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Skagit County Auditor

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P39813/350519-0-188-0067

RETURN TO:

Attn: City Engineer
City of Sedro-Woolley
325 Metcalf Street
Sedro-Woolley, WA 98284

**WAIVER OF PROTEST REGARDING ULID/LID
WITHIN THE CITY OF SEDRO-WOOLLEY**

GRANTOR(S) (Last name, first name and initials):

Campbell, Larry J., & Campbell, Celia M., husband and wife

GRANTEE(S) (Last name, first name and initials):

City of Sedro-Woolley, a Municipal Corporation

LEGAL DESCRIPTION (Abbreviated: i.e., lot, block, plat or quarter, quarter, section, township and range).

That portion of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 19, Township 35 North, Range 5 East, W.M., described as follows:

Beginning at a point on the North line of the above said Subdivision, 1,640.5 feet East of the Northwest corner of said Section 19; thence South 0 degrees 03' East parallel to the West line of said Section 19 to a point which is 135 feet North of the North line of State Highway, as said Highway existed on June 11, 1971, and the true point of beginning of this description; thence South 0 degrees 03' East, 135 feet to the North line of said State Highway; thence North 52 degrees 59' East along the North line of said State Highway, 130.88 feet; thence North 0 degrees 03' West, 59 feet; then West parallel to the North line of Section 19, a distance of 104 feet, more

or less, to the true point of beginning; except public roads, and also except any portion thereof lying within the East 580 feet of the Northwest quarter of said Section 19.

Together with that portion of the Northeast ¼ of the Northwest ¼ of Section 19, Township 35 North, Range 5 East, W.M., described as follows: Beginning at a point on the North line of said Northwest ¼ which point bears South 88-37-00 East (described as being East in adjacent deeds of record), a distance of 1,745.07 feet from the Northwest corner of said Northwest ¼ of Section 19, and bears North 88-37-00 West a distance of 580.00 feet from the Northeast corner of said Northwest ¼; thence South 01-20-00 West described as being South 00-03-00 East in adjacent deeds of record), along a line which is parallel to the West line of said Northwest ¼, a distance of 479.82 feet, more or less, to a point that is North 01-20-00 East a distance of 120.00 feet from the North line of State Highway 20, said point being the true point of beginning; thence South 01-20-00 West a distance of 120.00 feet to the North line of said State Highway 20; thence North 54-20-32 East along the North line of said State Highway 20, a distance of 120.00 feet; thence North 35-39-28 West to a point that is due East of the true point of beginning; thence West to the true point of beginning.

Situated in Skagit County, State of Washington.

ASSESSOR'S PARCEL/TAX I.D. NUMBER:

P39813/350519-0-188-0007 (207 Carter Street)

**WAIVER OF PROTEST REGARDING ULID/LID FOR DEVELOPMENT
WITHIN THE CITY OF SEDRO-WOOLLEY
(Must be recorded with the Skagit County Auditor)**

THE UNDERSIGNED hereby agree as follows:

1. Parties. The Grantors to this agreement are: **Larry J. Campbell & Celia M. Campbell, husband and wife** the owners of certain real property situated in Skagit County, Washington, (hereinafter "Owner/s"). The Grantee is the City of Sedro-Woolley, a Washington Municipal Corporation.

2. Requested Approval. The Owner/s has applied to the City of Sedro-Woolley, Washington, for:

- ☐ City sewer service
- ☐ Approval of a short plat / subdivision / BSP / PUD
- ☒ Variance: Frontage improvements
- ☐ Other:

This waiver is given as a condition of approval of Permits: EG-1-10 & BP-6-07.

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3. Real Property. This Waiver of Protest concerns the following described real property, situated in Skagit County, Washington, and legally described as follows:

That portion of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 19, Township 35 North, Range 5 East, W.M., described as follows:

Beginning at a point on the North line of the above said Subdivision, 1,640.5 feet East of the Northwest corner of said Section 19; thence South 0 degrees 03' East parallel to the West line of said Section 19 to a point which is 135 feet North of the North line of State Highway, as said Highway existed on June 11, 1971, and the true point of beginning of this description; thence South 0 degrees 03' East, 135 feet to the North line of said State Highway; thence North 52 degrees 59' East along the North line of said State Highway, 130.88 feet; thence North 0 degrees 03' West, 59 feet; then West parallel to the North line of Section 19, a distance of 104 feet, more or less, to the true point of beginning; except public roads, and also except any portion thereof lying within the East 580 feet of the Northwest quarter of said Section 19.

Together with that portion of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 19, Township 35 North, Range 5 East, W.M., described as follows: Beginning at a point on the North line of said Northwest $\frac{1}{4}$ which point bears South 88-37-00 East (described as being East in adjacent deeds of record), a distance of 1,745.07 feet from the Northwest corner of said Northwest $\frac{1}{4}$ of Section 19, and bears North 88-37-00 West a distance of 580.00 feet from the Northeast corner of said Northwest $\frac{1}{4}$; thence South 01-20-00 West described as being South 00-03-00 East in adjacent deeds of record), along a line which is parallel to the West line of said Northwest $\frac{1}{4}$, a distance of 479.82 feet, more or less, to a point that is North 01-20-00 East a distance of 120.00 feet from the North line of State Highway 20, said point being the true point of beginning; thence South 01-20-00 West a distance of 120.00 feet to the North line of said State Highway 20; thence North 54-20-32 East along the North line of said State Highway 20, a distance of 120.00 feet; thence North 35-39-28 West to a point that is due East of the true point of beginning; thence West to the true point of beginning.

Situated in Skagit County, State of Washington.

4. LID/ULID Districts.

a. The Owner/s hereby waives all rights to protest against future Local Improvement District (LID) or Utility Local Improvement District (ULID) proceedings of the City of Sedro-Woolley for the construction of municipal improvements for: *(Check if applicable)*

- ☒ Sanitary sewer system improvements
- ☒ Water system improvements
- ☒ Streets, sidewalks, and ROW improvements
- ☒ Drainage facilities / storm sewer system improvements
- ☒ Other: street light improvements

For purposes of this waiver and power of attorney, "rights of protest" shall mean only those formal rights to protest contained within LID or ULID statutes, except, however, nothing herein shall constitute a waiver of Owners of the Owner's heirs, assign or successors in interest, of the right to object to the Owner's individual assessment amount or to appeal to the Superior Court

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the decisions of the Council affirming the final assessment roll, which rights are specifically preserved.

b. The Owner/s hereby grants and conveys to the Public Works Director/City Engineer at City of Sedro-Woolley, or his successor in interest or designee, a Special Power of Attorney to exercise any and all rights of the Owner/s, including any purchasers, mortgage holders, lien holders or other person who may claim an interest in the property described herein, to accomplish the following: At such time as a Local Improvements District or Utility Local Improvements District is proposed that would cause said improvements to be made available to the Owner's property described hereinabove, to execute a Petition on behalf of the Owner/s for the creation of such LID or ULID. This Special Power of Attorney is granted in consideration of the City executing this Instrument, and shall be a power coupled with an interest which may not be terminated. This Special Power of Attorney shall not be affected by the disability of the Owner/s.

c. The Owner/s hereby declares that she/he is/are the sole owner(s) of the property described herein and has/have full power to commit said property to this Waiver of Protest and Special Power of Attorney.

d. For purposes of compliance with RCW 35.43.182, the effective term of this Section (*LID/ULID Districts*) shall be a period of ten (10) years from the date hereof.

5. Enforcement. If the Owner/s fails to perform in good faith in accordance with this instrument, it is agreed that the City of Sedro-Woolley may, after giving 20 days notice thereof and an opportunity for hearing thereon, pursue any remedy, legal or equitable, including specific performance. The obligations set forth herein are in addition to any other obligations and conditions or annexation, sewer service, and other utilities, and not in lieu or satisfaction thereof

6. Ownership. The undersigned Owner(s) hereby declares that he/they is/are the sole owner(s) of the property described herein and has/have full power to commit said property to this Waiver of Protest and Special Power of Attorney.

7. Successors in Interest. This waiver and power of attorney, and the promises and powers granted herein, do constitute a covenant running with the land described above and shall be binding on the Owner/s, his heirs, assigns and successors in interest to such property, and that this document shall be filed for record in the office of the Skagit County Auditor.

In the event of a foreclosure or other acquisition of the real property described above (including, without limitation, by deed in lieu of foreclosure), this Waiver shall be recognized as binding upon the Beneficiary, the purchaser at the foreclosure sale, or any such subsequent owner (collectively referred to as "Purchaser"), except Beneficiary and Purchaser shall not be liable for any previous act or omission of Owner under this Waiver occurring prior to their acquisition of the real property.

8. Non-Merger. The obligations set forth in this document are in addition to any other conditions of approval, obligations, and duties imposed by law, statute, ordinance, administrative approval, or otherwise, including those required by the permitting authority, hearing body, or shown on the face of the recorded plat or subdivision document, and are not in lieu thereof.



DATED this 7 day of March, 2012.

OWNER(S): **Larry J. Campbell & Celia M. Campbell, husband and wife**

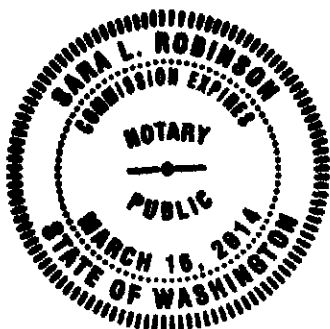
Larry J. Campbell
Larry J. Campbell

Celia M. Campbell
Celia M. Campbell

STATE OF WASHINGTON)
) SS.
COUNTY OF SKAGIT)

On this day personally appeared before me **Larry J. Campbell & Celia M. Campbell, husband and wife**, to me known to be the individual/s described in and who executed the within and foregoing instrument, and acknowledged that he/she signed the same as his/her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 7 day of March, 2012.



Sara L. Robinson
Notary Public in and for the State of Washington,
residing in Skagit County
My Commission Expires: March 16, 2014
Print Name: Sara L. Robinson

