



201905220047

05/22/2019 01:51 PM Pages: 1 of 3 Fees: \$101.00
Skagit County Auditor

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

RETURN TO:

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

MAY 22 2019

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

PUD UTILITY EASEMENT

THIS AGREEMENT is made this 21st day of May, 2019, between **JERRY H. WALTON REVOCABLE LIVING TRUST DATED MARCH 6, 2001**, 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: P101101

PARCEL "A"

TRACT Y, "BURLINGTON HILL BUSINESS PARK, BINDING SITE PLAN," APPROVED SEPTEMBER 7, 1994, RECORDED SEPTEMBER 8, 1994 IN VOLUME 11 OF PLATS, PAGES 109 THROUGH 112, INCLUSIVE, UNDER AUDITORS FILE No 9409080052, RECORDS OF SKAGIT COUNTY AND BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 35 NORTH, RANGE 4 EAST, W.M.

SITUATE IN THE CITY OF BURLINGTON, COUNTY OF SKAGIT, STATE OF WASHINGTON

PARCEL "B"

LOT 2 OF BURLINGTON SHORT PLAT No. BURL 5-91, APPROVED JANUARY 6, 1992, UNDER AUDITORS FILE No 9201090037 IN VOLUME 10 OF SHORT PLATS, PAGES 44 AND 45, RECORDS OF SKAGIT COUNTY, WASHINGTON, AND BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 35 NORTH, RANGE 4 EAST, W.M.

SITUATE IN THE CITY OF BURLINGTON, COUNTY OF SKAGIT, STATE OF WASHINGTON

PARCEL "C"

TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR INGRESS, EGRESS AND UTILITIES OVER, UNDER AND ACROSS THAT CERTAIN 60-FOOT WIDE EASEMENT DELINEATED ON THE FACE OF SAID SHORT PLAT No. BURL 5-91, A PORTION OF SAID ABUTTING THE WESTERLY SIDE OF THE SUBJECT PROPERTY AND RUNNING EASTERLY AND NORTHERLY FROM OLD HIGHWAY 99.

SITUATE IN THE CITY OF BURLINGTON, COUNTY OF SKAGIT, STATE OF WASHINGTON

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

BEGINNING AT THE COMMON CORNER OF THE SOUTHWEST CORNER OF TRACT Y OF "BURLINGTON HILL BUSINESS PARK BINDING SITE PLAT" AND THE NORTHWEST CORNER

OF LOT 2 OF "BURLINGTON SHORT PLAT No BURL 5-91" AND THE EASTERLY MARGIN OF THAT NON-EXCLUSIVE EASEMENT CURRENTLY KNOWN AS "WALTON DRIVE"; THENCE NORTH 2°06'40" EAST ALONG SAID EASEMENT MARGIN A DISTANCE OF 2.08 FEET; THENCE SOUTH 88°28'58" EAST A DISTANCE OF 7.23 FEET; THENCE NORTH 1°31'02" EAST, A DISTANCE OF 19.71 FEET; THENCE) SOUTH 88°28'58" EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 1°31'02" W, A DISTANCE OF 39.71 FEET; THENCE NORTH 88°28'58" WEST, A DISTANCE OF , 27.43 FEET MORE OR LESS TO THE SAID EAST EASEMENT MARGIN; THENCE NORTH 2°06'40" EAST ALONG SAID EASEMENT MARGIN A DISTANCE OF 17.92 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 940.78 SQUARE FEET, 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.

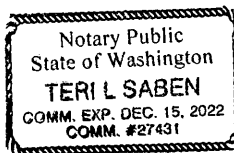
In Witness Whereof, the Grantor(s) hereunto sets his hand and seal this 21 day of May, 2019.

Terri Maik, Trustee
Terri Maik, Trustee

STATE OF WASHINGTON
COUNTY OF SKAGIT

I certify that I know or have satisfactory evidence that **Terri Maik** is the person who appeared before me, and said person acknowledged that she signed this instrument, on oath stated that she was authorized to execute the instrument and acknowledged it as the **Trustee of Jerry H. Walton Revocable Living Trust Dated March 6, 2001** to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Date: 5/21/19



(Signature) [Signature]
Notary Public in and for the State of Washington
(Printed Name) Terri L Saben
My appointment expires: 12/15/22

EXHIBIT "A"

