

After recording return to:

Gary Blanc
Sierra Pacific Industries
19794 Riverside Ave
Anderson, CA 96007



200912210102

Skagit County Auditor

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DOCUMENT TITLE: Easement

REFERENCE NUMBER OF RELATED DOCUMENT: [N/A]

GRANTOR(S): Sierra Pacific Industries

GRANTEE(S): Sierra Pacific Industries

ABBREVIATED LEGAL DESCRIPTION: 09 34N 03E, a portion of the Northwest ¼ of the Northeast ¼

ADDITIONAL LEGAL DESCRIPTION ON PAGE 2 AND 5 OF DOCUMENT.

ASSESSOR'S TAX/PARCEL NUMBER(S): P117070

STORM WATER EASEMENT

PARTIES

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

1.1 Grantor. Sierra Pacific Industries

1.2 Grantee. Sierra Pacific Industries

DEC 21 2009

Amount Paid \$ 2
Skagit Co. Treasurer
By *MF* Deputy

EASEMENT

2.1 Grant of Perpetual Easement. Grantor hereby grants to Grantee an easement, subject to all preexisting easements, as described herein of the type described herein for the purposes described herein.

2.2 Purpose. The purpose of this nonexclusive easement is for the construction, maintenance and operation of a Storm Water System over, across and under the Burdened Property. The storm water from the Benefited Property is conveyed along the easement area to the storm water detention and treatment facility located on Pond Tract F (as delineated and set forth on the face of the Sierra Pacific Binding Site Plan number PK 08-0315, recorded under AF number 200911160068, the "**Binding Site Plan**"), currently exits the west side of the detention and treatment facility and ultimately discharges into the public drainage facility known as "Indian Slough" (the "**Storm Water System**"). This easement is also a portion of the easement recording under AF number 200107270007. This Storm Water System is for storm

water only and does not include any industrial water from the operation of the asphalt and concrete batch plants as noted in section 4.12 of the Purchase and Sale Agreement made between Grantor and Smokey Point Concrete, Inc. and is for the benefit of the Benefited Property which originates at the Benefited Property.

2.3 Consideration. No monetary consideration shall be paid for this easement, consideration being the mutual benefit to Grantor and Grantee. However, this easement is granted to satisfy a condition contained in the Purchase and Sale Agreement made between Grantor and Smokey Point Concrete, Inc. as previously adopted or hereafter amended.

2.4 Benefited Property. This easement is to benefit the following described real property situated in the County of Skagit, State of Washington:

That portion of Tract 2, Skagit County Short Plat No. 44-87, approved December 29, 1987, and recorded December 30, 1987, in Volume 8 of Short Plats, page 11, under Auditor's File No. 8712300001, records of said County and State, being a portion of the Northwest quarter of the Northeast quarter of said Section 9, lying East of that portion conveyed to Skagit County for road and utility purposes by deed recorded as Skagit County Auditor's File No. 200107270007, lying Northerly of the centerline of that certain 50-foot wide oil pipeline easement conveyed to Trans Mountain Oil Pipeline Corp. by instrument dated July 9, 1954 and recorded September 16, 1954 under Auditor's File No. 506571, in the Auditor's office of said County and State, and lying South of the following described line:

Commencing at the Northeast corner of said Tract 2; thence South 01°15'35" West along the East line thereof, a distance of 607.51 feet to the point of beginning of said described line; thence North 88°50'18" West along said line, a distance of 486.45 feet to a point on the East line of said Skagit County tract and the end of said described line.

All of the above being a portion of the Northwest ¼ of the Northeast ¼ of Section 9, Township 34 North, Range 3 East W.M..

Said premises being also known as Parcel "A", Assessor's Property Tax P117070, of that certain boundary line adjustment recorded as Auditor's File No. 200803040059.

2.5 Location of Easement. The location of the easement is delineated in Exhibit A attached hereto.

2.6 Burdened Property. This easement is to burden the real property situated in the County of Skagit, State of Washington described in Exhibit B attached hereto.

2.7 Term of Easement. The term of this easement is perpetual.

2.8 Appurtenant Easement. The benefits and burdens granted and imposed by this instrument shall run with the lands described herein.



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DATED this 21st day of DECEMBER, 2009

GRANTOR:

Sierra Pacific Industries,
a California Corporation

Detle S. Johnson
BY: DETLE S. JOHNSON
ITS: DIVISION ACCOUNTANT

GRANTEE:

Sierra Pacific Industries,
a California Corporation

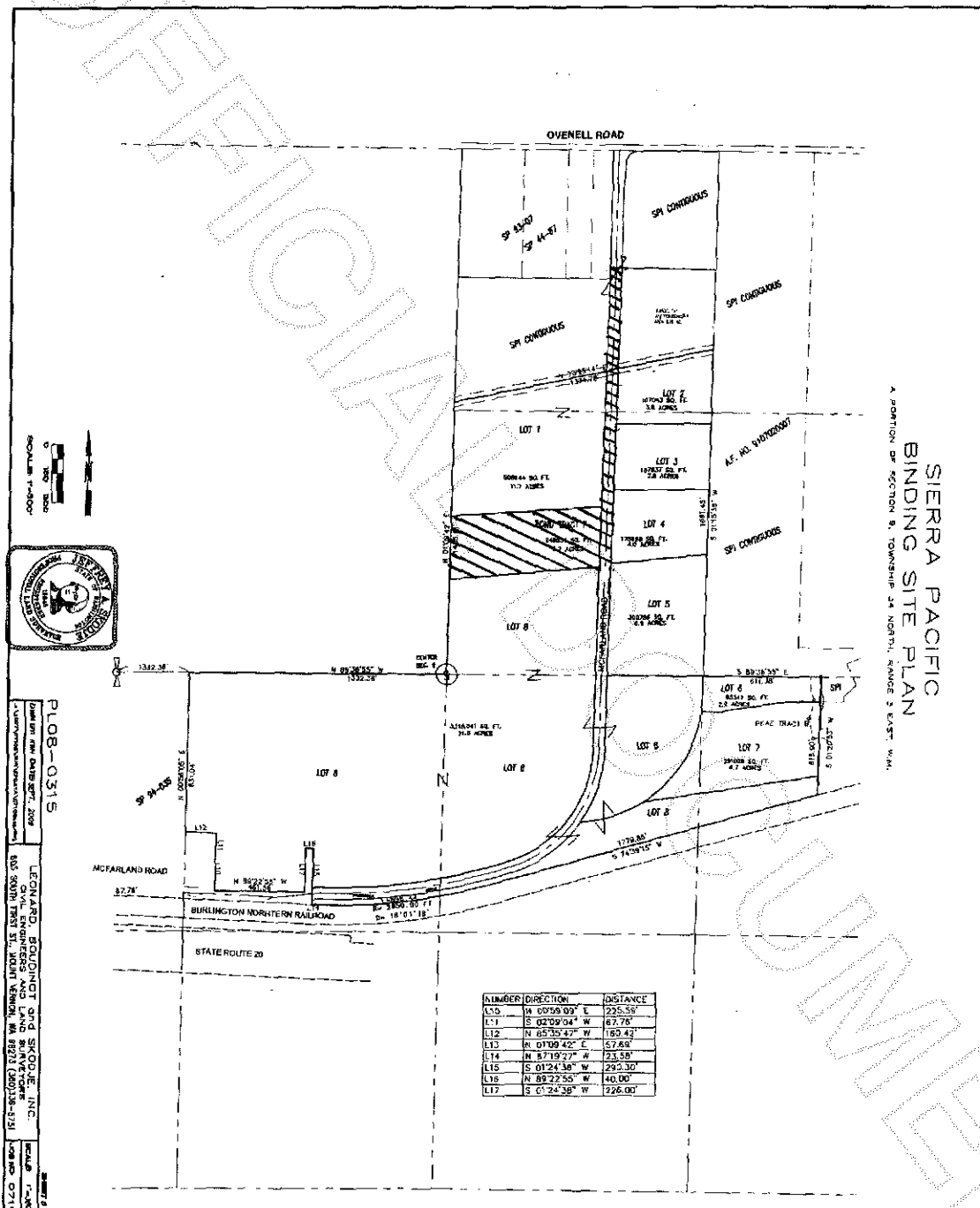
Detle S. Johnson
BY: DETLE S. JOHNSON
ITS: DIVISION ACCOUNTANT



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Exhibit A
Location of the Easement



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Exhibit B
Lands Burdened by the Easement

Pond Tract F of "Sierra Pacific Binding Site Plan" No. PL08-0315 approved October 26, 2009 and recorded November 16, 2009 as Skagit County Auditor's File No. 200911160068, as established, delineated and described thereon,

That portion of the "county road and utility easements" conveyed to Skagit County by instrument recorded Auditor's File No. 200107270007 lying Southerly of the Westerly extension of the North line of the property delineated as Parcel "A" on that certain boundary line adjustment recorded as Auditor's File No. 200803040059 and lying Northerly of the Easterly extension of the South line of "Pond Tract F" as delineated on said "Sierra Pacific Binding Site Plan" recorded as Auditor's File No. 200911160068;



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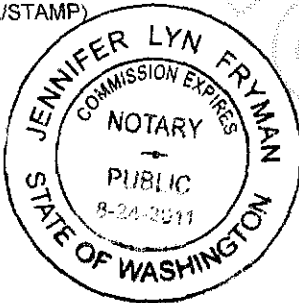
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STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that Derek Johnson 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 the instrument, and acknowledged it as the Accountant [title] of **Sierra Pacific Industries** to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED this 21st day of December, 2009.

(SEAL/STAMP)



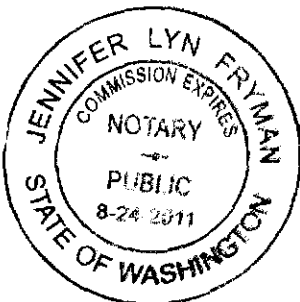
Jennifer Lyn Fryman
NOTARY PUBLIC
Printed Name: Jennifer Fryman
My Commission Expires: 8/24/11

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that Derek Johnson 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 the instrument, and acknowledged it as the Accountant [title] of **Sierra Pacific Industries** to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED this 21st day of December, 2009.

(SEAL/STAMP)



Jennifer Lyn Fryman
NOTARY PUBLIC
Printed Name: Jennifer Fryman
My Commission Expires: 8/24/11



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