



Skagit County Auditor \$77.00
1/19/2016 Page 1 of 5 1:30PM

**SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX**

RETURN ADDRESS:
Puget Sound Energy, Inc.
Attn: ROW Department
1660 Park Lane
Burlington, WA 98233

Easement
JAN 19 2016

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



EASEMENT

GUARDIAN NORTHWEST TITLE CO.

ACCOMMODATION RECORDING ONLY

m9914

GRANTOR (Owner): **JAMES R. ENSLEY and LORRAINE A. ENSLEY**
GRANTEE (PSE): **PUGET SOUND ENERGY, INC.**
SHORT LEGAL: **PTN: NE 1/4 S26, T 36N, R 04E**
ASSESSOR'S PROPERTY TAX PARCEL: **360426-1-001-0200/P105694**

For and in consideration of good and valuable consideration, the receipt and sufficiency of which are acknowledged, **JAMES R. ENSLEY and LORRAINE A. ENSLEY, husband and wife**, ("Owner" herein), hereby grants and conveys to **PUGET SOUND ENERGY, INC.**, a Washington corporation ("PSE" herein), for the purposes described below, a nonexclusive perpetual easement over, under, along across and through the following described real property (the "Property" herein) in **SKAGIT** County, Washington:

SEE EXHIBIT 'A' ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF:

Except as may be otherwise set forth herein PSE's rights shall be exercised upon that portion of the Property ("Easement Area" herein) described as follows:

A strip of land ten (10) feet in width with five (5) feet on each side of the centerline of PSE's facilities as now constructed, to be constructed, extended, or relocated, (This easement description may be superseded at a later date with a surveyed description provided at no cost to PSE.)

1. Purpose. PSE shall have the right to use the Easement Area to construct, operate, maintain, repair, replace, improve, remove, upgrade and extend one or more utility systems for purposes of transmission, distribution and sale of gas and electricity. Such systems may include, but are not limited to:

a. Overhead facilities. Poles and other support structures with crossarms, braces, guys and anchors; electric transmission and distribution lines; fiber optic cable and other lines, cables and facilities for communications; transformers, street lights, meters, fixtures, attachments and any and all other facilities or appurtenances necessary or convenient to any or all of the foregoing; and

b. Underground facilities. Conduits, lines, cables, vaults, switches and transformers for electricity; pipes, pipelines, mains, laterals, conduits, regulators, gauges and rectifiers for gas; fiber optic cable and other lines, cables and facilities for communications; semi-buried or ground-mounted facilities and pads, manholes, meters, fixtures, attachments and any and all other facilities or appurtenances necessary or convenient to any or all of the foregoing.

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RW 094704/105078914
NE S26, T36N, R04E

No monetary consideration paid

Following the initial construction of all or a portion of its systems, PSE may, from time to time, construct such additional facilities as it may require for such systems. PSE shall have the right of access to the Easement Area over and across the Property to enable PSE to exercise its rights granted in this easement.

2. Easement Area Clearing and Maintenance. PSE shall have the right, but not the obligation to cut, remove and dispose of any and all brush, trees or other vegetation in the Easement Area. PSE shall also have the right, but not the obligation, to control, on a continuing basis and by any prudent and reasonable means, the establishment and growth of brush, trees or other vegetation in the Easement Area.

3. Trees Outside Easement Area. PSE shall have the right to cut, trim remove and dispose of any trees located on the Property outside the Easement Area that could, in PSE's sole judgment, interfere with or create a hazard to PSE's systems. PSE shall, except in the event of an emergency, prior to the exercise of such right, identify such trees and make a reasonable effort to give Owner prior notice that such trees will be cut, trimmed, removed or disposed. Owner shall be entitled to compensation for the actual market value of merchantable timber (if any) cut and removed from the Property by PSE.

4. Restoration. Following initial installation, repair or extension of its facilities, PSE shall, to the extent reasonably practicable, restore landscaping and surfaces and portions of the Property affected by PSE's work to the condition existing immediately prior to such work. PSE shall use good faith efforts to perform its restoration obligations under this paragraph as soon as reasonably possible after the completion of PSE's work.

5. Owner's Use of Easement Area. Owner reserves the right to use the Easement Area for any purpose not inconsistent with the rights herein granted, provided, however, Owner shall not excavate within or otherwise change the grade of the Easement Area or construct or maintain any buildings or structures on the Easement Area and Owner shall do no blasting within 300 feet of PSE's facilities without PSE's prior written consent.

6. Indemnity. PSE agrees to indemnify Owner from and against liability incurred by Owner as a result of the negligence of PSE or its contractors in the exercise of the rights herein granted to PSE, but nothing herein shall require PSE to indemnify Owner for that portion of any such liability attributable to the negligence of Owner or the negligence of others.

7. Termination. The rights herein granted shall continue until such time as PSE terminates such right by written instrument. If terminated any improvements remaining in the Easement Area shall become the property of Owner. No termination shall be deemed to have occurred by PSE's failure to install its systems on the Easement Area.

8. Successors and Assigns. PSE shall have the right to assign, apportion or otherwise transfer any or all of its rights, benefits, privileges and interests arising in and under this easement. Without limiting the generality of the foregoing, the rights and obligations of the parties shall be binding upon their respective successors and assigns.

DATED this 8th day of January, 2016.

OWNER

BY: James R. Ensley
JAMES R. ENSLEY

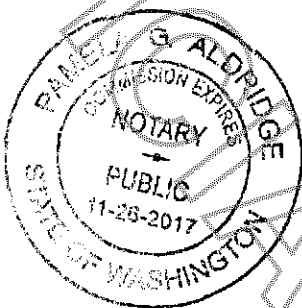
Lorraine A. Ensley
LORRAINE A. ENSLEY

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STATE OF Washington)
) SS
COUNTY OF)

On this 8th day of January, 2016, before me, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared James R. Ensley and Lorraine A. Ensley 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 therein mentioned in this instrument.

GIVEN UNDER my hand and official seal hereto affixed the day and year in this certificate first above written.



Pamela G. Aldridge
(Signature of Notary)
Pamela G. Aldridge
(Print or stamp name of Notary)

NOTARY PUBLIC in and for the State of
Washington
residing at Seebis Wolley
My Appointment Expires: 11-26-17

UNRECORDED INSTRUMENT DOCUMENT

EXHIBIT A

THAT PORTION OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 36 NORTH, RANGE 4 EAST, W.M. DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 26; THENCE NORTH 89°25'40" EAST 586.37 FEET ALONG THE SOUTH LINE OF SAID SUBDIVISION TO THE NORTHEAST CORNER OF TRACT "A" AS SHOWN ON THAT CERTAIN SURVEY RECORDED IN VOLUME 1 OF SURVEYS, PAGE 122, RECORDS OF SKAGIT COUNTY, WASHINGTON; THENCE CONTINUE NORTH 89°25'40" EAST 15.37 FEET ALONG SAID SOUTH SUBDIVISION LINE TO THE EASTERLY MARGIN OF THAT CERTAIN 30.00 FEET WIDE EASEMENT FOR ROAD AND UTILITIES AS SHOWN ON THE FACE OF SAID RECORD OF SURVEY BEING THE TRUE POINT OF BEGINNING; THENCE CONTINUE NORTH 89°25'40" EAST 1986.24 FEET ALONG THE SOUTH LINE OF SAID SUBDIVISION TO THE SOUTHEAST CORNER THEREOF; THENCE NORTH 1°06'20" WEST 1314.08 FEET ALONG THE EAST LINE OF SAID SUBDIVISION TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH 89°01'01" WEST 1110.35 FEET ALONG THE NORTH LINE OF SAID SUBDIVISION; THENCE SOUTH 11°29'44" EAST 1014.44 FEET; THENCE SOUTH 89°25'40" WEST 554.53 FEET PARALLEL WITH THE SOUTH LINE OF SAID SUBDIVISION; THENCE SOUTH 37°24'25" WEST 177.81 FEET TO THE NORTH LINE OF THE SOUTH 170.00 FEET OF SAID NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 26; THENCE SOUTH 89°25'40" WEST 350.00 FEET ALONG SAID NORTH LINE OF THE SOUTH 170.00 FEET TO THE EASTERLY MARGIN OF THAT CERTAIN 30.00 FOOT WIDE RIGHT OF WAY EASEMENT TO JESSE GALBREATH ET AL, RECORDED UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 759060; THENCE ALONG SAID EASTERLY RIGHT OF WAY MARGIN SOUTH 16°35'44" WEST 118.03 FEET TO A POINT BEARING NORTH 13°07'03" WEST FROM THE TRUE POINT OF BEGINNING; THENCE SOUTH 13°07'03" EAST 58.63 FEET TO THE TRUE POINT OF BEGINNING.

TOGETHER WITH A 60.00 FOOT WIDE EASEMENT FOR INGRESS, EGRESS AND UTILITIES BEING APPROXIMATELY CENTERED ALONG THE EXISTING GRAVEL DRIVEWAY (BEING THE ROADWAY PREVIOUSLY REFERRED TO BY RIGHT OF WAY DEED RECORDED UNDER AUDITOR'S FILE NUMBER 759060) THE CENTERLINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF TRACT "A" AS SHOWN ON THAT CERTAIN RECORD OF SURVEY MAP RECORDED IN VOLUME 1 OF SURVEYS, PAGE 122 RECORDS OF SKAGIT COUNTY, WASHINGTON (ALSO BEING THE CENTERLINE OF A 30.00 FOOT WIDE EASEMENT FOR ROAD AND UTILITIES SHOWN THEREON); THENCE NORTH 13°07'03" WEST 59.27 FEET; THENCE NORTH 16°35'44" EAST 117.38 FEET TO THE NORTH LINE OF THE SOUTH 170.00 FEET OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 36 NORTH, RANGE 4 EAST, W.M. AND BEING THE TERMINUS OF SAID CENTERLINE.

TOGETHER WITH AN EASEMENT AND AGREEMENT FOR INGRESS, EGRESS AND UTILITIES FOR PERSONAL AND COMMERCIAL USE AS RECORDED 9/23/1999 UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 199909230052, SKAGIT COUNTY RECORDS.

SITUATE IN SKAGIT COUNTY, WASHINGTON.

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