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SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

**EASEMENT**  
**AUG 05 2019**

Amount Paid \$  
Skagit Co. Treasurer  
By **H73** Deputy



**201908050139**

08/05/2019 03:50 PM Pages: 1 of 5 Fees: \$107.50  
Skagit County Auditor

Grantor(s): Donald J. Kosa, Elizabeth A. Kosa  
Abbreviated Legal: Lot 5, River Valley  
Tax Parcel Nos.: P125891, 4920-000-005-0000

Grantee(s): Donald J. Kosa, Elizabeth A. Kosa  
Abbreviated Legal: PTN SE 1/4 AKA TRACT 17 PRAIRIE LN MEADOWS 5 AC PCL MAP 132-78 AF#893745  
Tax Parcel Nos.: P50050, 360426-2-006-1705

#### GRANT OF UTILITY EASEMENT

THIS GRANT OF EASMENT is made by and between **Donald J. Kosa** and **Elizabeth A. Kosa**, husband and wife, herein referred to as GRANTORS, and **Donald J. Kosa** and **Elizabeth A. Kosa**, husband and wife, herein referred to as the GRANTEES.

The Grantors are the owners in fee simple of certain real property, whose property is the servient estate, and is situated in the County of Skagit, State of Washington and described as:

LOT 5, "PLAT OF RIVER VALLEY ESTATES," AS PER PLAT RECORDED FEBRUARY 13, 2007, UNDER AUDITOR'S FILE NO. 200702130030, RECORDS OF SKAGIT COUNTY, WASHINGTON.

Assessor's Tax Parcel No. P125891 (4920-000-005-0000)

Property Address is: 4744 Glacier Lane, Sedro Woolley, WA 98284

The Grantees are owners in fee simple of certain real property, whose property shall be the dominant estate, and is situated in the County of Skagit, State of Washington and is described as follows:

#### PARCEL A:

TRACT 17 of that certain 5 ACRE PARCEL SUBDIVISION NO. 132-78, entitled Prairie Lane Meadows as approved December 26, 1978, and recorded December 27, 1978, in Volume 3 of

Short Plats, pages 52 through 56, under Auditor's File No. 893745, records of Skagit County, Washington; being a portion of Sections 26, 27, 35 and 36, Township 36 North, Range 4 East of the Willamette Meridian.

PARCEL B:

An easement for road and utility purposes over and across a strip of land 60 feet in width as delineated on the face of that certain 5 Acre Parcel Subdivision No. 132-78, entitled Prairie Land Meadows as approved December 26, 1978, and recorded December 27, 1978, in Volume 3 of Short Plats, pages 52 through 56, under Auditor's File No. 893745, records of Skagit County, Washington; being a portion of Sections 26, 27, 35, AND 36, Township 36 North, Range 4 East of the Willamette Meridian, and as established by Declaration Of Easement dated January 10, 1979 and recorded January 15, 1979, under Auditor's File No. 894739, records of Skagit County, Washington.

ALL situated in Skagit County, Washington.

Assessor's Tax Parcel No. P50050 (360426-2-006-1705)

Property Address is: 4935 Prairie Lane, Sedro-Woolley, Washington 98284

NOW THEREFORE, in consideration of the mutual covenants and benefits contained herein, and for other good and valuable consideration, the receipt, value and sufficiency is hereby acknowledged, Grantors hereby grant, convey and warrant, and confirm to Grantee, Grantee's successors and assigns, an express, affirmative, perpetual, easement (hereinafter "Easement") under the portion of the Grantors' real property depicted in Exhibit A, which is attached hereto and incorporated herein. The Easement area shall extend three feet in either direction of the conduit path.

1. **Purpose, Use, and Maintenance of Easement Area.** This Easement, as described in Exhibit A and depicted in Exhibit B, is for the benefit of the Dominant Estate through the Servient Estate to use and maintain an underground conduit to run coaxial and/or fiber optic cable in order to provide telecommunications, high speed data transmission, broadband Internet access and other similar services to the Dominant Estate. Access to the Easement Area may be under, over, or through the Easement area for the use and purpose set forth in this Section.
2. **Perpetual Duration.** This Easement hereby granted or reserved, the restrictions hereby imposed and the agreements herein contained or contemplated shall be deemed perpetual appurtenant easement, restrictions and covenants running with the land and shall inure to the benefit of and be binding upon the parties respective successors and assigns.
3. **Severability.** If any one or more provisions contained herein be held invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision, and the remainder of the Grant of Easement shall be enforceable.

4. **Costs and Fees.** In the event a party is obliged to seek judicial relief to enforce the terms of this agreement, the prevailing party shall be entitled to recover his or her actual attorney's fees and costs, including those occurred in arbitration and/or on appeal, from the other parties.

5. **Governing Law.** This Grant of Easement shall be governed by and construed in accordance with the laws of the State of Washington.

IN WITNESS WHEREOF, this Grant of Easement is executed this 5 day of August, 2019.

Donald J. Kosa, Grantor

Elizabeth A. Kosa, Grantor

STATE OF WASHINGTON )

) s.s.

COUNTY OF ~~SKAGIT~~ )

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I certify that I know or have satisfactory evidence that DONALD J. KOSA and ELIZABETH A. KOSA are the persons who appeared before me, and said persons acknowledge they signed this instrument, and acknowledge it to be their free and voluntary act for the uses and purposes mentioned in this instrument.

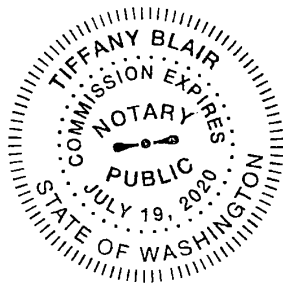
DATED this 5 day of August, 2019.

*Tiffany Blair*

Printed Name: Tiffany Blair

Notary Public in and for the State of Washington.

My appointment expires: 07/19/2020



## EXHIBIT A

THE CONDUIT EASEMENT IS SIX FEET WIDE; THREE FEET ON EITHER SIDE OF THE FOLLOWING PATH: BEGINNING TWO HUNDRED EIGHTY-FIVE AND ONE-HALF (285.5) FEET WEST OF THE NORTHEAST PROPERTY CORNER OF LOT 5, PLAT OF RIVER VALLEY ESTATES; FROM THAT POINT TO SEVENTY-NINE (79) FEET SOUTH; THEN TURNS NINETY (90) DEGREES IN THE WEST DIRECTION FOR SIXTY (60) FEET; THEN TURNS FORTY-FIVE (45) DEGREES IN THE SOUTHWEST DIRECTION FOR ONE HUNDRED TWENTY (120) FEET; THEN TURNS TWENTY-TWO AND ONE HALF (22.5) DEGREES IN THE SOUTHWEST DIRECTION FOR FIFTY-FIVE (55) FEET; THEN TURNS SIXTY-SEVEN AND ONE HALF (67.5) DEGREES IN THE SOUTHEAST DIRECTION FOR THIRTY (30) FEET; THEN TURNS FORTY-FIVE (45) DEGREES IN THE SOUTH DIRECTION FOR NINETY-SEVEN (97) FEET AND TERMINATES AT ONE HUNDRED TWENTY FOUR (124) FEET EAST OF THE NORTHWEST CORNER OF TRACT 17, PRAIRIE LANE MEADOWS.

EXHIBIT B

