

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



201508250017

Skagit County Auditor \$74.00
8/25/2015 Page 1 of 3 11:50AM

PUD UTILITY EASEMENT

THIS AGREEMENT is made this 24TH day of August, 2015, between **PBWA PROPERTIES, LLC**, 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:

Tax Parcel Number: P24856

Easement No. 6

An easement for waterline purposes and the maintenance thereof, over, under and across a portion of the Southeast 1/4 of the Northwest 1/4 of Section 15, Township 34 North, Range 4 East, W.M., described as follows:

BEGINNING at the Northwest corner of the Southwest 1/4 of the Northwest 1/4 of said Section 15, from which the Southwest corner (West 1/4 corner) of said subdivision bears South 0°44'25" West;
thence South 89°49'39" East along the North line of said Southwest 1/4 of the Northwest 1/4 for a distance of 1,350.07 feet to the Northeast corner thereof;
thence South 0°37'39" West for a distance of 20.00 feet to the Northwest corner of that certain Parcel "D" conveyed to PBWA Properties, LLC by Quit Claim Deed recorded under Skagit County Auditor's File No. 201207110024 and being the TRUE POINT OF BEGINNING;
thence South 89°49'39" East along the Northerly line of said PBWA Properties, LLC parcel (also being the Southerly right-of-way margin of McLaughlin Road) for a distance of 75.00 feet;
thence South 0°37'39" West for a distance of 5.00 feet;
thence North 89°49'39" West for a distance of 75.00 feet, more or less, to the Westerly line of said PBWA Properties, LLC parcel, also being the West line of said Southeast 1/4 of the Northwest 1/4 of Section 15 at a point bearing South 0°37'39" West from the TRUE POINT OF BEGINNING;
thence North 0°37'39" East along said Westerly line for a distance of 5.00 feet, more or less, to the TRUE POINT OF BEGINNING.

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.

(See Exhibit A – Easement Map):

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.

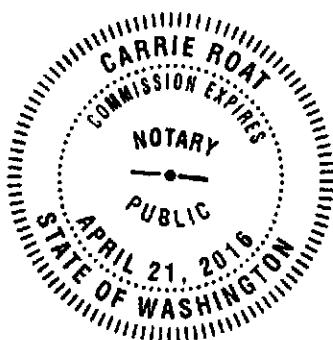
Any mortgage on said land held by a mortgagee is hereby subordinated to the rights herein granted to the District; but in all other respects the mortgage shall remain unimpaired.

In Witness Whereof, the Grantor(s) hereunto sets his hand and seal this 24TH day of August, 2015.

Terry Daughters
Terry Daughters, EVP/CCO of Peoples Bank
PBWA Properties, LLC

STATE OF WASHINGTON
COUNTY OF WHATCOM

I certify that I know or have satisfactory evidence that **Terry Daughters** is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as **EVP/CCO of Peoples Bank of PBWA Properties, LLC** to be the free and voluntary act for the uses and purposes mentioned in the instrument.



Carrie Roat
Notary Public in and for the State of Washington
My appointment expires: 4/21/16

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX
EASEMENT
AUG 25 2015

Amount Paid \$
Skagit Co. Treasurer
By HB Deputy

EXHIBIT "A"

