



200906290146
Skagit County Auditor

6/29/2009 Page 1 of 4 1:02PM

RETURN TO:
Public Utility District No. 1 of Skagit County
1415 Freeway Drive, Post Office Box 1436
Mount Vernon WA 98273-1436

PUD UTILITY EASEMENT

THIS AGREEMENT is made this 17th day of June, 2009, between **MOUNT VERNON RE, LLC**, 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:

P25889

LEGAL DESCRIPTION OF SUBJECT PARCEL

PARCEL "A"

The South 1,122.50 feet of the East half of the Southeast quarter of the Northeast quarter of Section 17, Township 34 North, Range 4 East of the Willamette Meridian,
Except the South 550.00 feet thereof;
Except the East 214.00 Feet thereof;
And except the North 15.33 feet of the South 565.33 feet of the West 333.00 feet of the East half of the Southeast quarter of the Northeast quarter of said Section 17;
And also except Tract A of survey recorded August 4, 1997 under Auditor's File No. 9708040071 in Volume 19 of Surveys, Page 153, Records of Skagit County, Washington.

Situate in Skagit County, Washington.

Attached: Exhibit "A" - Easement Legal Description
 Exhibit "B" - Easement Map

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 17th day of June, 2009.

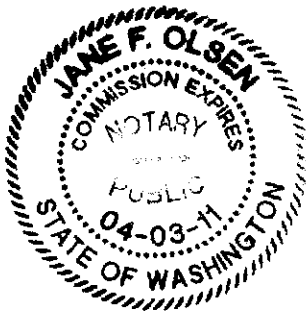
Colt Boehme
MOUNT VERNON RE, LLC

STATE OF WASHINGTON
COUNTY OF King

I certify that I know or have satisfactory evidence that **Colt Boehme** 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 **Manager** of **MOUNT VERNON RE, LLC**, to be the free and voluntary act for the uses and purposes mentioned in the instrument.

Date: 6/17/09

Jane F. Olsen
Notary Public in and for the State of WASHINGTON
My appointment expires: 04-03-11



SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

JUN 29 2009

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



EXHIBIT "A"

LEGAL DESCRIPTION OF UTILITY EASEMENT:

A portion of land in Section 17, Township 34 North, Range 4 East of the Willamette Meridian, Skagit County, Washington, described as follows:

Commencing at the Southeast corner of the Northeast quarter of Section 17, Township 34 North, Range 4 East of the Willamette Meridian, as shown on the survey map recorded under auditor's file number 200902250119, records of Skagit County; thence

North 01°01'55" East along the East line of said subdivision a distance of 1,122.69 feet; thence

North 87°54'52" West a distance of 214.04 feet; thence

South 01°01'55" West a distance of 263.62 feet to the True Point of Beginning of herein described easement; thence

North 87°54'52" West a distance of 55.00 feet; thence

North 42°54'52" West a distance of 45.23 feet; thence

North 02°05'08" East a distance of 163.02 feet; thence

North 87°54'52" West a distance of 50.00 feet; thence

South 02°05'08" West a distance of 160.00 feet; thence

North 87°54'52" West a distance of 10.00 feet; thence

South 02°05'08" West a distance of 20.00 feet; thence

North 87°54'52" West a distance of 210.47 feet; thence

North 01°07'34" East a distance of 131.54 feet; thence

South 88°52'26" East a distance of 44.59 feet; thence

North 46°07'34" East a distance of 55.68 feet; thence

North 19°49'37" East a distance of 52.54 feet; thence

North 01°23'03" East a distance of 26.24 feet; thence

North 87°54'52" West a distance of 20.00 feet; thence

South 01°23'03" West a distance of 23.24 feet; thence

South 19°49'37" West a distance of 44.62 feet; thence

South 46°07'34" West a distance of 35.65 feet; thence

North 88°52'26" West a distance of 71.31 feet; thence

South 01°07'34" West a distance of 376.12 feet; thence

South 59°47'09" West a distance of 73.78 feet; thence

South 01°07'34" West a distance of 23.42 feet; thence

North 59°47'09" East a distance of 95.86 feet; thence

South 88°52'26" East a distance of 26.14 feet; thence

North 01°07'34" East a distance of 20.00 feet; thence

North 88°52'26" West a distance of 15.00 feet; thence

North 01°07'34" East a distance of 181.51 feet; thence

South 87°54'52" East a distance of 357.22 feet; thence

North 01°01'55" East a distance of 15.00 feet to the Point of Beginning;

Situate in Skagit County, Washington.



200906290146

Skagit County Auditor

C.O. # 4526
W.O. # 08-3299

