



201706020032

Skagit County Auditor

\$77.00

6/2/2017 Page

1 of

5 10:48AM

When recorded return to:

Craig Sjostrom
1204 Cleveland Ave.
Mount Vernon, Washington 98273

Grantor: Denise Nicholson

Grantee: The Public

Legal Description: Ptn Govt Lot 1, 18-35N-6EWM

Assessor's Property Tax Parcel or Account Nos.: P41590; 41612

Reference Nos of Documents Assigned or Released: N/A

**SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX**

JUN 02 2017

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

DECLARATION OF EASEMENT FOR UTILITIES

THIS DECLARATION OF EASEMENT FOR WATER LINE & WELLHEAD PROTECTION is made by Denise Nicholson, as her separate property, Declarant.

Recitals

a. Declarant is the owner of the following-described real property:

Parcel A (8132 Nicholson Road, Sedro-Woolley, WA 98284):

That portion of Government Lot 1, Section 18, Township 35 North, Range 6 East, W.M., described as follows:

Beginning at a point on the North line of the B.D. Minkler County Road, which lies 1,022 feet East of where the said North line intersects the West line of the

UNREGISTERED DOCUMENT

said Government Lot 1;
thence North a distance of 1,155 feet to the South line of the Puget Sound & Baker River Railroad right-of-way;
thence Easterly along the said right-of-way a distance of 367 feet, more or less, to the West line of that certain strip conveyed to Skagit County by deed recorded in Volume 80 of Deeds, page 265, under Auditor's File No., 79202, records of Skagit County;
thence South along the West line of the said strip, a distance of 1,221 feet, more or less, to the North line of the B.D. Minkler County Road;
thence Westerly along the said North line of the Minkler Road to the point of beginning.

EXCEPT that portion conveyed by deed recorded on April 7th, 1961 under Auditor's File No. 606170, described as follows:

That portion of Government Lot 1, Section 18, Township 35 North, Range 6 East, W.M., described as follows:

Beginning at the point of intersection of the North line of State Highway 17-A (formerly the B.D. Minkler County Road) and the West line of the County Road which was conveyed to Skagit County by deed recorded in Volume 80 of Deeds, page 265, under Auditor's File No. 79202, records of Skagit County;
thence North along the West line of the said County road, a distance of 250 feet;
thence South 58° West, a distance of 150 feet;
thence South a distance of 170 feet to the North line of State Highway 17-A;
thence East a distance of 130 feet along the North line of the said highway to the point of beginning.

ALSO EXCEPT that portion conveyed by deed recorded on November 9th, 1961, under Auditor's File No. 614300, described as follows:

That portion of Government Lot 1, Section 18, Township 35 North, Range 6 East, W.M., described as follows:

Beginning at a point on the North line of State Highway 17-A, formerly the B.D. Minkler County road, which lies 130 feet West of the intersection of the said North line of the said highway and the West line of the County road which was conveyed to Skagit County by deed recorded in Volume 80 of Deeds, page 265, under Skagit County Auditor's File No. 79202;
thence North a distance of 170 feet;
thence in a Westerly direction to a point which lies 150 feet North of the North line of the said State Highway 17-A and 1,022 feet East of where the said North line of the said State Highway 17-A intersects the West line of the said Government Lot 1;
thence South to the North line of the said State Highway 17-A;
thence Easterly along the North line of the said State Highway 17-A to the point of beginning.

AND ALSO EXCEPT that portion conveyed by deed recorded on September 27th, 1968, under Auditor's File No. 718708, described as follows:

That portion of Government Lot 1, Section 18, Township 35 North, Range 6 East, W.M., lying Northerly of the new state highway, EXCEPT road;

AND ALSO EXCEPT those portions conveyed for right of way by deeds recorded July 24th, 1953 and April 21st, 1954, under Skagit County Auditor's File Nos. 490914 and 500630;

AND ALSO EXCEPT any portion lying North of the South line of State Route 20.

(P41590)

Parcel B (30170 SR 20, Sedro-Woolley, WA 98284):

That portion of Government Lot 1, Section 18, Township 35 North, Range 6 East, W.M., described as follows:

Beginning at the intersection of the Southerly line of the abandoned Puget Sound & Baker River Railway Co. right-of-way with the West line of the said Government Lot 1;
thence South along the said West line to the North line of State Highway 17-A;
thence Easterly along the said road a distance of 1,022 feet;
thence North a distance of 1,125 feet, more or less, to the Southerly line of the said abandoned railway right-of-way;
thence Westerly along the Southerly line of the said right-of-way a distance of 1,118 feet, more or less, to the point of beginning;

EXCEPT the West 295 feet thereof;

AND EXCEPT that portion condemned by the State of Washington under a Decree of Appropriation entered on April 28th, 1960, under Superior Court Cause No. 25060;

AND ALSO EXCEPT the following described tracts:

1. Beginning at a point on the North line of the said State Highway 17-A which lies 295 feet (measured at right angles) East of the West line of the said Government Lot 1;
thence North a distance of 200 feet parallel with the said West line of Government Lot 1;
thence East a distance of 237 feet;
thence South a distance of 200 feet;
thence Westerly along the North line of the said State Highway to the point of beginning.
2. Beginning at a point on the North line of the said State Highway which lies 1,022 feet East of the West line of the said Government Lot 1;
thence Westerly along the North line of the said State Highway a distance of 350 feet;
thence North parallel with the West line of the said Government Lot 1 a distance of 498 feet;

thence East a distance of 350 feet;
thence South to the point of beginning.

3. That portion of Government Lot 1, Section 18, Township 35 North, Range 6 East, W.M., described as follows:

Beginning at a point on the North line of the old State Highway which lies 1,022 feet East of the West line of the said Government Lot 1;
thence Westerly along the North line of the said old State Highway a distance of 350 feet to the true point of beginning;
thence North parallel with the West line of the said Government Lot 1 a distance of 548 feet;
thence West parallel with the North line of the said Government Lot 1 to a point which lies 295 feet East of the West line thereof;
thence South parallel with the said West line, to a point which lies 200 feet North of the North line of the old State Highway;
thence East a distance of 237 feet;
thence South a distance of 200 feet to the North line of the said old State Highway;
thence East, along the said North line, to the point of beginning.

(P41612)

- b. Underground utility lines are located across both properties, generally running in a Westerly direction from Nicholson Road, across Parcel A to a transformer box located on Parcel B, then back to the house located on Parcel A.
- c. Declarant wishes to impose upon the subject property a perpetual easement for these said utility lines.

Declaration

Therefore, Declarant does hereby impose, grant and convey, upon the two parcels above-described, for the mutual benefit of each, a perpetual non-exclusive easement for utilities, over the area of each parcel which lies ten (10) feet on either side of the utility lines located on each parcel, as they existed as of the date of this Declaration, plus a circular area having a radius of ten (10) feet centered on the transformer box presently located on Parcel B.

This Declaration shall be immediately effective upon Declarant conveying one or both the subject parcels, and shall further be subject to the following:

1. The provisions of this Declaration shall run with and be appurtenant to the properties above-described, and the future owners thereof shall share equally in the responsibility for

repair and maintenance of the utility lines and transformer box, including the costs thereof, provided that any damage to the said lines or box resulting from one party's intentional or grossly negligent actions shall be promptly repaired by that party at its sole expense.

- 2. Each parcel shall be subject to the imposition of a lien for that parcel's proportionate share of an expense or expenses incurred in connection with repair or maintenance to the utility lines and/or transformer box, such lien to be placed of record and foreclosed in the manner provided by law for the foreclosure of mechanic's or materialman's liens. No lien shall be placed of record until a period of 30 days has elapsed following the mailing of a demand for payment by registered or certified mail, return receipt requested, to each lot owner who has failed to pay his or her proportionate share. Only one copy of the demand need be mailed, and shall be sent to the relevant lot owner(s) at the address to which that lot's County property tax statements are sent. The costs of placing the lien of record and enforcing the same, including reasonable attorney's fees, shall be added to the amounts due thereunder.

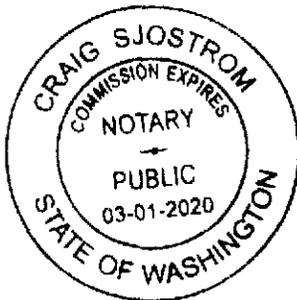
DATED: June 2, 2017.

Denise Nicholson
DENISE NICHOLSON

STATE OF WASHINGTON)
) :ss
COUNTY OF SKAGIT)

On this day personally appeared before me Denise Nicholson, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that she signed the same as her free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 2 day of June, 2017.



Craig Sjostrom
NOTARY PUBLIC in and for the State of Washington, residing at
Mt. Vernon
My commission expires: 3/1/20
Name: Craig Sjostrom