

Recording Requested By And
When Recorded Mail To:

Sedro-Woolley City Attorney
325 Metcalf Street
Sedro-Woolley, WA 98284



201503260097

Skagit County Auditor

\$77.00

3/26/2015 Page

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6 3:36PM

DOCUMENT TITLE: EASEMENT FOR STORMWATER

GUARDIAN NORTHWEST TITLE CO.

REFERENCE NUMBER OF RELATED DOCUMENT: *Not Applicable*

GRANTOR(S): JAMES and LYNDIA TILLEY, husband and wife

ACCOMMODATION RECORDING ONLY

GRANTEE(S): City of Sedro-Woolley for B Central Place

JM 1815

ABBREVIATED LEGAL DESCRIPTION:

ASSESSOR'S TAX / PARCEL NUMBER(S): P108706 & P37482

EASEMENT FOR STORMWATER

The undersigned, **JAMES and LYNDIA TILLEY, husband and wife** ("Grantor"), for and in consideration of the public good, mutual benefits and no monetary consideration, hereby grants and conveys to the **City of Sedro-Woolley**, a municipal corporation in Skagit County, Washington ("Grantee"), and its successors and assigns, a permanent Easement for Stormwater including open ditches, stormwater lines and appurtenances thereto ("Easement") as follows:

1. Nature and Location of Easement. Grantor owns certain real property located in the City of Sedro-Woolley and identified on **Exhibit "A"**, attached hereto and incorporated herein by this reference ("Real Property"). The Easement granted by Grantor herein shall be a permanent easement for the benefit of Grantee over, upon, across, through and under the Real Property, such Easement as legally described on **Exhibit "B-1"** and as described and depicted on **Exhibit "C"**, attached hereto and incorporated herein by this reference, for the purposes of installing, laying, constructing, maintaining, inspecting, repairing, removing, replacing, renewing, using and operating stormwater lines and open ditches, together with all facilities, connectors, pump stations and appurtenances ("Stormwater Lines"), including the right of ingress and egress with all necessary vehicles and equipment for said purposes. The Grantee may access the easement through the Real Property as well as the easement area, for purposes of installation, repair and maintenance, in a reasonable manner.

2. Right of Entry. Grantee shall have the right, without notice and at all times as may be necessary to enter upon the Real Property to install, lay, construct, maintain, inspect, repair, remove, replace, renew, use and operate the Stormwater Lines for the purposes of serving the Real Property and other properties with stormwater drainage. Grantee agrees to restore the Real Property as nearly as reasonably possible to its




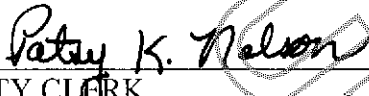
condition prior to any material disturbance from construction, operation, maintenance, repair, or replacement of the Stormwater Lines.

3. Encroachment/Construction Activity. Grantor shall not undertake, authorize, permit or consent to any construction or excavation including, without limitation, digging, tunneling, or other forms of construction activity on or near the Easement which might in any fashion unearth, undermine, or damage the Stormwater Lines or endanger the lateral or other support of the Stormwater Lines without Grantee's prior approval. Grantor further agrees that no structure or obstruction including, without limitation, fences and rockeries shall be erected over, upon or within the Easement, and no trees, bushes or other shrubbery shall be planted or maintained within the Easement, without consent of Grantee, provided Grantor shall have full use of the surface of the Real Property within the Easement, so long as such use does not interfere with the Easement or the Stormwater Lines.

4. Binding Effect/ Warranty of Title. The Easement and the covenants, terms, and conditions contained herein are intended to and shall run with the Real Property and shall be binding upon Grantee and Grantor and their respective successors, heirs and assigns. Grantor warrants that Grantor has good title to the Real Property and warrants the Grantee title to and quiet enjoyment of the Easement.

5. Recording. Upon its execution, the Easement shall be recorded with the Skagit County Auditor.

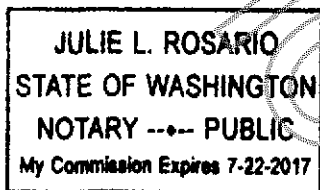
DATED this 23 day of March, 2015.

| | |
|--|--|
| GRANTOR  _____ JAMES TILLEY  _____ LYNDA TILLEY | GRANTEE  _____ MAYOR ATTEST:  _____ CITY CLERK |
|--|--|

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that JAMES and LYNDA TILLEY are the persons who appeared before me, and said persons acknowledged that they signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in this instrument.

SUBSCRIBED AND SWORN to before me this 23 day of
March, 2015.

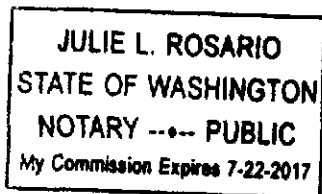


Julie Rosario
Julie Rosario (Printed Name)
NOTARY PUBLIC in and for the State of
Washington residing at: Sedro-Woolley
My Commission expires 7/22/2017

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that Mike Anderson and Patsy Nelson appeared before me, acknowledged that they signed this instrument, on oath stated that they were authorized to execute the instrument, and acknowledged it as the Mayor and City Clerk of City of Sedro-Woolley, to be the free and voluntary act of such entity, for the uses and purposes mentioned in the instrument.

SUBSCRIBED AND SWORN to before me this 23 day of
March, 2015.



Julie Rosario
Julie Rosario (Printed Name)
NOTARY PUBLIC in and for the State of
Washington residing at: Sedro-Woolley
My Commission expires 7/22/2017

EXHIBIT "A"
LEGAL DESCRIPTION
FOR ENTIRE PARCEL
JAMES and LYNDIA TILLEY
(ASSESSOR'S PARCEL NOS. P37482 & P108706)

P37482:

COUNTY OF SKAGIT CITY OF SEDRO WOOLLEY, AND DESCRIBED AS FOLLOWS: TRACT 2 OF SEDRO-WOOLLEY SHORT PLAT NO. SW 6-77, AS APPROVED SEPTEMBER 27, 1977 AND RECORDED OCTOBER 5, 1977 IN VOLUME 2 OF SHORT PLATS, PAGE 134, UNDER AUDITOR'S FILE NO. 866099, RECORDS OF SKAGIT COUNTY, WASHINGTON; BEING A PORTION OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 24, TOWNSHIP 35 NORTH, RANGE 4 EAST, W.M. SITUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON. ABBRV LEGAL TRACT 2 SEDRO-WOOLLEY SHORT PLAT SW 6-77 VOL 2 PG 134 ASSESSOR'S PARCEL NUMBER: P37482

P108706: TRACT B, Plat of Central Place, as per plat approved on May 28, 1996 and recorded on May 29, 1996 under Auditor's File Number 199605290068, Records of Skagit County, Washington.

Situated in the City of Sedro-Woolley
Skagit County, Washington.

—Skagit Surveyors and Engineers—

806 Metcalf St. Sedro-Woolley, WA 98284
360.855.2121 360.855.1658(f)
www.sseconsultants.com

EXHIBIT B-1

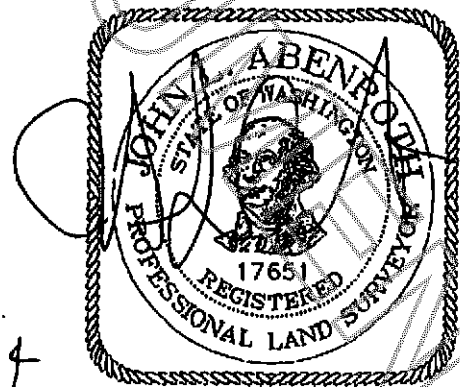
LEGAL DESCRIPTION
FOR
THE CITY OF SEDRO-WOOLLEY
OF

A FIFTEEN FOOT WIDE DRAINAGE EASEMENT OVER JAMES AND LYNDIA TILLEY PROPERTY

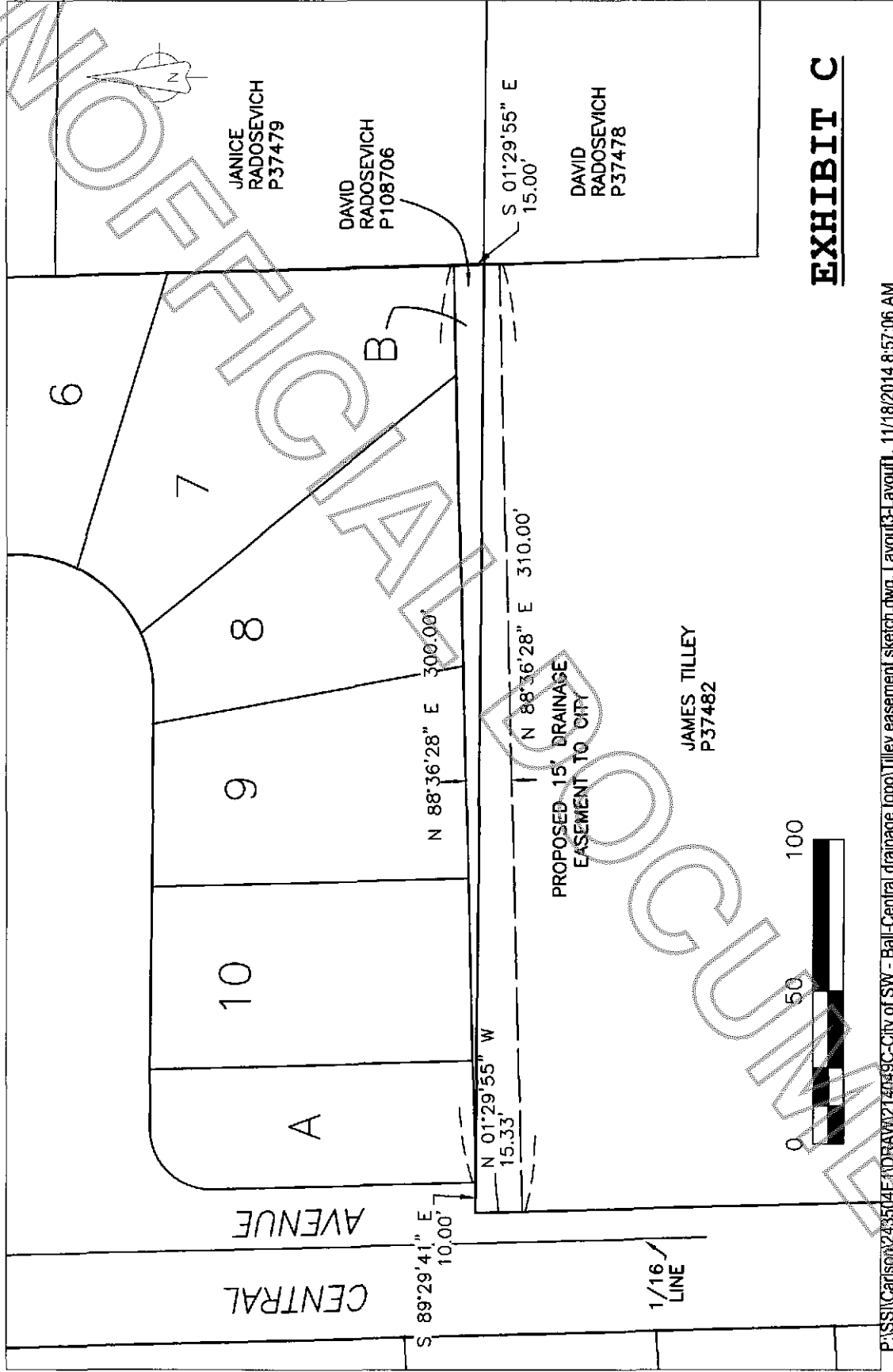
October 23, 2014 revised November 18, 2014

A fifteen foot wide easement for construction, operation, maintenance of storm water conveyance facilities over, under, and through the following described tract:

Beginning at the southwest corner of Tract A as shown on the Plat of Central Place filed in Volume 16 of Plats at pages 103 and 104, under Auditor's File No. 9605290068, records of Skagit County, Washington, said point being also the northwest corner of Tract B of said plat; thence N 88°36'28" E along the north line of said Tract B, a distance of 300.00 feet to the west line of that certain tract of land conveyed to Janice Radosevich by deed filed under Skagit County Auditors File No. 200812310024; thence S 1°29'55" E along the west line of said Janice Radosevich tract and continuing along the west line of that certain tract conveyed to David Radosevich by deed filed under Skagit County Auditor's File No. 200812310022, for a total distance of 15.00 feet; thence S 88°36'28" W, a distance of 310.00 feet to the east line of the west 10 feet of the northeast quarter of the northeast quarter of Section 24, Township 35 N., Range 4 E., W.M.; thence N 1°29'55" W along the east line of said west 10 feet a distance of 15.33 feet to the westerly projection of the south line of the afore described Tract B; thence S 89°29'41" E along said projection a distance of 10.00 feet to the point of beginning of this description.



11/18/14



Skagit Surveyors and Engineers

806 Metcalf St., Seacro-Woolley, WA 98284 360.855.2121