

Skagit County Auditor 10/1/2014 Page

1 of

\$79.00 8 8:43AM

WHEN RECORDED RETURN TO:

CASCADE NATURAL GAS CORPORATION 8113 West Grandridge Blvd Kennewick, WA 99336

ATTENTION. Engineering

SKAGIT COUNTY WASHINGTON REAL ESTATE EXCISE TAX

OCT 01 2014

Amount Paid \$ /

City: Sedro Woolley

County: Skagit

W.O.#:

RIGHT OF WAY EASEMENT

CNG317

STUNISLAW PROPERTIES L.L.C

(hereinafter referred to as the "Grantor"), for and in consideration of mutual benefit of the parties and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, convey, and warrant to CASCADE NATURAL GAS CORPORATION, a Washington corporation (hereinafter referred to as the "Grantee"), a nonexclusive easement over the following described property of the Grantor:

PROPERTY DESCRIPTION:

PARENT PARCELS P- 39397 + 39412

THAT PORTION OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 35 NORTH, RANGE 5 EAST OF THE WILLAMETTE MERIDIAN, LYING SOUTH AND EAST OF THE COUNTY ROAD, (FORMERLY RIGHT-OF-WAY OF THE PUGET SOUND AND BAKER RIVER RAILWAY COMPANY);

EXCEPT THE WEST 194 FEET THEREOF.

TOGETHER WITH TRACTS 1, 2 AND 3, SKAGIT COUNTY SHORT PLAT NO. 11-84, APPROVED MAY 23, 1984 AND RECORDED OCTOBER 17, 1984 IN VOLUME 6 OF SHORT PLATS, PAGES 179 AND 180, UNDER AUDITOR'S FILE NUMBER 8410170004, RECORDS OF SKAGIT COUNTY, WASHINGTON, BEING A PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER IN SECTION 18 TOWNSHIP 35 NORTH, RANGE 5 EAST OF THE WILLAMETTE MERIDIAN.

[HOLDING SKAGIT COUNTY PARCEL NUMBERS [P-39397 AND P-39412] RECORDS OF THE **SKAGIT COUNTY ASSESSOR 1**

EASEMENT DESCRIPTION:

AN EASEMENT FOR THE INSTALLATION, MAINTENANCE AND REPAIR OF A GAS LINE AND APPURTENANCES FOR A FUTURE GAS LINE INSTALLATION AND TO IDENTIFY AND LOCATE AN EXISTING GAS LINE AS LOCATED BY OTHERS AND THEN MAPPED, OVER, UNDER AND UPON A TRACT OF LAND BEING 10 FEET IN WIDTH, LYING 5 FEET ON EACH SIDE OF THE FOLLOWING. DESCRIBED CENTERLINE AS TO FORM A CONTINUOUS STRIP OF LAND, LYING SOUTHERLY OF McGARIGLE ROAD AND LYING NORTH OF STATE ROUTE 20, ALL BEING WITHIN A PORTION OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 35 NORTH, RANGE 5 EAST, W.M., THE CENTERLINES BEING MORE PARTICULAR DESCRIBED AS FOLLOWS:

COMMENCING AT THE MONUMENT AT THE INTERSECTION OF CALKIN PLACE AND *McGARIGLE ROAD FROM WHICH McGARIGLE ROAD BEARS NORTH 43°36'35" EAST; THENCE SOUTH 43°36'35" WEST ALONG THE CENTERLINE OF SAID ROAD 542.39 FEET TO THE

INTERSECTION WITH THE WESTERLY MARGIN OF THAT CERTAIN 125 FOOT EASEMENT GRANTED TO UNITED STATES OF AMERICA FOR POWER TRANSMISSION PURPOSES UNDER AUDITORS FILE NUMBER 400408 RECORDS OF SKAGIT COUNTY; THENCE REVERSING DIRECTION NORTH 43°36'35" EAST 5.04 FEET THENCE SOUTH 39°19'06" EAST BEING 5.00 FEET NORTHERLY AND PARALLEL WITH THE SOUTHERLY MARGIN OF SAID USA EASEMENT 25.19 FEET TO THE INTERSECTION WITH THE SOUTHERLY MARGIN OF SAID ROAD AND TRUE POINT OF BEGINNING OF CENTERLINE AND THE FUTURE GAS LINE LOCATION AND EASEMENT, OF WHICH THE NORTHERLY EASEMENT MARGINS SHALL BE EITHER LENGTHENED OR SHORTENED TO START AT THE SOUTHERLY MARGIN OF THE McGARIGLE ROAD; THENCE SOUTH 39°19'06" EAST PARALLEL TO THE SOUTHERLY MARGIN OF SAID U.S.A. EASEMENT 289.01 FEET; THENCE LEAVING SAID U.S.A. EASEMENT SOUTH 01°27'50" EAST 331.58 FEET; THENCE SOUTH 24°46′44" EAST 106.17 FEET; THENCE SOUTH 43°39′30" EAST 50.15 FEET; THENCE NORTH 88°43'12" EAST 108.93 FEET; THENCE SOUTH 01°19'49" EAST 232.55 FEET; THENCE SOUTH 88°26'08" WEST 72.28 FEET TO REFERENCE POINT "A"; THENCE SOUTH 88°26'08" WEST 22.66 FEET TO THE TERMINUS OF THIS PORTION OF SAID GAS EASEMENT AND THE STRIPS MARGINS SHALL END AT RIGHT ANGLES TO LAST SAID COURSE AT ITS TERMINATION AND A POINT BEING REFERRED TO AS REFERENCE POINT "B"

TOGETHER WITH AN EASEMENT FOR A FUTURE GAS LINE LOCATION AND EASEMENT FOR A GAS LINE WITH ITS APPURTENANCES BEING A PORTION OF THE DESCRIBED LANDS, LYING WITHIN A STRIP OF LAND 10 FEET IN WIDTH, BEING 5 FEET ON EACH SIDE OF THE CENTERLINE BEING MORE PARTICULAR DESCRIBED AS FOLLOWS:

BEGINNING CENTERLINE AT THE BEFORE-MENTIONED REFERENCE POINT "A"; THENCE SOUTH 01°33′52" EAST 23.25 FEET TO THE TERMINUS OF THIS PORTION OF SAID GAS EASEMENT AND THE STRIPS MARGINS SHALL END AT RIGHT ANGLES TO LAST SAID COURSE AT ITS TERMINATION.

ALSO TOGETHER WITH AN EASEMENT TO IDENTIFY AND LOCATE AN EXISTING GAS LINE AND ITS APPURTENANCES, LYING WITHIN A STRIP OF LAND 10 FEET IN WIDTH, BEING 5 FEET ON EACH SIDE OF THE CENTERLINE BEING MORE PARTICULAR DESCRIBED AS FOLLOWS:

COMMENCING AT THE BEFORE-MENTIONED REFERENCE POINT "B", THENCE SOUTH 85°28'35" WEST 27.06 FEET TO THE TRUE POINT OF BEGINNING OF THE EASEMENT FOR THE EXISTING GAS LINE, THE STRIPS MARGINS SHALL BEGIN AT RIGHT ANGLES TO THIS COURSE AND 5 FEET DISTANT; THENCE REVERSING DIRECTION NORTH 85°28'35" EAST 27.06 FEET; THENCE SOUTH 0°45'06" EAST 396.88 FEET; THENCE SOUTH 88°39'12" WEST 24.11 FEET TO THE INTERSECTION WITH THE EAST LINE OF THAT UN-NAMED COUNTY RIGHT OF WAY AS DISCLOSED ON SKAGIT COUNTY SHORT PLAT 11-84 AS RECORDED UNDER AUDITORS FILE NUMBER 8410170004 RECORDS OF SKAGIT COUNTY RECORDS AND TERMINUS OF SAID CENTERLINE.

THE STRIPS MARGINS SHALL BE EXTENDED OR SHORTENED TO END AT THE EAST MARGIN OF THAT SAID NO-NAME COUNTY RIGHT OF WAY.

AREA OF THE GAS LINE EASEMENT IS 16,746 S.F.

TAX PARCEL NUMBER: P-39397 & 39412

The Grantee is granted the right to construct, install, operate, maintain, protect, improve, repair, and abandon in place a natural gas pipeline or pipelines, regulation devices, and metering equipment under, over, through, and across the above-described property. The Grantee is further granted an easement for the nonexclusive right of access to and from said property for the purpose of utilizing the rights herein granted.

201410010008

Skagit County Auditor 10/1/2014 Page \$79.00 8 8:43AM

2 of

The term "pipeline" includes gas lines, services, machinery, equipment, and facilities related to the operation or maintenance of said gas lines. The Grantor, on behalf of itself and its agents, invitees and licensees, agrees not to impair or interfere with the full use and enjoyment by the Grantee of the rights herein granted.

Without limiting the generality of the foregoing, the Grantor shall not erect any structure within the easement area, or conduct or permit any activities that may impair or interfere with the rights herein granted.

Grantor agrees to cooperate with Grantee to obtain all necessary permits, licenses and governmental action so that Grantee may enjoy the full use and benefit of this right-of-way easement.

The Grantee agrees to hold the Grantor, and Grantor's tenant on the premises (presently Janicki Industries, Inc.), harmless from any loss, cost, or damage resulting from the Grantee's negligence in connection with the construction installation, operation, operation, maintenance, protection, improvement, repair, and/or abandonment of any pipelines, regulation devices, and metering equipment under, over, through, and across the easement premises, and in connection with other uses specifically granted to the Grantee in this Right of Way Easement. The Grantor and Grantor's tenant on the premises (presently Janicki Industries, Inc.), agrees to hold the Grantee harmless from any loss, cost, or damage arising out of this Right of Way Easement and resulting from the Grantor's negligence, and/or the negligence of Grantor's agents, invitees, or licensees, or from any breach of this easement by Grantor.

This easement shall be binding upon the heirs, executors, administrators, personal representatives, successors, and assigns of the parties hereto.

In witness whereof, the undersigned have executed this easement this 26 day of 2014.

Stanislaw Properties, L.L.C.

State of Washington) ss.

County of Skan:+)

Robert Janislaw ecoperties, L.E. 4.

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



Skagit County Auditor 10/1/2014 Page

\$79.00

3 of 8 8:43AM

Dated September 26 2014

KEVIN B. McGOFFIN
STATE OF WASHINGTON
NOTARY --- PUBLIC
My Contents story Expires 10-15-2017

Notary Public
Print Name Kas: AB. m. Loff:

My commission expires 10-15-2017

Skagit County Auditor 10/1/2014 Page

\$79.00 4 of 8 8:43AM EXHIBIT B1 SITE PLAN 1 of 2

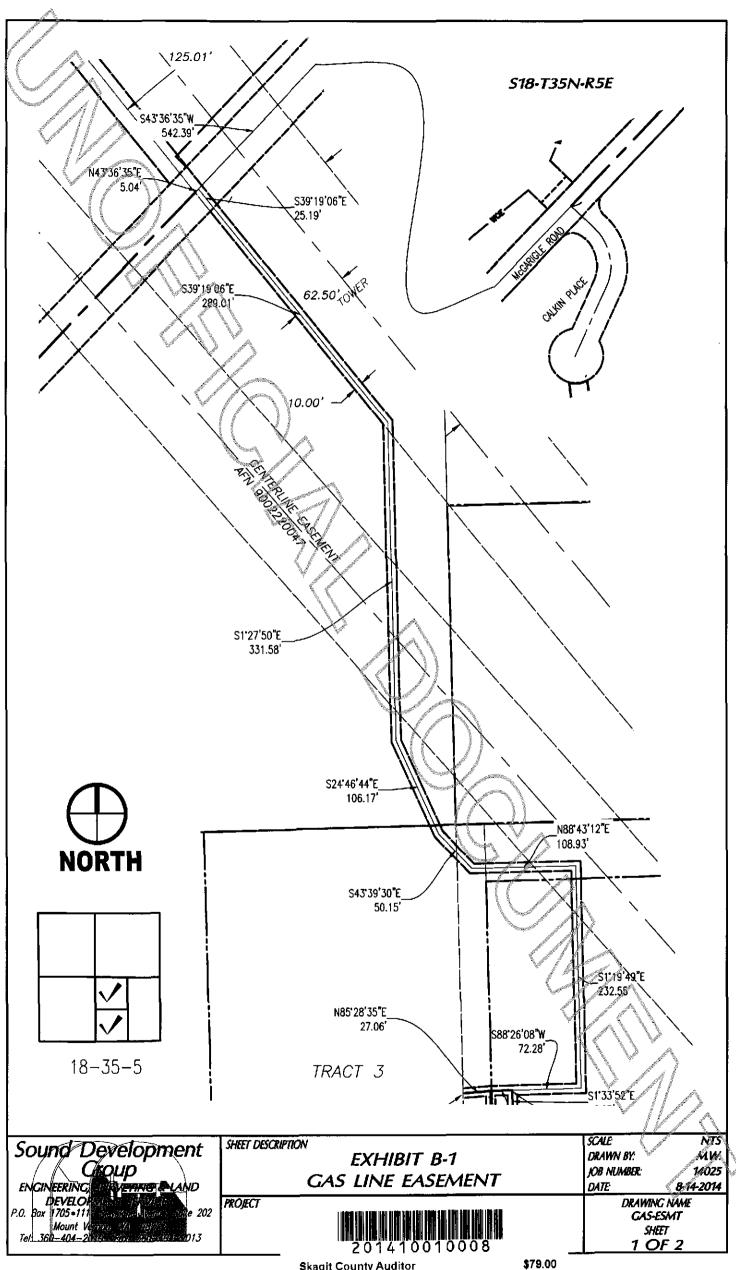
SEE ATTACHED

EXHIBIT B2 SITE PLAN 2 of 2

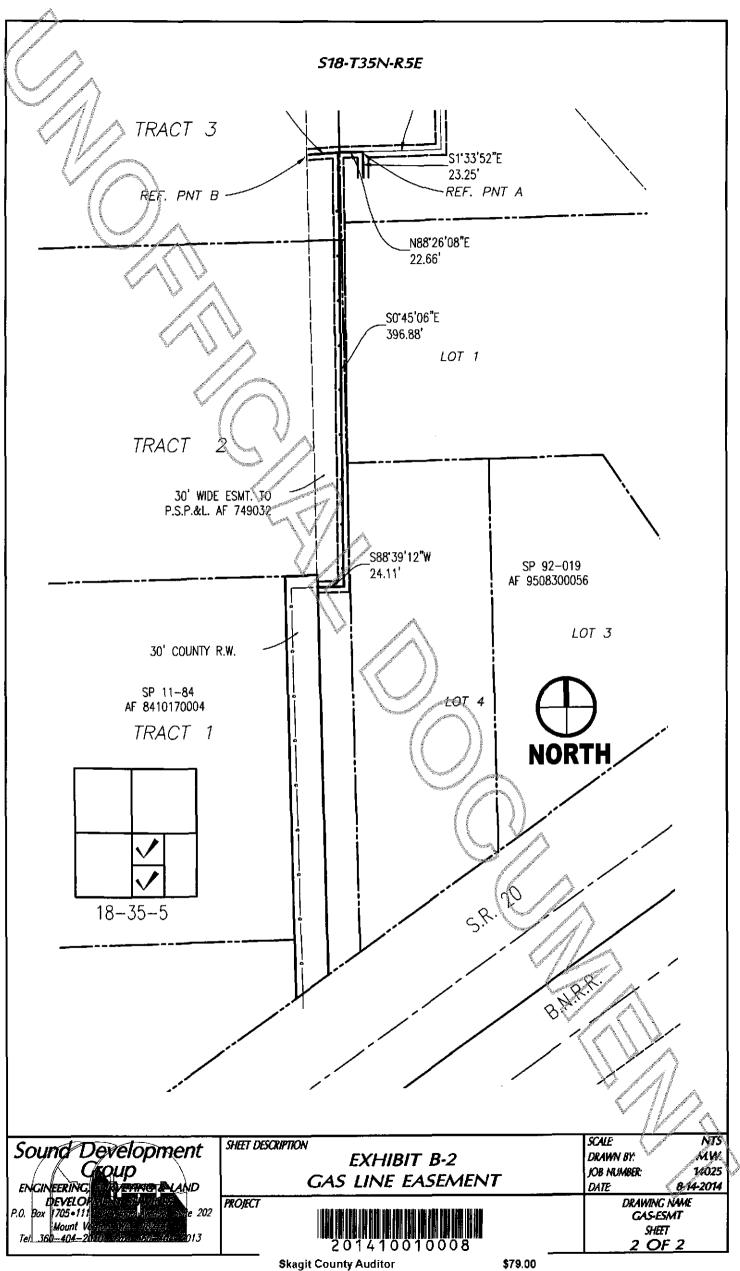
SEE ATTACHED

Skagit County Auditor 10/1/2014 Page

\$79.00 5 of 8 8:43AM



Skagit County Auditor 10/1/2014 Page \$79.00 5 of 8 8:43AM



Skagit County Auditor
10/1/2014 Page

\$79.00 7 of 8 8:43AM Cascade Natural Gas Corporation Right of Way Easement Page 2 **EXHIBIT B** SITE PLAN C:\Users\tgrove\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Outlook\E4ODOHXV\P39391-CNG-RUBY-ESMT rev6.doc

Skagit County Auditor 10/1/2014 Page

\$79.00 8 8:43AM

8 of