



201209250056  
Skagit County Auditor

9/25/2012 Page 1 of 3 1:20PM

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

**PUD UTILITY EASEMENT**

THIS AGREEMENT is made this 21 day of September, 2012, between **KENNY L. PORTIS, MARVIN D. PORTIS and JEANETTE M. PORTIS**, the Owner; 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 to do all things necessary or proper in the construction and maintenance of water, sewer, electrical, and communication lines and/or other similar public service related facilities. This includes the right to construct, operate, maintain, inspect, improve, remove, restore, alter, replace, change the size of, relocate, connect to and locate at any time pipe(s), line(s) or related facilities, along with necessary appurtenances for the transportation and control of water, sewer, electrical, 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:

**P122201:**

PARCEL "A" OF SURVEY RECORDED UNDER AF # 200809040107 AKA BEGINNING AT A POINT ON THE EAST LINE OF BLOCK 128, PLAT OF "PLAT OF THE TOWNSITE OF GIBRALTER, SKAGIT COUNTY, WASHINGTON, U.S.A.", FILED IN VOLUME 1 OF PLATS AT PAGES 19 AND 20, RECORDS OF SKAGIT COUNTY, WASHINGTON, WHICH LIES NORTH 00 DEGREES 29' 40" EAST, A DISTANCE OF 107.91 FEET FROM THE SOUTHEAST CORNER THEREOF; THENCE NORTH 88 DEGREES 20' 15" WEST, A DISTANCE OF 481.81 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 153.01 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 64 DEGREES 50' 34" AND AN ARC DISTANCE OF 173.16 FEET TO THE NORTH LINE OF BLOCK 127 OF SAID PLAT; THENCE NORTH 89 DEGREES 45' 26" EAST ALONG SAID NORTH LINE, A DISTANCE OF 40.26 FEET TO THE SOUTHWEST CORNER OF LOT 14, AS ORIGINALLY CREATED BY THE "PLAT OF SUNRISE ESTATES DIVISION II" FILED IN VOLUME 16 OF PLATS AT PAGES 92 AND 93, RECORDS OF SKAGIT COUNTY, WASHINGTON; THENCE NORTH 01 DEGREES 06' 36" WEST ALONG THE WEST LINE OF SAID LOT 14, A DISTANCE OF 242.40 FEET; THENCE SOUTH 80 DEGREES 03' 16" EAST, A DISTANCE OF 355.56 FEET; THENCE SOUTH 31 DEGREES 05' 37" EAST, A DISTANCE OF 158.93 FEET TO THE EAST LINE OF SAID LOT 14; THENCE SOUTH 79 DEGREES 41' 01" EAST, A DISTANCE OF 152.98 FEET TO THE SOUTH LINE OF LOT 8, "PLAT OF SUNRISE ESTATES" FILED IN VOLUME 14 OF PLATS, PAGES 87 AND 88, RECORDS OF SKAGIT COUNTY, WASHINGTON, THENCE SOUTH 89 DEGREES 45' 26" WEST ALONG THE SOUTH LINE OF SAID LOT 8, A DISTANCE OF 46.58 FEET TO AN ANGLE POINT IN THE SOUTH LINE OF SAID LOT 8; THENCE SOUTH 00 DEGREES 14' 34" EAST ALONG THE SOUTH LINE OF SAID LOT 8, A DISTANCE OF 15.00 FEET TO THE NORTH LINE OF SAID BLOCK 128; THENCE NORTH 89 DEGREES 45' 26" EAST ALONG THE NORTH LINE OF SAID BLOCK 128, A DISTANCE OF 46.58 FEET TO THE NORTHEAST CORNER OF SAID BLOCK 128; THENCE SOUTH 00 DEGREES 29' 40" WEST, ALONG THE EAST LINE OF SAID BLOCK 128, A DISTANCE OF 108.55 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION.

See Exhibit A – Easement Map for easement described as:

An easement for waterline construction, operation, and maintenance over the north 50 feet of the east 20 feet of Lot 1, Block 128 of the Plat of the Townsite of Gibraltar, Skagit County, Washington, USA filed in Volume 1 of Plats at pages 19 and 20, records of Skagit County, Washington. Situate in Skagit County, Washington

Grantor(s) authorizes the District the right of ingress and egress from said lands of the Grantor(s). The Grantor(s) also gives the District permission to cut, trim and/or remove all timber, trees, brush, or

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

Page 1 of 3

C.O. #4731  
W.O. #12-3418

SEP 25 2012

Amount Paid \$  
Skagit Co. Treasurer  
By *[Signature]* Deputy

other growth standing or growing upon the lands of the Grantor(s) in the described easement for the purposes of the activities listed above, as well as the right to cut, trim and/or remove vegetation which, in the opinion of the District, constitutes a menace or danger to said pipe(s), line(s) or related facilities, and/or to persons or property by reason of proximity to the line. The Grantor(s) 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.

Grantor(s), 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. Grantor(s) 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 Grantor(s) also agree to and with the District and warrant that the Grantor(s) 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 Grantor(s) 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(s) hereunto sets his hand and seal this 21<sup>st</sup> day of September, 2012.

Marvin D. Portis  
Marvin D. Portis

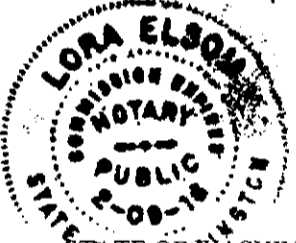
Kenny L. Portis  
Kenny L. Portis  
Jeanette M. Portis  
Jeanette M. Portis

STATE OF WASHINGTON  
COUNTY OF SKAGIT

I certify that I know or have satisfactory evidence that **Marvin D. Portis** is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Date: 9/21/12

Lora Elsom  
Notary Public in and for the State of Washington  
My appointment expires: 2-08-12



STATE OF WASHINGTON  
COUNTY OF SKAGIT

I certify that I know or have satisfactory evidence that **Jeanette M. Portis** is the person who appeared before me, and said person acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.

Date: 9/21/12

Lora Elsom  
Notary Public in and for the State of Washington  
My appointment expires: 2-08-12



STATE OF WASHINGTON  
COUNTY OF SKAGIT

I certify that I know or have satisfactory evidence that **Kenny L. Portis** is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Date: 9/21/12

Lora Elsom  
Notary Public in and for the State of Washington  
My appointment expires: 2-08-12



201209250056  
Skagit County Auditor

C.O. #4731  
W.O. #12-3418

EXHIBIT "A"



**Sketch of Easement  
to PUD over Marvin  
Portis property.**

IN THE SW 1/4 OF SECTION 17, TWP. 34 N., RNG 2 E., W.M.



201209250056  
Skagit County Auditor