



201809120074

09/12/2018 01:56 PM Pages: 1 of 3 Fees: \$101.00  
Skagit County Auditor

RETURN TO:  
Public Utility District No. 1 of Skagit County  
1415 Freeway Drive  
P.O. Box 1436  
Mount Vernon, WA 98273-1436

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

SEP 12 2018

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

**PUD UTILITY EASEMENT**

THIS AGREEMENT is made this 10 day of Sept., 2018, between **RUBICON DEVELOPMENT, LLC**, 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:

**Tax Parcel Number: P76912 & P134169**

A tract of land for the purpose of a public utility easement lying over, under and upon, lands being within the following described existing lot(s) of record:

Lots land 2, short plat of "Nicholas court, plat file no. 2015-246", approved march 14, 2018 and recorded march 29, 2018, under auditors file number 201803290100, records of Skagit County Washington, all of which being contained in the northeast quarter of the southeast quarter of section 23, township 35 north, range 4 east, WM, and also being a portion of the east half of the west half of lot 2, "Sedro acreage", according to the plat thereof recorded in volume 3 of plats, at page 35, records of Skagit County, Washington, except the north 5 feet thereof conveyed to Skagit County for road purposes by deed recorded under auditors file no. 775444, records of Skagit County, Washington; and also except the northerly 15 feet, conveyed to the City of Sedro-Woolley by right-of-way deed recorded under auditor's file no. 200001040041, records of Skagit County, Washington.

on the easement described as follows (See Exhibit A – Easement Map):

Said public utility easement tract being more particularly described as follows:

Commencing at the northwest corner before-mentioned lot 1 thence south 88°48'35" east along the south margin of "cook road", 21.00 feet to the true point of beginning; thence continuing south 88°48'35" east along the south margin of "cook road", 20.00 feet; thence south 1°11'25" west, 395.76 feet; thence south 88°48'35" east 22.71 feet; thence south 1°11'25" west, 10.00 feet; thence north 88°48'35" west, 22.71 feet; thence south 1°11'25" west, 213.81 feet to the south line of said lot 1; thence north 89°15'42" west, along said south line 20.00 feet; thence north 01°11'25" east, 208.96 feet; thence north 88°48'35" west 21.00 feet to the west line of said lot 1; thence north 01°11'25" east along said west line 20.00 feet; thence south 88°48'35" east 21.00 feet; thence north 01°11'25" east 390.76 feet to the true point of beginning.

Contains 13,040 sq.ft. more or less

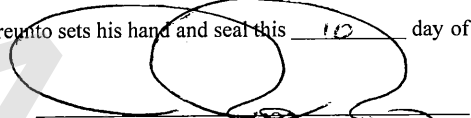
Grantor(s) authorizes the District the right of ingress and egress from said lands of the Grantor(s). The Grantor(s) also gives the District permission to cut, trim and/or remove all timber, trees, brush, or other growth standing or growing upon the lands of the Grantor(s) in the described easement for 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.


In Witness Whereof, the Grantor(s) hereunto sets his hand and seal this 12 day of Sept, 2018.

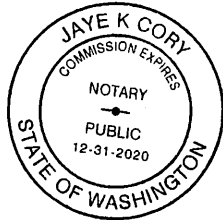
  
\_\_\_\_\_  
ROBERT RUBY, GOVERNOR

STATE OF WASHINGTON  
COUNTY OF SKAGIT

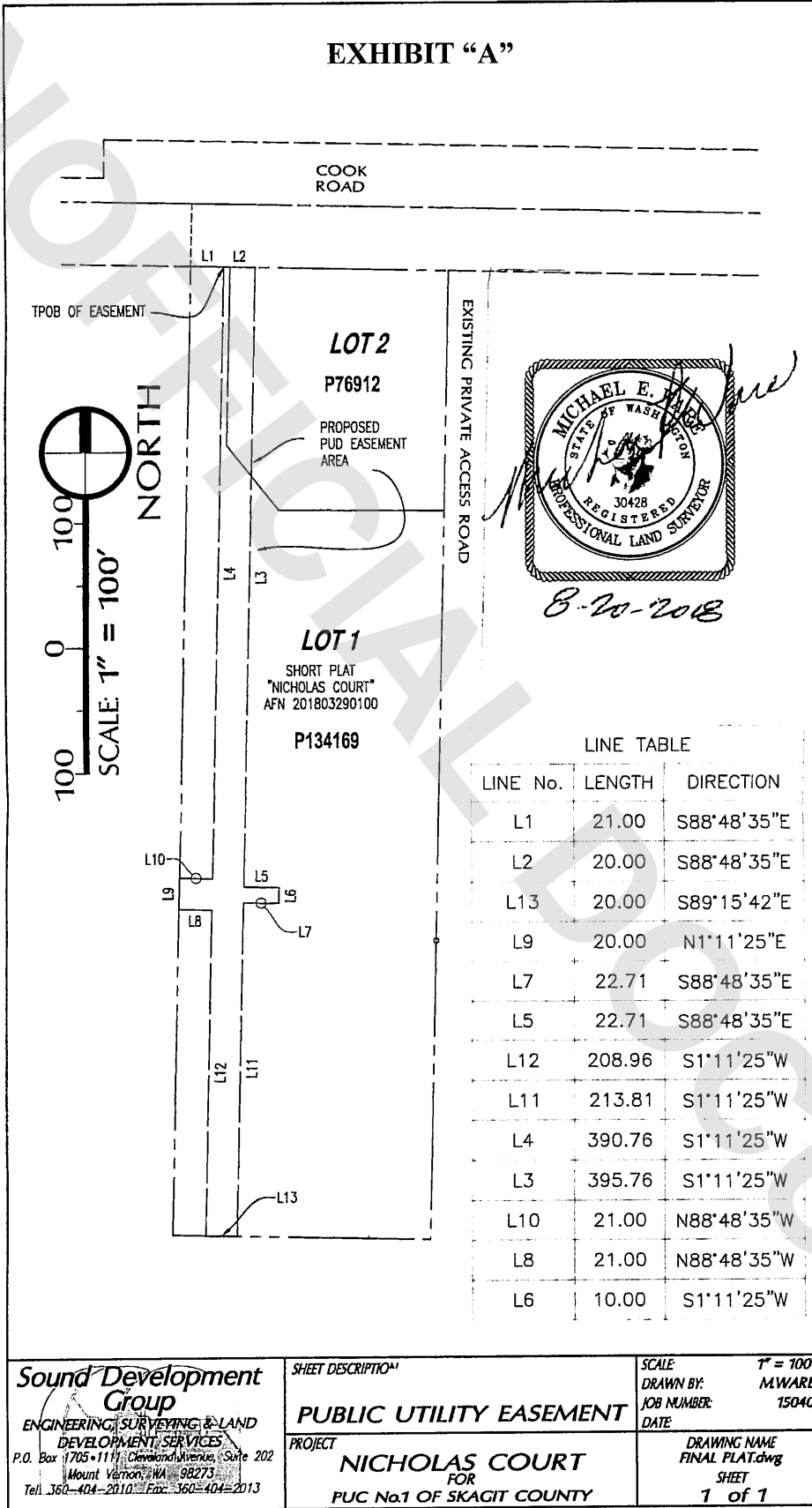
I certify that I know or have satisfactory evidence that **ROBERT RUBY** is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the **GOVERNOR** of **RUBICON DEVELOPMENT, LLC** to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Date: 9.10.18

(Signature)   
Notary Public in and for the State of Washington  
(Printed Name) JAYE K CORY  
My appointment expires: 12-31-2020



**EXHIBIT "A"**



**Sound Development Group**  
ENGINEERING, SURVEYING & LAND DEVELOPMENT SERVICES  
P.O. Box 1705-1111, Cleveland, WA, Suite 202  
Mount Vernon, WA 98273  
Tel. 360-404-2010 Fax: 360-404-2013

SHEET DESCRIPTION  
**PUBLIC UTILITY EASEMENT**  
PROJECT  
**NICHOLAS COURT**  
FOR  
**PUC No.1 OF SKAGIT COUNTY**

SCALE: 1" = 100'  
DRAWN BY: MWARE  
JOB NUMBER: 15040  
DATE:  
DRAWING NAME: FINAL PLAT.dwg  
SHEET: 1 of 1