

\$159.00

Skagit County Auditor 9/20/2017 Page

1 of

12 12:35PM

When Recorded Return to:

Carmichael Clark, P.S. P.O. Box 5226 Bellingham, WA 9822

**Document Title:** 

Release of Easements

Reference #of related documents:

 $9105070082 \ and \ 200809250100$ 

**Grantor:** 

City of Mount Vernon

Grantee:

Pine Creek Estates L.L.C., a Washington limited liability company

**Brief Legal Description:** 

Section 16, Township 34 North, Range 4 East; Ptn NW Ne (aka Lots 1 & 2 BLA LU10-024)

Full legal descriptions on page 2.

Parcel numbers:

P130249 and P130250

## RELEASE OF EASEMENTS

THIS RELEASE OF EASEMENTS ("Release") is executed this \_\_\_\_\_ day of \_\_\_\_\_, 2017, by the City of Mount Vernon, a political subdivision of the State of Washington (the "City").

# RECITALS

WHEREAS, the City is the beneficiary of the following easements: 1) a sanitary sewer easement and pedestrian way over certain real property as depicted on that short plat recorded under Skagit County Auditor's File No. 9105070082; 2) an easement for ingress, egress and utilities over certain real property as depicted on that short plat recorded under Skagit County Auditor's File No. 9105070082; and 3) a drainage easement over certain real property as depicted on that short plat recorded under Skagit County Auditor's File No. 200809250100 and as further described in Note #6 of said short plat; (collectively, the "Easements");

WHEREAS, the Easements burden that property legally described as follows:

Lots 1 and 2 as delineated on Boundary Line Adjustment B.L.A. No. LU10-024, as approved on June 8, 2010 and recorded on June 9, 2010 under Auditor's file No. 201006090035, records of Skagit County, Washington.

(the "Burdened Property"); and

WHEREAS, Pine Creek Estates LLC (the "Developer") is the current owner of record of the Burdened Property and is developing Pine Creek Estates Phase 2 (the "Project") on the Burdened Property; and

WHEREAS, the Project would interfere with continued use of the Easements on the Burdened Property; and

WHEREAS, the City has determined that the Easements are no longer required for its purposes; and

WHEREAS, the Developer requests that the City release its interest in the Easements; and

WHEREAS, the City agrees to release the Easements subject to the conditions set forth below.

NOW THEREFORE, for and in consideration of the sum of Ten and Nov 100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City agrees as follows:

1. <u>Recitals.</u> All of the foregoing recitals are true and correct and expressly incorporated herein by this reference.

- Release of Easements. The City hereby relinquishes, releases, terminates and quit claims to Pine Creek Estates LLC, any and all right, title, and interest in and to the Easements and Burdened Property.
- Recording. Upon execution, this Release shall be recorded in the public records of Skagit County, Washington. This Release and the conditions herein shall be binding upon the Developer of the Burdened Property, and its successors and assigns.

IN WITNESS WHEREOF, this Release is executed by the City on the day and year first written above.

CITY OF MOUNT VERNON

Mayor: Jill Boudreau

Attest to by:

SKAGIT COUNTY WASHINGTON REAL ESTATE EXCISE TAX

SEP 2 0 2017

Amount Paid \$ 4 Skagit Co. Treasurer
By Deputy

Finance Director: Doug Volesky

Approved as to form by:

City Attorney: Kevin Rogerson

STATE OF WASHINGTON )
) ss
COUNTY OF SKAGIT )

I certify that I know or have satisfactory evidence that Jill Boudreau is the person who appeared before me and said person acknowledged that she signed this instrument and acknowledged it as the Mayor of the City of Mount Vernon, to be her free and voluntary act for the uses and purposes mentioned in the instrument.

Dated:

Printed Name:

NOTARY PUBLIC in and for the State of

Washington, residing at \_\_\_\_

My Commission expires

NORTH 30th 30.00 720.00 ić 10' DRAINAGE AND ) TI TILITY EASEMENT L10 A.F. NO. 8912210022 45°25'37"W. NO. 8912210022 ZONING = R-1, 9.6MARTIN ROAD AREA = 12.26 ACAES CONE MON'T "B" -30' DRAINAGE FASEMENT-S 89"33"37" E EASEMENT EASEMENT 745 50 ... TENCE ON AREA = 18.91 ACRES IO EASEMENT TO PUBLIC FOR WATERLINE A.F. No. 879303 "" = "DNING" 20' NOTE: FOR NON-RESIDENTIAL BUILDING PURPOSES 38 S. 49"33"37" 6 AREA = 250 ACRES EASEMENT TO CITY OF MOUNT VERNON—
FOR INGRESS, EGRESS AND UTILITIES. N. 32NO PL 37 ! 270.41 5. 89"39"39" E. 200 104.00 0°35'02" E. 300.4r EASTWIND STREET FXC/1800 531.22 36 | 35 | 34 S. 89-39-39 E. SANITARY SEWER EASEMENT TO CITY OF MOUNT VERNON ZONING = A-1. 531.22 AND CITY OF MOUNT YERR 33 205.00 N. 0 1 100.000 5. 80-33.57 N. 33RD PL 63 B2.57 2626.26  $\stackrel{\sim}{\sim}$ <u>g</u> Ó NOTE SONO TSWEL E 53.48 67 68 70 60 SELVINE THESE TRUMPETER ! WEST TRUMPETER - P-EIVEI SHORT PLAT NO. MV 7-9/ FB PG SURVEY OF A PORTION OF THE NW 1/4 OF THE NE 1/4 OF SECTION 16 T. 34 N. R. 4 E. W.M. FOR: MOUNT VERNON SCHOOL DISTRICT NO. 320 9 10 1-1/2" IRON PIPE SURVEYOR'S CERTIFICATE
[Iberthy cody) that the boundaries of this show pair and the coath
which have been serveyed and monumented and that all distances
and bearings are accurate. AUDITORYS CERTIFICATE
FOR INCOMENT TO THE TOTAL TO A MAN AND THE TOTAL THE 2118 RIVERSIDE DRIVE SUITE 104 MOUNT VERNON, WA 98273 Landy Audion & Deput & Buffind SEMPAU & LISSER
1G - ENCHMERING - FLANNING JOB NO. 88-000
UEBNON WA 98271 PH 424-9866 JOB NO. 88-000 SHEET 1 OF 2 T. 34 N. R. 4 E. W.M. VICINITY MAP 101 9 SI PA 357 Dar Mar. 22 9105071

SURVEY DESCRIPTION The Northway Lin of the Northwall I is 48 Seption 16, Towership 24 North, Range Ellam, W.M., ECCEPT \* I read all and EEGHPNATICA at the Northway Control of the Northway Lin of the Northw

EREINHANDEN IN DE Sendereal correct of the Northeast El-A of the Northeast (I-A of Section IV, Township J, Morch, Remys e Lee, M. North, Remys e Lee, M. North,

ALSO EXCEPT the following described particle:

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The South 10 feet of the Morth 30 feet of the Northwest 1/4 of the Northesst 1/4 of Society 15, Township 34 Northessa 1/4 of Society 15, Township 34 Northe Range 4 East, W.M., EXCEPT way portion fring within the following described parcel:

BEGINNING III the Northwar corner of the Northwest 1/4 of the Northeast 1/4, thence West 507.5 feet; theuse South 300.41 feet; thence Test 507.5 feet; thease North 300.41 feet to the TRUE ROHAT OF REGINNING

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OWNER'S CERTIFICATE AND DEDICATION

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Dued Mayed & 1691
Signature Hella Albandary
Title Markety
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translated and approved this 10 day of APRIL 1991

CITY ENGINEER (SEST) 7- R Balan -Examined and populate \_ 160 may him by

MAYOR:

TREASURENCE CERTIFICATE
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CITY TREASURER'S CERTIFICATE

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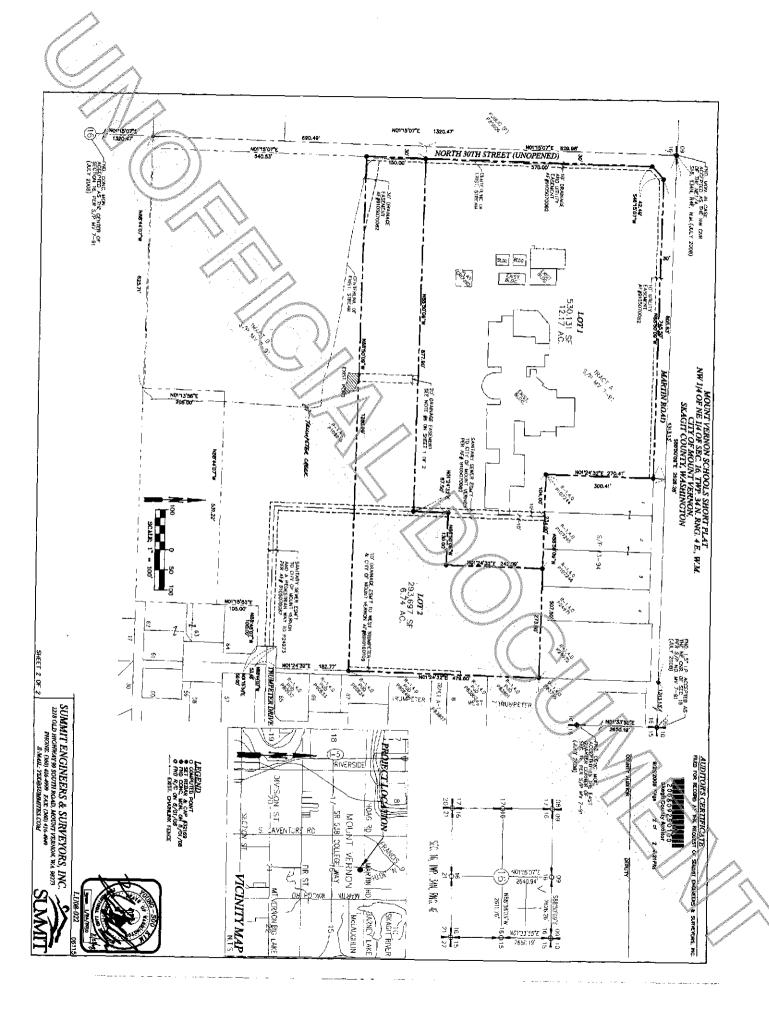
SHEET 2 OF 2

SHORTPLAT NO. MV 7-9/

DATE 4-23-9/

SURVEY OF A PORTION OF THE NW 1/4 OF THE NE 1/4 OF FOR: MOUNT VERNON SCHOOL DISTRICT NO. 320

SENTAL LESSER STATE: 1"-101SENTAL ENGINEERING - PLANNING STATE: 1"-101MOUNT VERNINA WAS DEED STATE: 1"-1



MOUNT VERNON SCHOOLS SHORT PLAT
NW 14 OF NE 14 OF SEC. 16, TWP. 34 N. RNG. 4 E., W.M.
SKAGIT COUNTY, VERNON
SKAGIT COUNTY, WASHINGTON

AUDITOR'S CENTIFICATE

DACAMEERS & SURVEYORS, INC.

NOTE

1. ORIGINAL PARCEL TOTAL AREA: 823,828 st. (18.9) ACRES)

2. (OT I IS ZOMED PUBLIC AND NOT FOR RESIDENTIAL DEVELOPMENT.

1. NO INFINER DEVELOPMENT OF LOT 2 WILL BE PRIMITED WITHOUT CRITICAL METALS HIS RESISSIENT MAD COMPANY WITH A PRICHABLE PROVISIONS OF THE MOUNT VERNOU CRITICAL MELS GROWNAND.

5. SHORT PLAT HUMBER AND DATE OF APPROVAL SHALL BE NOCHDED IN ALL DEEDS AND CONTRACTS. SURVEY DESCRIPTION IS FROM QUARDIAN NORTHWEST TILE COMPANY, THE REPORT (SUBDINISION GUARANTEE), ORDER NO. 94524, DATED APRIL 7, 2008.

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LEGAL DESCRIPTION

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HOUNT YERNON SCHOOL DISTRICT NO. 320

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RECTOR/CATY ENGINEER:

ATTESTS FINANCE BIRECTOR

ADDRESSES

LOT 1 3100 E. MANTIN ROAD

(CENTENNIAL ELEMENTARY SCHOOL) LOT 2 - 2300 NORTH JOTH STREET

MINUNTY & ECCHONIC DEVELOPMENT DIRECTOR:

SEWAGE: STORM: C WATER: S PHONE: P PHONE: C

ADE NATURAL TAS

NO. LOT 1: P - PUBLIC LOT 2: R-14 Q-SINCE FAI NOE: CITY OF NOON T JERNON M. CITY OF MIGHT JERNON M. SANOT PUBLIF R. SANOT PUBLIF R. PUGGE SMIND FINEREY

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COUNTY OF SKAGET

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CITY FINANCE DIRECTOR'S CERTIFICATE

HOLE THE STATE OF WASHINGTON, NOTARY PUBLIC FOR THE STATE OF WASHINGTON, MY COMMISSION EXPIRES STATE OF WASHINGTON,

↓ 2DQ8

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CITY FINANCE DIRECTOR



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SUMMIT ENGINEERS & SURVEYORS, INC.
218 OLD BEHNAY OS SOUTH ROAD, MODEL TERROW, RA 9277
PROTE, DOAD, 164-500. BASE (196) UA-500
E-MAIL-FERSENBUITESCOM

SHEET 1 OF 2

MPACT FEE NOTICE

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HE SUBJECT TO JUPACT FEES PAYABLE
ON ISSUANCE OF A BUILDING PERMIT.

DEVELOPER(S)
NORTHERN REIGH DEVELOPMENT, LLC
1815 BUCK WAY JA
NOUT VERNON WA 88273
(425) JOB-0753

SURVEY EQUIPMENT & PROCEDURE

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WASCONSTRUCTED BY FILLD INAVERSE USING

A PRICE TOTAL STATION ON

WORTH US. 2008

ORNER(S)

MOUNT VERNON SCHOOLS #320
124 L. LAWRENCE STREET
MOUNT VERHON, WA 98273
(360) 428-6181

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SURVEYOR'S CERTIFICATE

# EXHIBIT "1":

# PINE CREEK ESTATES PHASE 2 (Formerly Nordic Landing 1 Phase 2 and Nordic Landing 2) LEGAL DESCRIPTION

Lots & 2 as delineated on Boundary Line Adjustment B.L.A. No. LU10-024, as approved on June 8, 2010 and recorded June 9, 2010 under Auditor File No. 2010/6090035 Records of Skagit County, Washington.

# EXHIBIT "2" PINE CREEK ESTATES PHASE 2 PLAT MAP (provided for illustrative purposes only)

# EXHIBIT "3": CONDITIONS OF APPROVAL PINE CREEK ESTATES, PHASE 2 FINAL PLAT

The applicant has requested final plat approval for a portion of Phase 2 of Pine Creek Estates (formally Nordic Landing 1 and Nordic Landing 2) plat. The entire Pine Creek Estates development will be comprised of 75 single-family residential lots at full build-out. The applicant is seeking approval of the remaining 45 of these lots with this final plat approval. Phase 2 of the Pine Creeks Estates development has been completed, the infrastructure associated with the completed phase has been installed and the applicant has demonstrated compliance with the preliminary plat approval conditions outlined within Resolutions 778, 791 and 841 respectively.

There are no further phases of Pine Creek Estates and this approval is the final approval for the overall development

- 2. Final CC&Rs, as approved by the City, shall be recorded with the final plat maps for Phase 2 and shall have their Auditor's File Number cross-referenced on the face of this plat.
- 3. The Deed for Tract 102 of Pine Creek Estates Phase 1 transferring the stormwater pond to the City shall be recorded with the final plat maps for Phase 2 and shall have their Auditor File Number cross-referenced on the race of this plat. This deed shall be reviewed and approved by the City Attorney prior to the deed being accepted by the City.

