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Skagit County Auditor

\$77.00

3/24/2017 Page

1 of

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PUD UTILITY EASEMENT

THIS AGREEMENT is made this 22nd day of AUGUST, 2013, between **WINDWARD REAL ESTATE SERVICES, INC.**, 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:

P16668**Tax # 330416-3-001-0800**

EXHIBIT "A" Easement Legal Description - attached
EXHIBIT "B" Easement Map - attached

16/33/04

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.

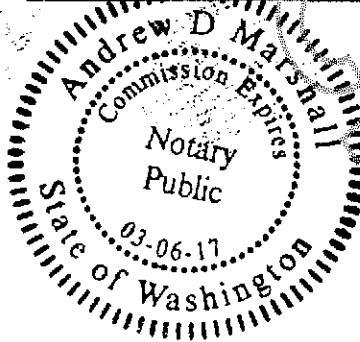
Grantor(s), their heirs, successors, or assigns hereby conveys and agrees not to construct or permit to be constructed structures of any kind on the easement area without written approval of the General Manager of the District. Grantor(s) shall conduct their activities and all other activities on Grantor's 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.

STATE OF Washington
COUNTY OF King

I certify that I know or have satisfactory evidence that James Tosti
is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument,
on oath stated that (he/she) was authorized to execute the instrument and acknowledged it as the
President of **WINDWARD REAL ESTATE SERVICES, INC.**,
to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.
Date: 3/22/17



Andrew D. Marshall
Notary Public in and for the State of Washington
My appointment expires: 3/6/17

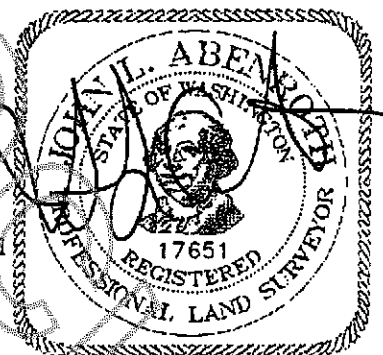
Easement
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

MAR 24 2017

Amount Paid \$
Skagit Co. Treasurer
By MT Deputy

December 20, 2011 Rev'd May 13, 2013

Commencing at a point on the southeasterly line of Lot 1 of Skagit County Short Plat No. 94-008 filed in Volume 12 of Short Plats at page 89 under Auditor's File No. 9603290058 which lies N 68°53'52"E, a distance of 384.67 feet from the angle point in the south line of said Lot 1; thence S 33°44'39"E, a distance of 79.34 feet to a point on a curve concave to the northeast from which the radius point bears S 84°48'38"E, a distance of 110 feet; thence southerly and easterly along said curve through a central angle of 45°26'02", and an arc distance of 87.23 feet; thence S 40°14'40"E, a distance of 444.38 feet to the point of curvature of a curve to the left having a radius of 360.00 feet; thence easterly along said curve through a central angle of 22°49'12" and an arc distance of 143.38 feet; thence S 63°03'52"E, a distance of 23.19 feet to a point on a curve concave to northwest having a radius of 55 feet and from which the radius point bears N 77°24'52"E; thence southerly, easterly, northerly and westerly along said curve through a central angle of 280°57'27", and an arc distance of 269.70 feet; thence N 63°03'52"W, a distance of 23.19 feet to the point of curvature of a curve to the right having a radius of 290.00 feet; thence westerly along said curve through a central angle of 11°27'24", and an arc distance of 57.99 feet; thence S 41°41'48"W, a distance of 10.02 feet; to point on a curve concave to the northeast having a radius of 300.00 feet and from which the radius point bears N 38°30'09"E; thence northwesterly along said curve through a central angle of 11°15'11", and an arc distance of 58.92 feet; thence N 40°14'40"W, a distance of 444.38 feet to the point of curvature of a curve to the right having a radius of 50.00 feet; thence northerly along said curve through a central angle of 49°27'05", and an arc distance of 43.15 feet; thence N 09°12'25"E, a distance of 109.27 feet; thence N 65°47'35"W, a distance of 9.24 feet to a point on the southeasterly line of said Lot 1; thence S 68°53'52"W along said southeasterly line, a distance of 121.47 feet to the point of beginning of this description.



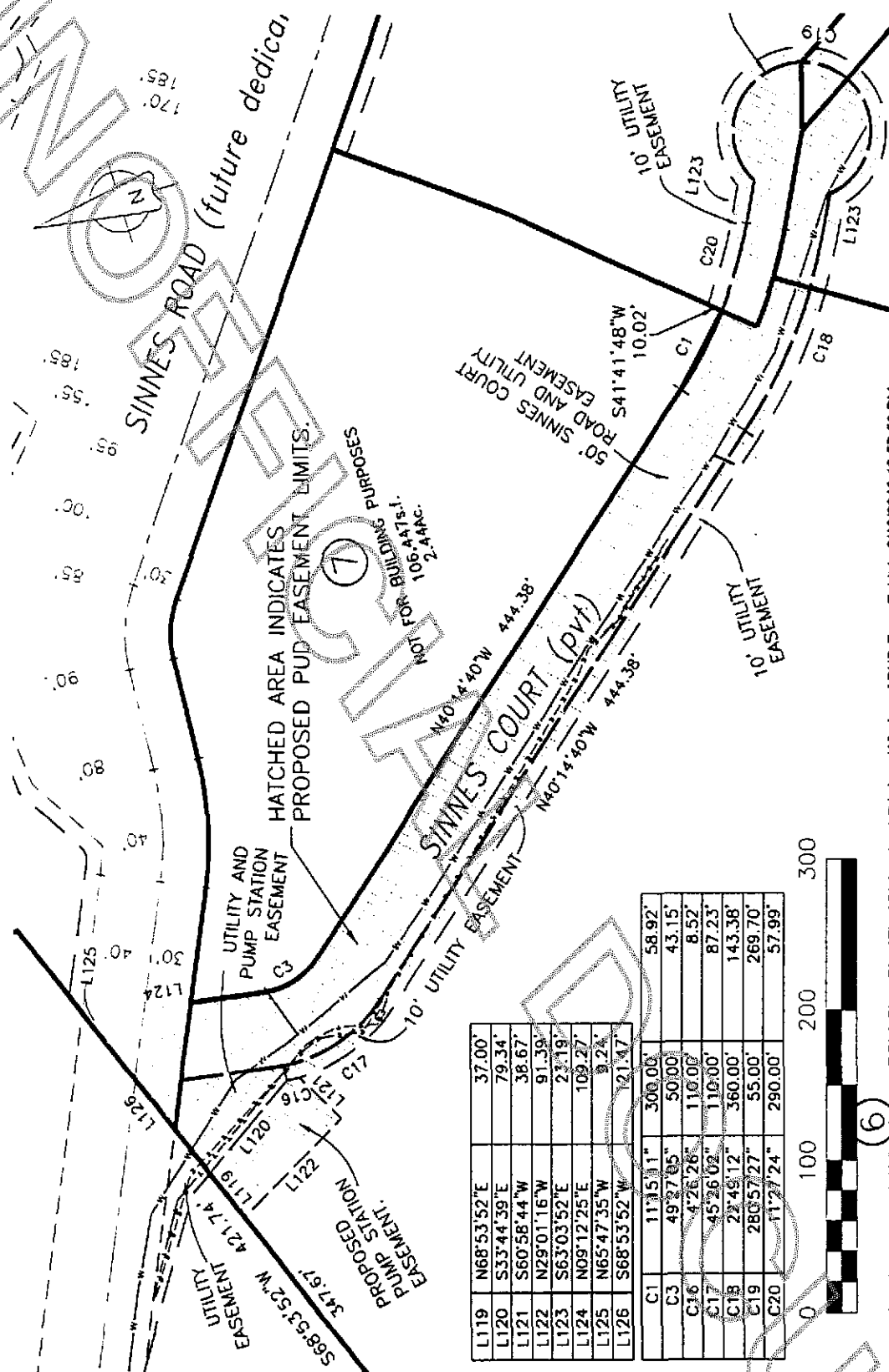
December 20, 2011 Rev'd May 13, 2013

TOGETHER WITH an easement for construction, operation and maintenance of a pump station and related equipment over the following described portion of Lot 2 of Skagit County Short Plat No. 94-008 filed in Volume 12 of Short Plats at page 89 under Auditor's File No. 9603290058.

Beginning at a point on the southeasterly line of Lot 1 of said Short Plat which lies N 68°53'52"E, a distance of 347.67 feet from the angle point in the south line of said Lot 1; thence N 68°53'52"E, a distance of 37.00 feet; thence S 33°44'39"E, a distance of 79.34 feet to a point on a curve concave to the northeast having a radius of 110.00 feet and from which the radius point bears S 84°50'51"E; thence along said curve through a central angle of 04°26'26", and an arc distance of 8.52 feet; thence S 60°58'44"W, a distance of 38.67 feet; thence N 29°01'16"W, a distance of 91.39 feet to the point of beginning of this description.



EXHIBIT "B"



L119	N68°53'52"E	37.00'
L120	S33°44'39"E	79.34'
L121	S60°58'44"W	38.67'
L122	N29°01'16"W	91.39'
L123	S63°03'52"E	23.19'
L124	N09°12'25"E	103.27'
L125	N65°47'35"W	9.24'
L126	S68°53'52"W	121.47'
C1	11°15'11"	300.00'
C3	49°27'05"	50.00'
C16	4°26'28"	110.00'
C17	45°26'02"	110.00'
C18	22°45'12"	360.00'
C19	280°57'27"	55.00'
C20	11°27'24"	290.00'

P:\SSICarlson\163304E\DRAW211026F BLA Short Plats\Final BLA Revised-R4.dwg, Windward PUD Esmt Exhibit, 6/16/2013 12:57:50 PM
SKETCH FOR WINDWARD REAL ESTATE SERVICES OF PROPOSED
P.U.D.#1 EASEMENT OVER AND ALONG SINNES COURT
JN 211026F

Skagit Surveyors and Engineers
806 Metcalf St., Sedro-Woolley, WA 98284 360.855.2121