTHEAST ¼ AND THAT PORTION OF THE NORTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 28, TOWNSHIP 36 NORTH, RANGE 4 EAST, W.M., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST ¼ OF SAID SECTION 28; THENCE NORTH 1°19'10" WEST ALONG THE WEST LINE OF SAID SOUTHEAST ¼ OF SAID SECTION 28 A DISTANCE OF 2,071.16 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUE NORTH 1°19'10" WEST, ALONG THE WEST LINE OF THE SOUTHEAST ¼ OF SAID SECTION 28 A DISTANCE OF 690.38 FEET, TO THE NORTHWEST CORNER OF THE NORTHWEST ¼ OF THE SOUTHEAST ¼ OF SAID SECTION 28; THENCE NORTH 87°49'12" EAST ALONG THE NORTH LINE OF SAID NORTHWEST ¼ OF THE SOUTHEAST ¼ A DISTANCE OF 40.00 FEET; THENCE NORTH 34°59'10" EAST A DISTANCE OF 252.04 FEET; THENCE NORTH 69°34'46" EAST, A DISTANCE OF 239.25 FEET; THENCE NORTH 40°47'20" EAST A DISTANCE OF 150.17 FEET; THENCE NORTH 86°52'22" EAST A DISTANCE OF 690.55 FEET, TO THE WEST LINE OF SAID TRACT 2, OF SHORT PLAT NO. 135-79, APPROVED JANUARY 25, 1980, AND RECORDED JANUARY 25, 1980, IN BOOK 4 OF SHORT PLATS, PAGE 23, UNDER AUDITOR'S FILE NO. 8001250004, RECORDS OF SKAGIT COUNTY, WASHINGTON; THENCE SOUTH 1°03'06" EAST ALONG THE WEST LINE OF SAID TRACT 2, A DISTANCE OF 230.34 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 2; THENCE CONTINUE SOUTH 1°03'06" EAST A DISTANCE OF 318.66 FEET; THENCE NORTH 84°05'56" WEST A DISTANCE OF 319.27 FEET;



PARCEL 2 CONTINUED:

THENCE SOUTH $83^{\circ}53'43''$ WEST A DISTANCE OF 234.81 FEET; THENCE SOUTH $3^{\circ}41'11''$ EAST A DISTANCE OF 155.37 FEET; THENCE SOUTH $29^{\circ}27'03''$ WEST A DISTANCE OF 478.14 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH HALF OF THE NORTHWEST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$ WHICH BEARS NORTH $87^{\circ}09'16''$ EAST FROM THE TRUE POINT OF BEGINNING; THENCE SOUTH $87^{\circ}09'16''$ WEST, ALONG THE SOUTH LINE OF THE NORTH HALF OF THE NORTHWEST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$ A DISTANCE OF 414.87 FEET TO THE TRUE POINT OF BEGINNING.

ALSO TOGETHER WITH THAT PORTION OF THE SOUTH HALF OF THE NORTHWEST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 28, TOWNSHIP 36 NORTH, RANGE 4 EAST, W.M., BEING ALSO A PORTION OF TRACT D, AS SHOWN ON SHORT PLAT NO. 33-75, APPROVED AUGUST 28, 1975 AS QUIT CLAIMED TO RICHARD L. MARLOW BY HUBERT V. WASSON AND RUTH C. WASSON AND RECORDED MARCH 17, 1976, UNDER AUDITOR'S FILE NO. 831819, RECORDS OF SKAGIT COUNTY, WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST $\frac{1}{4}$ OF SAID SECTION 28; THENCE NORTH $1^{\circ}19'10''$ WEST ALONG THE WEST LINE OF THE SOUTHEAST $\frac{1}{4}$ OF SAID SECTION 28 A DISTANCE OF 1,985.73 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUE NORTH $1^{\circ}19'10''$ WEST A DISTANCE OF 85.44 FEET TO THE NORTHWEST CORNER OF SAID TRACT D; THENCE NORTH $87^{\circ}09'16''$ EAST ALONG THE NORTH LINE OF SAID TRACT D A DISTANCE OF 414.87 FEET; THENCE SOUTH $29^{\circ}27'03''$ WEST A DISTANCE OF 134.60 FEET TO A POINT WHICH BEARS SOUTH $88^{\circ}08'52''$ EAST A DISTANCE OF 346.39 FEET FROM THE TRUE POINT OF BEGINNING; THENCE NORTH $88^{\circ}08'52''$ WEST A DISTANCE OF 346.39 FEET TO THE TRUE POINT OF BEGINNING.

AND ALSO TOGETHER WITH THE SOUTH 40 FEET OF THE NORTH HALF OF THE NORTHWEST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 28, TOWNSHIP 36 NORTH, RANGE 4 EAST, W.M. LYING WEST OF THE COUNTY ROAD.