



201503200040

Skagit County Auditor

\$75.00

3/20/2015 Page

1 of

4 12:52PM

RETURN TO:

Public Utility District No. 1 of Skagit County

1415 Freeway Drive

P.O. Box 1436

Mount Vernon, WA 98273-1436

UTILITY EASEMENT

Grantor:	FOOTHILLS CHRISTIAN SCHOOL , a Washington non-profit corporation
Grantees:	(i) PBWA PROPERTIES, LLC , a Washington limited liability company (ii) PUBLIC UTILITY DISTRICT NO. 1 OF SKAGIT COUNTY, WASHINGTON , a municipal corporation
Full Legal:	(i) Foothills Christian School Property: LOT 17, 18, 31 AND 32, "VIEW CREST ADDITION, MOUNT VERNON, WASHINGTON" AS PER PLAT RECORDED IN VOLUME 7 OF PLATS, PAGE 80, RECORDS OF SKAGIT COUNTY, WASHINGTON. (ii) PBWA Properties, LLC Property: LOTS 1, 2, 3, 4, 5, AND 6, "O'LEARY'S ADDITION TO MOUNT VERNON," AS PER PLAT RECORDED IN VOLUME 7 OF PLATS, PAGE 76, RECORDS OF SKAGIT COUNTY, WASHINGTON. SITAUTE IN THE CITY OF MOUNT VERON, COUNTY OF SKAGIT, STATE OF WASHINGTON.
Tax Parcel Identification Numbers:	(i) Foothills Christian School Property: P54715 (3765-000-032) (ii) PBWA Properties, LLC Property: P53960 (3749-000-006)
Reference Number of Documents Assigned or Released:	N/A

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

MAR 20 2015

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

THIS UTILITY EASEMENT ("Agreement") is made this 18th day of March, 2015, between **FOOTHILLS CHRISTIAN SCHOOL**, a Washington non-profit corporation ("Grantor"), and (i) **PBWA PROPERTIES, LLC**, a Washington limited liability company ("PBWA") and (ii) **PUBLIC UTILITY DISTRICT NO. 1 OF SKAGIT COUNTY, WASHINGTON**, a municipal corporation ("District" and together with PBWA, the "Grantee"). Witnesseth:

and WHEREAS, Grantor is the owner of certain lands and premises situated in the County of Skagit,

and WHEREAS, Grantee wishes to acquire certain rights and privileges along, within, across, under, and upon the said lands and premises.

WHEREAS, PBWA is the owner of the real property benefitted (the "PBWA Property") by this easement and commonly known as Tax Parcel Number: P53960 (3749-000-006) and legally described as:

LOTS 1, 2, 3, 4, 5, AND 6, "O'LEARY'S ADDITION TO MOUNT VERNON," AS PER PLAT RECORDED IN VOLUME 7 OF PLATS, PAGE 76, RECORDS OF SKAGIT COUNTY, WASHINGTON. SITUATE IN THE CITY OF MOUNT VERNON, COUNTY OF SKAGIT, STATE OF WASHINGTON.

NOW, THEREFORE, Grantor, for and in consideration of mutual benefits and other valuable consideration, receipt of which is hereby acknowledged, conveys and grants to Grantee, and their respective 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 (the "Grantor Property") in the County of Skagit, State of Washington, to wit:

Tax Parcel Number: P54715 (3765-000-032)

LOT 17, 18, 31 AND 32, "VIEW CREST ADDITION, MOUNT VERNON, WASHINGTON", AS PER PLAT RECORDED IN VOLUME 7 OF PLATS, PAGE 80, RECORDS OF SKAGIT COUNTY, WASHINGTON. SITUATE IN THE CITY OF MOUNT VERNON, COUNTY OF SKAGIT, STATE OF WASHINGTON.

on the easement (the "Easement Area") described as follows (See Exhibit A – Easement Map):

An easement for utility purposes, and the maintenance thereof, over, under and across the East 40.00 feet (as measured perpendicular to the East line) of the North 62.00 feet (as measured perpendicular to the North line) of Lot 17, Plat of "View Crest Addition, Mount Vernon, Washington," as per plat recorded in Volume 7 of Plats, page 80, records of Skagit County, Washington.

SUBJECT TO and TOGETHER WITH easements, reservations, restrictions, covenants, liens, leases, court causes and other instruments of record.

Situate in the City of Mount Vernon, County of Skagit, State of Washington.

The intent of this easement is to accommodate the existing water service line from the meter on the west side of 17th Street westerly and northerly through the above described easement area and then continuing on to the buildings on Lots 2 and 5 Plat of O'Leary's Addition to Mount Vernon.

If at such time the existing as constructed water line is found to be outside of the above described easement area, the existing waterline location will hold with an additional easement being granted that is 5 feet in width and centered along said waterline. This additional area will be considered granted as a part of this easement conveyance.

Grantor authorizes Grantee the right of ingress and egress from said lands of the Grantor. The Grantor also gives Grantee permission to cut, trim and/or remove all timber, trees, brush, or other growth standing or growing upon the lands of the Grantor 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 Grantee, 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 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 Grantee that trimmed, cut or removed such brush, other vegetation or debris.

Grantor, 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 PBWA and the District. Grantor 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 Grantee's use of the easement.

Grantor acknowledges and agrees that the existing water meter within the Easement Area and any pipe to or from such water meter originating or terminating on the PBWA Property through the Easement Area is owned by PBWA.

The Grantor also agrees to and with Grantee and warrant that Grantor lawfully owns the Grantor Property, 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 or otherwise of record, and that Grantor 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 Grantee; but in all other respects the mortgage shall remain unimpaired.

In Witness Whereof, the Grantor hereunto sets his hand and seal this 18th day of March, 2015.

Barbara Gustafson
Signature

BARBARA GUSTAFSON
Print Name

STATE OF WASHINGTON

COUNTY OF SKAGIT

I certify that I know or have satisfactory evidence that Barbara Gustafson is the person who appeared before me, and said person acknowledged that he/she signed this instrument, or oath stated that (he/she) was authorized to execute the instrument and acknowledged it as the Board President Foothills Christian School of Board President Foothills Christian School to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Date: March 18, 2015

Sara Porter
Notary Public in and for the State of Washington
My appointment expires March 16, 2018

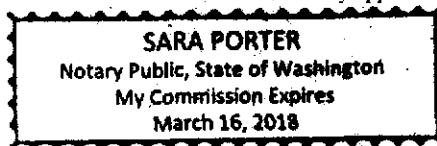


EXHIBIT "A"
EXHIBIT MAP

