



201611210126

Skagit County Auditor \$79.00  
11/21/2016 Page 1 of 7 3:55PM

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

**RETURN ADDRESS:**

Puget Sound Energy, Inc.  
Attn: Real Estate Dept. / JAS  
P.O. Box 97034, PSE-10S  
Bellevue, WA 98009-9734

20165289  
NOV 21 2016

Amount Paid \$ 94.00  
Skagit Co. Treasurer  
By *Tham* Deputy

**ACCESS EASEMENT AGREEMENT**

GRANTOR: Nielsen Brothers, Inc.  
GRANTEE: Puget Sound Energy, Inc.  
SHORT LEGAL: Portion of SW 17-35-05E  
ASSESSOR'S PROPERTY TAX PARCEL: P39243 and P121598

111513  
GUARDIAN NORTHWEST TITLE CO

This EASEMENT AGREEMENT ("Agreement") is made this 26 day of Oct., 2016, by and between Nielsen Brothers, Inc., a Washington corporation ("Owner"), and Puget Sound Energy, Inc., a Washington corporation ("PSE").

**RECITALS**

A. Owner owns certain real property in the County of Skagit, State of Washington, which real property is legally described as follows (the "Owner Parcel"):

201611210125  
PARCEL "A" OF BOUNDARY LINE ADJUSTMENT NO. 201611210125, AS RECORDED UNDER SKAGIT COUNTY AUDITOR'S FILE NUMBER 2016 11210125, AND AS DESCRIBED IN THE ATTACHED EXHIBIT "A". SITUATED IN SKAGIT COUNTY, STATE OF WASHINGTON.

B. PSE owns certain real property adjacent to the Owner Parcel, which real property is legally described as follows (the "PSE Parcel"):

201611210125  
PARCEL "B" OF BOUNDARY LINE ADJUSTMENT NO. 201611210125, AS RECORDED UNDER SKAGIT COUNTY AUDITOR'S FILE NUMBER 2016 11210125, SITUATED IN SKAGIT COUNTY, STATE OF WASHINGTON.

C. PSE desires a perpetual easement on, over, under and across a portion of the Owner Parcel and Owner is willing to grant and convey such an easement to Grantee, subject to the terms and conditions set forth herein.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and in consideration of the terms and conditions contained herein, the parties hereto agree as follows:

1. Grant of Easement. Owner hereby grants and conveys to PSE and to its contractors a non-exclusive perpetual easement on, over, under and across that portion of Owner's Property described as follows (the "Easement Area"):

A 30-FOOT WIDE STRIP OF LAND AS DESCRIBED IN THE ATTACHED EXHIBIT "B", AND AS SHOWN ON THE EASEMENT SKETCH IN THE ATTACHED EXHIBIT "C".

2. PSE's Use of the Easement Area. PSE may use the Easement Area to construct, operate, maintain, repair and improve an access road to provide ingress and egress to all or any portion of the PSE Parcel for the purposes of constructing, managing, and maintaining an aquatic habitat restoration and enhancement project, and for other business-related activities typically engaged in by PSE in the management of the PSE Parcel. Owner shall provide PSE with passage through any gates blocking access over the Easement Area.
3. 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.

4. Cost of Construction. PSE shall bear all construction costs relating to the initial improvement of the Easement Area for access to the PSE Parcel.
5. Public Access. Owner and PSE agree that this Easement Agreement shall not and is not intended to create an access right for the benefit of the general public.
6. Successors and Assigns. This Agreement shall be recorded in the records of the Skagit County Auditor and shall remain a perpetual easement that runs with the land and is binding on the Owner Parcel and the PSE Parcel and the successors and assigns of the parties hereto.
7. Relocation of Easement Area. The Easement Area may be relocated by mutual written agreement of Owner and PSE.
8. Entire Agreement. This Agreement represents the entire understanding between the parties hereto and may not be amended or revised except in writing signed by both parties.

IN WITNESS THEREOF, the parties have executed this Agreement as of the date set forth above.

OWNER: Nielsen Brothers, Inc.

PSE: Puget Sound Energy, Inc.

By: [Signature]

By: [Signature]  
Joel Schleppi

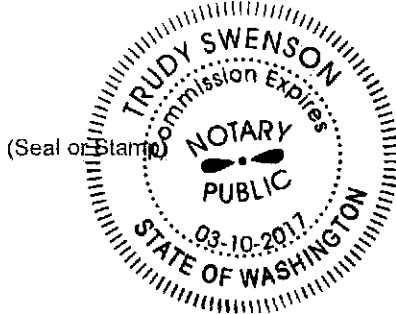
By: \_\_\_\_\_

(REPRESENTATIVE ACKNOWLEDGMENT)

State of Washington

County of Whatcom

I certify that I know or have satisfactory evidence that ROBERT C. NIELSEN signed this instrument, on oath stated that (he/she/they) (was/were) authorized to execute the instrument and acknowledged it as the PRESIDENT of Nielsen Brothers, Inc. to be the free and voluntary act for the uses and purposes mentioned in the instrument.



Dated: 10/27/16

Signature of [Signature]  
Notary Public  
Title Notary Public

My appointment expires 3/10/17

4. Cost of Construction. PSE shall bear all construction costs relating to the initial improvement of the Easement Area for access to the PSE Parcel.
5. Public Access. Owner and PSE agree that this Easement Agreement shall not and is not intended to create an access right for the benefit of the general public.
6. Successors and Assigns. This Agreement shall be recorded in the records of the Skagit County Auditor and shall remain a perpetual easement that runs with the land and is binding on the Owner Parcel and the PSE Parcel and the successors and assigns of the parties hereto.
7. Relocation of Easement Area. The Easement Area may be relocated by mutual written agreement of Owner and PSE.
8. Entire Agreement. This Agreement represents the entire understanding between the parties hereto and may not be amended or revised except in writing signed by both parties.

IN WITNESS THEREOF, the parties have executed this Agreement as of the date set forth above.

OWNER: **Nielsen Brothers, Inc.**

PSE: **Puget Sound Energy, Inc.**

By: \_\_\_\_\_

By: Joel Schleppi  
Joel Schleppi

By: \_\_\_\_\_

**(REPRESENTATIVE ACKNOWLEDGMENT)**

State of Washington

County of \_\_\_\_\_

I certify that I know or have satisfactory evidence that \_\_\_\_\_  
signed this instrument, on oath stated that (he/she/they) (was/were) authorized to execute the instrument and  
acknowledged it as the \_\_\_\_\_ of Nielsen Brothers, Inc. to be  
the free and voluntary act for the uses and purposes mentioned in the instrument.

(Seal or Stamp)

Dated: \_\_\_\_\_

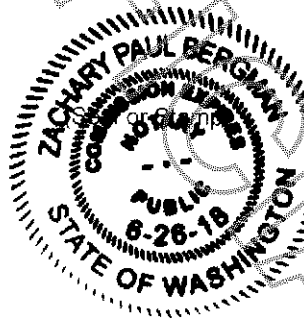
Signature of  
Notary Public \_\_\_\_\_  
Title Notary Public

My appointment expires \_\_\_\_\_

State of Washington

County of King

I certify that I know or have satisfactory evidence that Joel Schleppi signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Supervisor Real Estate of Puget Sound Energy, Inc. to be the free and voluntary act for the uses and purposes mentioned in the instrument.



Dated: Oct. 26<sup>th</sup>, 2016

Signature of Zachary Bergman  
Notary Public  
Title Notary Public

My appointment expires 6/26/18

## EXHIBIT A - LEGAL DESCRIPTION

### LEGAL DESCRIPTION

THAT PORTION OF LOT 1, SHORT PLAT NO. 94-014, APPROVED AUGUST 2, 1994, RECORDED AUGUST 5, 1994, IN VOLUME 11 OF SHORT PLATS, PAGE 95, UNDER AUDITOR'S FILE No. 9408050002, RECORDS OF SKAGIT COUNTY, WASHINGTON; BEING A PORTION OF THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 35 NORTH, RANGE 5 EAST, W.M., LYING WEST OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 17;  
THENCE SOUTH 88°16'36" EAST ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 17 FOR A DISTANCE OF 788.93 FEET, TO THE SOUTHEAST CORNER OF LOT 2 OF SAID SHORT PLAT 94-014;  
THENCE NORTH 0°12'29" WEST, ALONG THE EAST LINE OF SAID LOT 2, FOR A DISTANCE OF 767.69 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF LOT 1 OF SAID SHORT PLAT 94-014, AND THE POINT OF BEGINNING OF SAID LINE;  
THENCE NORTH 0°12'29" WEST 1181.02 FEET TO THE SOUTH LINE OF THE GREAT NORTHERN RAILWAY RIGHT-OF-WAY AND THE TERMINUS OF SAID LINE.

SITUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON.



HARMESEN & ASSOCIATES INC.  
603 SOUTH FIRST STREET  
MOUNT VERNON, WA 98273  
(360) 336-8199 (888) 794-7811-WWW.HARMESENINC.COM

PREPARED FOR:  
PUGET SOUND ENERGY

JOB NO.	DATE:
16-075	JUNE 2016

## EXHIBIT B - EASEMENT DESCRIPTION

### EASEMENT DESCRIPTION

A 30-FOOT WIDE STRIP OF LAND IN THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 35 NORTH, RANGE 5 EAST, W.M., BEING A PORTION OF THAT PROPERTY DESCRIBED HEREIN AS EXHIBIT "A", LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1, SHORT PLAT NO. 94-014, APPROVED AUGUST 2, 1994, RECORDED AUGUST 5, 1994, IN VOLUME 11 OF SHORT PLATS, PAGE 95, UNDER AUDITOR'S FILE No. 9408050002, RECORDS OF SKAGIT COUNTY, WASHINGTON, SAID CORNER ALSO LYING ON THE SOUTHEASTERLY RIGHT-OF-WAY MARGIN OF THE GREAT NORTHERN RAILWAY;

THENCE NORTH 55°44'19" WEST ALONG SAID SOUTHERLY RAILROAD RIGHT-OF-WAY MARGIN FOR A DISTANCE OF 123.00 FEET TO THE POINT OF BEGINNING OF THIS CENTERLINE DESCRIPTION;

THENCE SOUTH 40°59'32" EAST 200.60 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 200.00 FEET;

THENCE SOUTHEASTERLY AND EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 58°36'52" FOR A DISTANCE OF 204.60 FEET;

THENCE NORTH 80°23'37" EAST 144.51 FEET TO A POINT ON THE EASTERLY BOUNDARY OF THAT PROPERTY HEREIN DESCRIBED AS EXHIBIT "A" AND THE TERMINUS OF THIS CENTER LINE DESCRIPTION.

THE SIDE LINES OF SAID STRIP ARE TO BE PROLONGED OR SHORTENED TO FIT WITHIN THE CONFINES OF SAID PARCEL DESCRIBED IN EXHIBIT "A"

A SKETCH IS ATTACHED AS EXHIBIT "C" AND BY REFERENCE THERETO IS MADE A PART HEREOF.

SITUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON.



**HARMSSEN & ASSOCIATES INC.**

603 SOUTH FIRST STREET  
MOUNT VERNON, WA 98273  
(360) 336-9199 (888) 794-7811-WWW.HARMSSENINC.COM

PREPARED FOR:  
**PUGET SOUND ENERGY**

JOB NO.

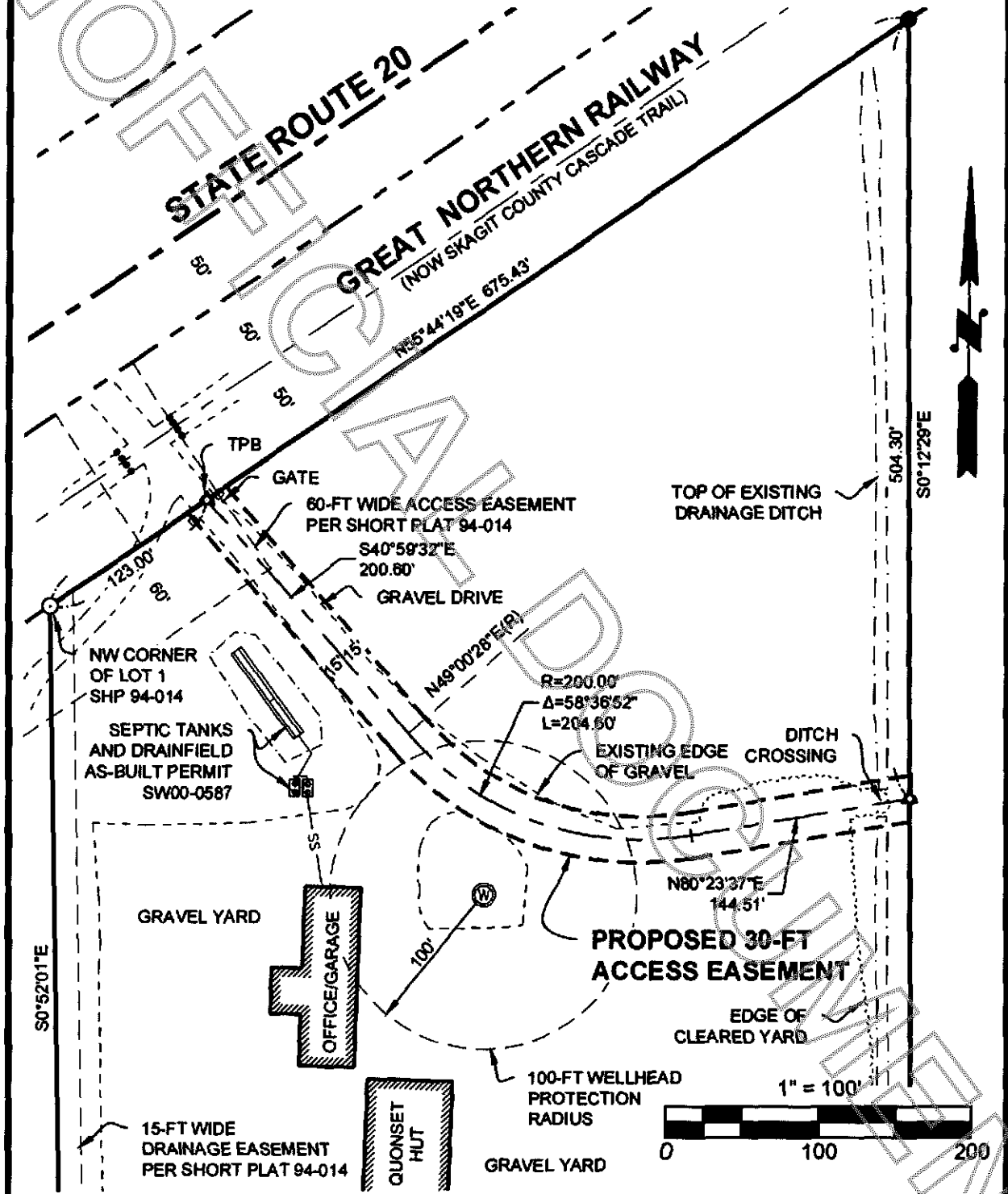
**16-075**

DATE:

**JUNE 2016**

# EXHIBIT C - EASEMENT SKETCH

SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 35 NORTH, RANGE 5 EAST, W.M  
SKAGIT COUNTY, WASHINGTON



**HARMESEN & ASSOCIATES INC.**  
603 SOUTH FIRST STREET  
MOUNT VERNON, WA 98273  
(360) 338-9199 (888) 794-7811-WWW.HARMESENINC.COM

PREPARED FOR:  
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JOB NO. 16-075 DATE: JUNE 2016