



201105180074

Skagit County Auditor

5/18/2011 Page 1 of 4 3:22PM

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): Permanent Utility 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):**

Nookachamp Hills PUD Phase I. Lot Tract A and a portion of Lot Tract B. Sections 25 and 36.
Township 34 North, Range 4 East

☒ Additional legal description is on page two of document.**Assessor's Property Tax Parcels / Account Numbers:** P113902 and P113903☐ Additional Parcel Numbers for additional legals are on page _____ of document.**PERMANENT UTILITY EASEMENT**

THIS AGREEMENT made this 21 day of April, 2011,
by and between SKAGIT COUNTY SEWER DISTRICT NO. 2, a municipal corpora-
tion of Skagit County, Washington, hereinafter termed "Grantee" and Nookachamp
Hills, LLC, hereinafter termed "Grantors".

WITNESSETH:

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

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX 1

Perm. Utility Esmt. No. 10-25&36-04

easement
MAY 18 2011

Amount Paid \$
By *mm* Skagit Co. Treasurer
Deputy

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A 10-foot wide non-exclusive easement for utilities over, under and across that portion of NOOKACHAMP HILLS PUD PHASE I, ACRES 2.48, TRACT "B"; EXCEPT THAT PORTION OF TRACT "B" LYING SOUTH OF THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE SOUTHWEST CORNER OF TRACT "B" OF SAID PLAT THENCE SOUTH 89 DEGREES 06' 52" EAST, ALONG THE SOUTH LINE OF SAID TRACT, 388.37 FEET, TO AN ANGLE POINT IN SAID TRACT, AND THE TRUE POINT OF BEGINNING OF THIS LINE DESCRIPTION; THENCE CONTINUE SOUTH 89 DEGREES 06' 52" EAST, BEING AN EXTENSION OF SAID SOUTH LINE OF TRACT "B" 40.01 FEET TO THE WEST LINE OF LOT 3 OF SAID PLAT AND THE TERMINUS OF SAID LINE DESCRIPTION. TRACT "B"; EXCEPT THAT PORTION OF TRACT "B" LYING SOUTH OF THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE SOUTHWEST CORNER OF TRACT "B" OF SAID PLAT THENCE SOUTH 89 DEGREES 06' 52" EAST, ALONG THE SOUTH LINE OF SAID TRACT, 388.37 FEET, TO AN ANGLE POINT IN SAID TRACT, AND THE TRUE POINT OF BEGINNING OF THIS LINE DESCRIPTION; THENCE CONTINUE SOUTH 89 DEGREES 06' 52" EAST, BEING AN EXTENSION OF SAID SOUTH LINE OF TRACT "B" 40.01 FEET TO THE WEST LINE OF LOT 3 OF SAID PLAT AND THE TERMINUS OF SAID LINE DESCRIPTION and NOOKACHAMP HILLS PUD PHASE I, LOT TRACT A.

The easement is located in A PORTION OF THE NORTHEAST AND NORTHWEST QUARTERS OF SECTION 36, TOWNSHIP 34 NORTH, RANGE 4 EAST, AND THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 34 NORTH, RANGE 4 EAST, WILLAMETTE MERIDIAN, IN SKAGIT COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A STRIP OF LAND 10.00 FEET IN WIDTH LYING 5.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT THE SOUTHWEST CORNER OF TRACT B, NOOKACHAMP HILLS PLANNED UNIT DEVELOPMENT PHASE I, AS RECORDED UNDER RECORDING NUMBER 9811020154, RECORDS OF SKAGIT COUNTY, WASHINGTON;

THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID TRACT B, AND THE EASTERLY MARGIN OF STATE ROUTE 9 NORTH 24°00'41" WEST 55.12 FEET;

THENCE SOUTH 89°06'52" EAST 16.54 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION;

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THENCE NORTH 24°00'41" WEST 105.11 FEET;

THENCE NORTH 20°59'19" EAST 70.71 FEET;

THENCE NORTH 24°00'41" WEST 195.21 FEET;

THENCE NORTH 69°00'25" WEST 56.57 FEET;

THENCE NORTH 24°00'41" WEST 48.09 FEET;

THENCE SOUTH 65°59'19" WEST 15.00 FEET TO AN EXISTING
EASEMENT AS RECORDED UNDER A.F. NUMBER 7912110003 AND THE
TERMINUS OF THIS DESCRIPTION;

EXCEPT THAT PORTION LYING WITHIN NOOKACHAMP HILLS DRIVE.

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 utilities, or making any connections therewith, without incurring any legal obligation or liability therefor; provided that such constructing, repairing, altering, or reconstructing of said utilities 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 Grantors 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 utilities 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:

Susan N. Mills
(Signature of Authorized Officer)

Its:

HOA President
(Title)

Dated:

4/21/2011

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