



201309250036

Skagit County Auditor \$75.00
9/25/2013 Page 1 of 4 10:58AM

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

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

SEP 25 2013

Amount Paid \$ ✓
Skagit Co. Treasurer
By *man* Deputy

PUD UTILITY EASEMENT

THIS AGREEMENT is made this 18th day of September, 2013, between **The Family Trust created Under the Last Will and Testament of Frederick D. Schmidt, deceased**, 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:

P16643
Tax Parcel Number # 330416-0-004-0005
16 - 33 - 04 SE NW
EXHIBIT "A" Easement Legal Description - Attached
EXHIBIT "B" Easement Map - Attached

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 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.

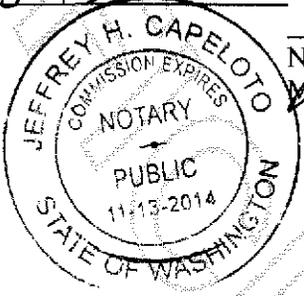
In Witness Whereof, the Grantor(s) hereunto sets his hand and seal this 18 day of Sept., 2013.

Edward B. O'Connor
Edward B. O'Connor, Co-Trustee

STATE OF Snohomish Washington
COUNTY OF Snohomish

I certify that I know or have satisfactory evidence that Edward B. O'Connor 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 Co-Trustee of Schmidt Family Trust to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Date: 9-18-13



Jeffrey H. Capeoto
Notary Public in and for the State of Washington
My appointment expires: 11/13/2014

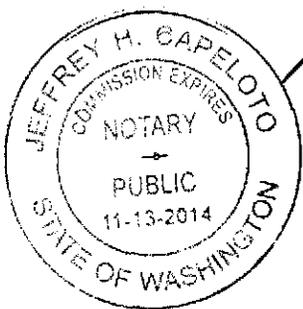
In Witness Whereof, the Grantor(s) hereunto sets his hand and seal this 18 day of Sept., 2013.

Doyle E. Schmidt
Doyle E. Schmidt, Co-Trustee

STATE OF Washington
COUNTY OF Snohomish

I certify that I know or have satisfactory evidence that Doyle E. Schmidt 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 Co-Trustee of Schmidt Family Trust to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Date: 9-18-13



Jeffrey H. Capeoto
Notary Public in and for the State of Washington
My appointment expires: 11/13/2014



EXHIBIT "A"

SKAGIT SURVEYORS AND ENGINEERS

806 Metcalf St.
Sedro-Woolley, WA 98284
360.855.2121

LEGAL DESCRIPTION
FOR
WINDWARD REAL ESTATE SERVICES
OF
SINNES ROAD EASEMENT OVER SCHMIDT ESTATE PROPERTY FOR
EASEMENT TO P.U.D. NO. 1 OF SKAGIT COUNTY

December 14, 2011

Beginning at the southwest corner of the southeast quarter of the northwest quarter of Section 16, Township 33 North, Range 4 East, W.M.; thence N 00°01'38"W along the west line thereof, a distance of 73.72 feet to a point on a curve to the right having a radius of 540.00 feet from which the radius point bears S 10°38'54"W; thence easterly along said curve through a central angle of 13°33'32", and an arc distance of 127.79 feet; thence S 65°47'35"E, a distance of 97.79 feet to the south line of said southeast quarter of the northwest quarter; thence N 88°45'32"W along said south line, a distance of 210.85 feet to the point of beginning of this description.

12/15/11



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SECTION 16, TWP 33 N., RNG. 4 E., W.M.

| | | | |
|------|-------------|---------|---------|
| C21 | 13°33'32" | 540.00' | 127.79' |
| L127 | S65°47'35"E | 97.79' | |
| L128 | N88°45'32"W | 210.85' | |
| L129 | N00°01'38"W | 73.72' | |

EASEMENT TO P.U.D. #1 OF SKAGIT COUNTY.

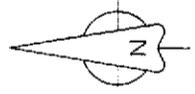
SINNES ROAD (COUNTY)

EXHIBIT "B"

SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 16, TWP. 33 N., RNG. 4 E., W.M.

TRACT 1, SHORT PLAT NO. 84-008
5.00 AC.

SINNES ROAD (TO COUNTY UPON COMPLETION)



P:\SS\Carlson\163304E0\DRAW\211026F BLA Short Plat\Final BLA Revised-R4.dwg, Schmidt PUD Esmt Exhibit, 6/16/2013 1:20:41 PM FOR WINDWARD REAL ESTATE SERVICES OF PROPOSED P.U.D. #1 EASEMENT TO BE ACQUIRED FROM THE ESTATE OF FRED SCHMIDT
JN 211026F

Skagit Surveyors and Engineers
806 Metcalf St., Sedro-Woolley, WA 98284 360.855.2121

