

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

202002210018  
02/21/2020 09:40 AM Pages: 1 of 14 Fees: \$118.50  
Skagit County Auditor

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX  
2020040  
FEB 21 2020

Amount Paid \$ 9900  
Skagit Co. Treasurer  
By ME Deputy

**TEMPORARY CONSTRUCTION EASEMENT**

THIS AGREEMENT is made this 6<sup>th</sup> day of December, 2019, between **KATHRYN M. TEWALT**, 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 described as follows:

Abbreviated Legal Description: PTN: SE1/4 NW1/4, SW1/4 NE1/4, Govt. Lot 2,  
SEC. 12, T34N, R04E, W.M.

**Tax Parcel Number(s): P109262, P24559, P24601, P24599, P24603**

**P109262**

That portion of the abandoned Puget Sound and Cascade Railway right-of-way being 50 feet in width and crossing portion of the SW1/4 NE1/4 and the SE 1/4 NW1/4 of Section 12, Township 34 North, Range 4 East, described as follows:

Commencing at the SE Corner of the SW1/4 NE1/4 of Section 12, Township 34 North, Range 4 East; thence west 1763.7 feet more or less to the east boundary of the old right-of way of the Puget Sound Cascade Railway, the true point of beginning; thence northeasterly along said east boundary of said right-of-way to its intersection with the north line of the SW1/4 NE1/4, said east boundary of said right-of-way being parallel and 50 feet distant from the right-of-way of the Seattle International Railroad (Northern Pacific Railway); thence west along the north line of said SW1/4NE1/4 50 feet more or less to the right-of-way of the Seattle International Railroad (Northern Pacific Railway); thence south westerly along said right-of-way to its intersection with

the south line of the SE1/4 NW1/4; thence east along south line of said SE1/4 NW1/4 50 feet more or less to the true point of beginning. Comprising a tract of approximately 1.6 acres.

**P24599 and P24603**

That portion of the Southwest Quarter of the Northeast Quarter, and of the Southeast Quarter of the Northwest Quarter, of Section 12, Township 34 North, Range 4 East of the Willamette Meridian, described as follows:

Beginning at a point 544 feet West of the Southeast corner of the Southwest Quarter of the Northeast Quarter; running thence North along the West line of an existing road, 1304 feet; thence West 646.6 feet, more or less, to the right of way of the Clear Lake Lumber Company, said right of way being 50 feet Easterly from the right of way of the Seattle & International Railway Company; thence Southwesterly along said right of way line to its intersection with the South line of said Southeast Quarter of the Northwest Quarter; thence East along the East and West center line of Section 12, 1219.7 feet, more or less, to the point of beginning; EXCEPT the following described tract:

Beginning at a point 544 feet West of the Southeast corner of the Southeast Quarter of the Northeast Quarter; thence North along an existing road 1204 feet to the true point of beginning; thence West at right angles 120 feet; thence North 100 feet; thence East 120 feet; thence South 100 feet to the true point of beginning.

This deed is executed pursuant to a real estate contract entered into between the said parties on November 17, 1948, and all warranties herein contained are subject to all liens and encumbrances of any kind imposed subsequent to November 17, 1948, by the above named grantees.

**P24559 and P24601**

Part of government Lot 2 and of the Southwest quarter of the Northwest quarter of Section 12, Township 34 North, Range 4 East of W.M., described as follows:

Beginning at the Southwest corner of Government Lot 2, Section 12, Township 34 North, Range 4 East of W.M., thence West to a point on the South line of the Southwest quarter of the Northeast quarter of said section; which is 511 feet West of the West line of said Government Lot 2; thence North parallel with the West line of said Government Lot 2 to a point 31 rods North of the South line of said Southwest quarter of the Northeast quarter; thence East parallel with the South line of said Southwest quarter of the Northeast quarter and the South line of said Government Lot 2 to the East line of said Government Lot 2; thence South 31 rods to the point of beginning

**Temporary Easement:**

Location of the Temporary Construction Easement over the above described tracts of land is more particularly described as follows:

**EASEMENT DESCRIPTIONS**

**That portion of the above described property as described in Exhibit "A", "C", "E", "G", "I" and as shown on Exhibit "B", "D", "F", "H", and "J" attached hereto and by this reference made hereof.**

WHEREAS, the District wishes to construct a water transmission line within the above described property.

NOW, THEREFORE, in consideration of the premises, the Grantor(s) hereby grants to the District, its contractors, sub-contractors, consultants, agents, successors or assigns by this Temporary Easement, 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), except those identified on the project drawings & delineated by an orange ribbon to remain in the described easement for the purposes installing temporary construction fencing and temporary-related facilities, locating, staging, and storing materials, equipment, restore and to work on the above-described land for the purposes of carrying on said construction activities consistent with the purposes of the Project. 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.

The District shall remove all excess dirt, rocks, and debris from construction, return the area to original grades and restore said premise to their original condition as near as reasonably can be done, as soon as conditions will allow.

The District shall correct damage or compensate Grantors and/or Grantor's designate for damages to infrastructure on the lands covered by the temporary easement by reason of the exercise of the rights contained in the easement.

This agreement shall remain in existence until such a time as the District will have fully carried out the construction and permitting requirements, including annual monitoring of plantings necessary to complete and fulfil the regulatory requirements for the project (typically 5 years), but in any event will terminate on December 31, 2024.





## Pacific Surveying & Engineering, Inc

land surveying • civil engineering • consulting • environmental  
 909 Squaticum Way #111, Bellingham, WA 98225  
 Phone 360.671.7387 Facsimile 360.671.4685 Email info@psurvey.com

### EXHIBIT 'A'

#### TEMPORARY CONSTRUCTION EASEMENT AREA DESCRIPTION P109262

##### EASEMENT AREA #1

THE NORTH 20.00 FEET OF THE SOUTH 70.00 FEET OF THE FOLLOWING DESCRIBED PARCEL:

THE EASTERLY 1/2 OF THAT PORTION OF THAT CERTAIN RIGHT-OF-WAY CONVEYED TO THE SEATTLE LAKE SHORE AND EASTERN RAILWAY COMPANY BY DEED DATED AUGUST 18, 1890, AND RECORDED DECEMBER 2, 1890, IN VOLUME 14 OF DEEDS, PAGE 433, RECORDS OF SKAGIT COUNTY, WASHINGTON, WHICH LIES IN THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 AND THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M.

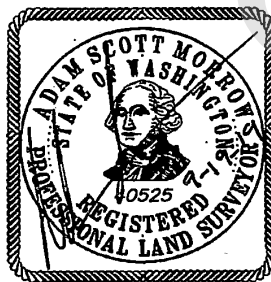
##### EASEMENT AREA #2

A 15.00 WIDE STRIP OF LAND LYING WITHIN AND ABUTTING THE WEST LINE OF THE ABOVE DESCRIBED PROPERTY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SAID NORTH 20.00 FEET WITH THE CENTERLINE OF SAID SEATTLE LAKE SHORE AND EASTERN RAILWAY COMPANY RIGHT OF WAY; THENCE NORTHERLY ALONG SAID CENTERLINE A DISTANCE OF 700.00 FEET TO THE TERMINUS OF SAID STRIP OF LAND.

CONTAINING 11,262 SQUARE FEET COMBINED, MORE OR LESS.

SITUATE IN SKAGIT COUNTY, WASHINGTON.

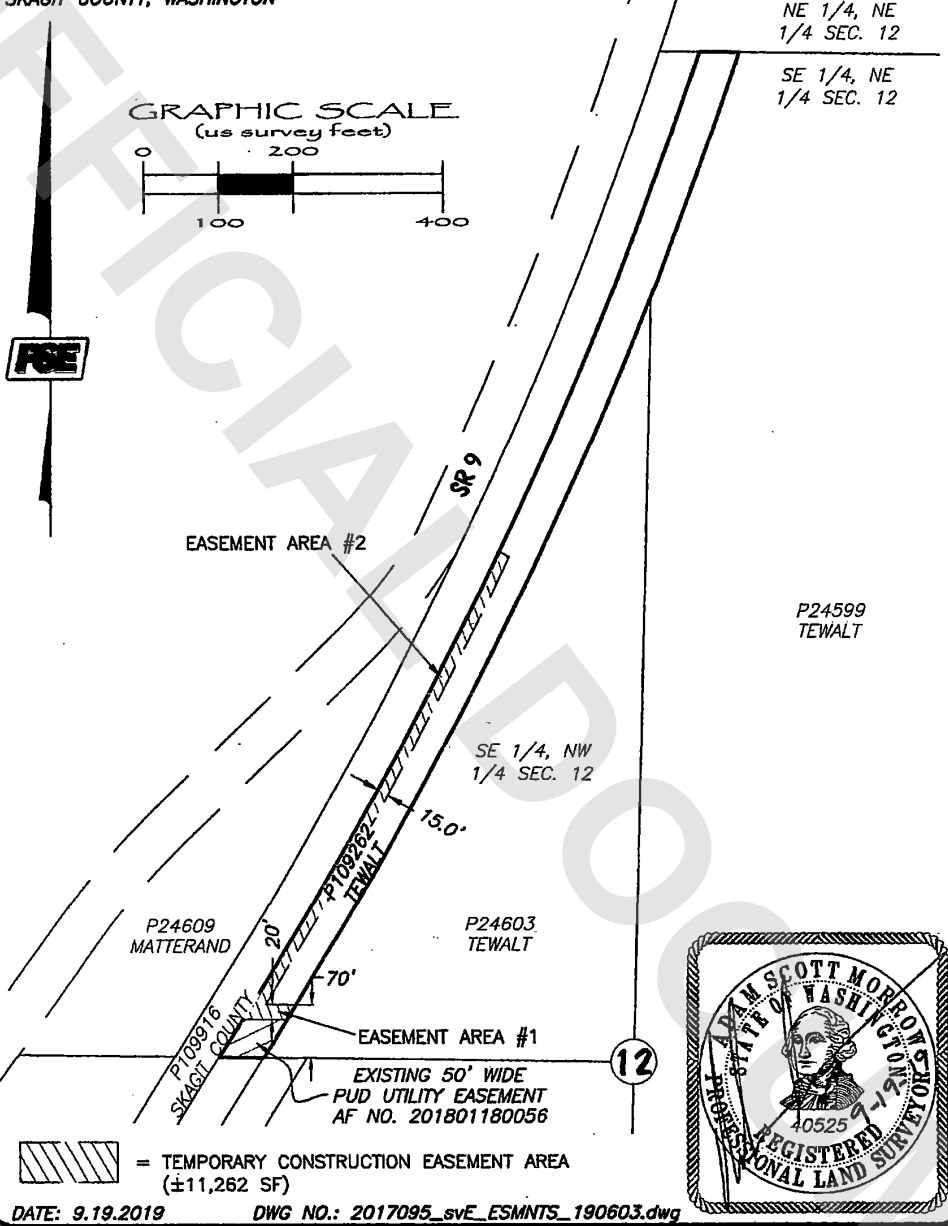


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**EXHIBIT - 'B'**

SITUATE IN A PORTION OF THE SE 1/4 OF THE NW 1/4 AND THE SE 1/4 OF THE NE 1/4 OF SECTION 12, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M., SKAGIT COUNTY, WASHINGTON



DATE: 9.19.2019

DWG NO.: 2017095\_svE\_ESMNTS\_190603.dwg



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EXHIBIT 'C'  
**TEMPORARY CONSTRUCTION EASEMENT AREA DESCRIPTION'**  
P24603

THE NORTH 20.00 FEET OF THE SOUTH 70.00 FEET OF THE FOLLOWING DESCRIBED PARCEL:

THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M, LYING EAST OF THE EASTERLY MARGIN OF THE SEATTLE LAKE SHORE AND EASTERN RAILWAY COMPANY RIGHT OF WAY.

CONTAINING 9,127 SQUARE FEET MORE OR LESS.

SITUATE IN SKAGIT COUNTY, WASHINGTON.

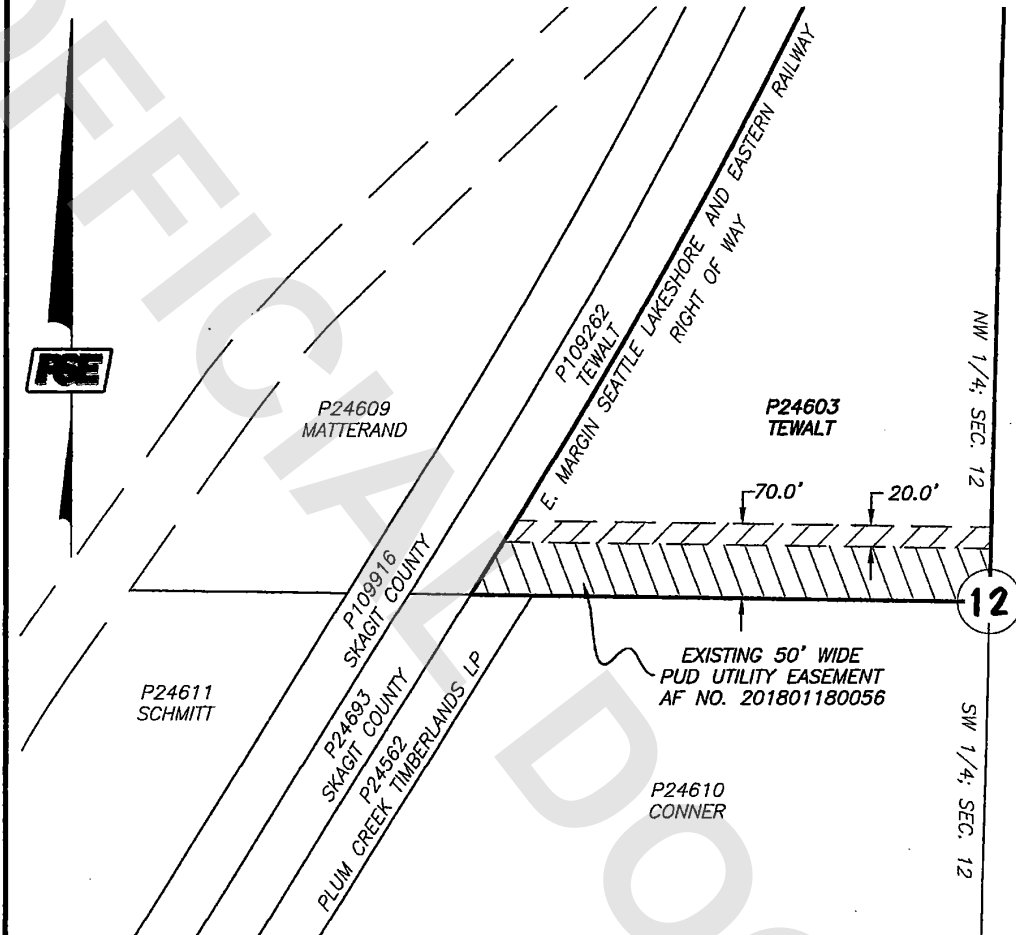


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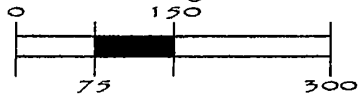


**EXHIBIT - 'D'**

SITUATE IN A PORTION OF THE SE 1/4 OF THE NW 1/4 OF SECTION 12,  
TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M., SKAGIT COUNTY, WASHINGTON



GRAPHIC SCALE  
(as survey feet)



= TEMPORARY CONSTRUCTION EASEMENT AREA  
(±9,127 SF)



DATE: 8.8.2019 DWG NO.: 2017095\_svE\_ESMNTS\_190603.dwg





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EXHIBIT **E**  
**TEMPORARY CONSTRUCTION EASEMENT AREA DESCRIPTION**  
**P24599**

THE NORTH 20.00 FEET OF THE SOUTH 70.00 FEET OF THE FOLLOWING DESCRIBED PARCEL:

THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M, LYING EAST OF THE EASTERLY MARGIN OF THE SEATTLE LAKE SHORE AND EASTERN RAILWAY COMPANY RIGHT OF WAY;

EXCEPT THE EAST 15 ACRES THEREOF;

ALSO EXCEPT THE FOLLOWING DESCRIBED TRACT:

BEGINNING AT A POINT 544 FEET WEST OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE NORTH ALONG AN EXISTING ROAD 1204 FEET TO THE TRUE POINT OF BEGINNING; THENCE WEST AT RIGHT ANGLES 120 FEET; THENCE NORTH 100 FEET; THENCE EAST 120 FEET; THENCE SOUTH 100 FEET TO THE TRUE POINT OF BEGINNING;

ALSO EXCEPT THAT PORTION THEREOF, IF ANY, LYING WITHIN THE ROADWAY CONVEYED TO SKAGIT COUNTY BY DEED RECORDED APRIL 10, 1911 AS AUDITOR'S FILE NO. 874312.

CONTAINING 15,907 SQUARE FEET MORE OR LESS.

SITUATE IN SKAGIT COUNTY, WASHINGTON.

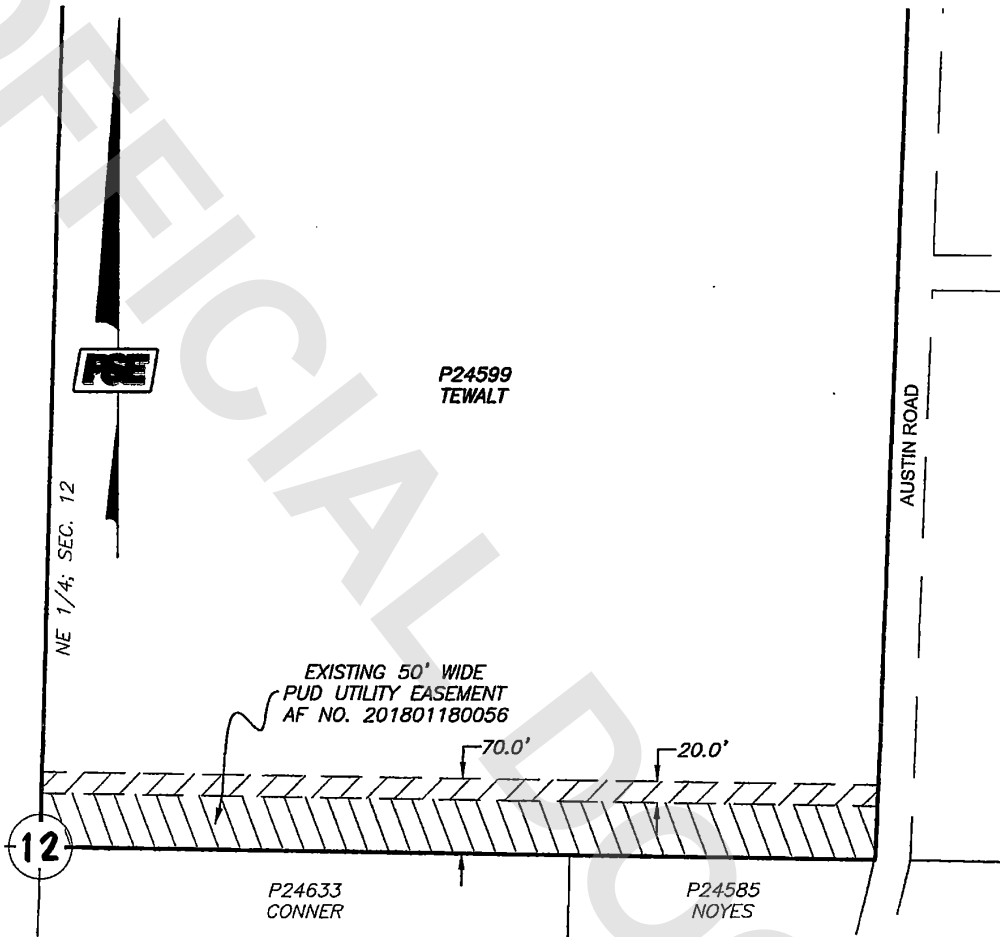


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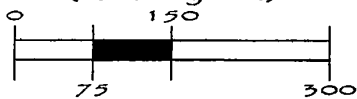


EXHIBIT - 'E'

SITUATE IN A PORTION OF THE SW 1/4 OF THE NE 1/4 OF SECTION 12,  
TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M., SKAGIT COUNTY, WASHINGTON



GRAPHIC SCALE  
(us survey feet)



= TEMPORARY CONSTRUCTION EASEMENT AREA  
(±15,907 SF)



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**EXHIBIT 6  
TEMPORARY CONSTRUCTION EASEMENT AREA DESCRIPTION  
P24601**

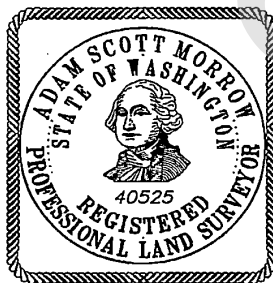
THE NORTH 20.00 FEET OF THE SOUTH 70.00 FEET OF THAT PORTION OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M., LYING EASTERLY OF THE EAST MARGIN OF AUSTIN ROAD;

TOGETHER WITH THE NORTH 50.00 FEET OF THE SOUTH 120.00 FEET OF THE WEST 150.00 FEET OF THE EAST 511 FEET OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M.;

EXCEPT AUSTIN ROAD RIGHT OF WAY.

CONTAINING 17,385 SQUARE FEET MORE OR LESS.

SITUATE IN SKAGIT COUNTY, WASHINGTON.

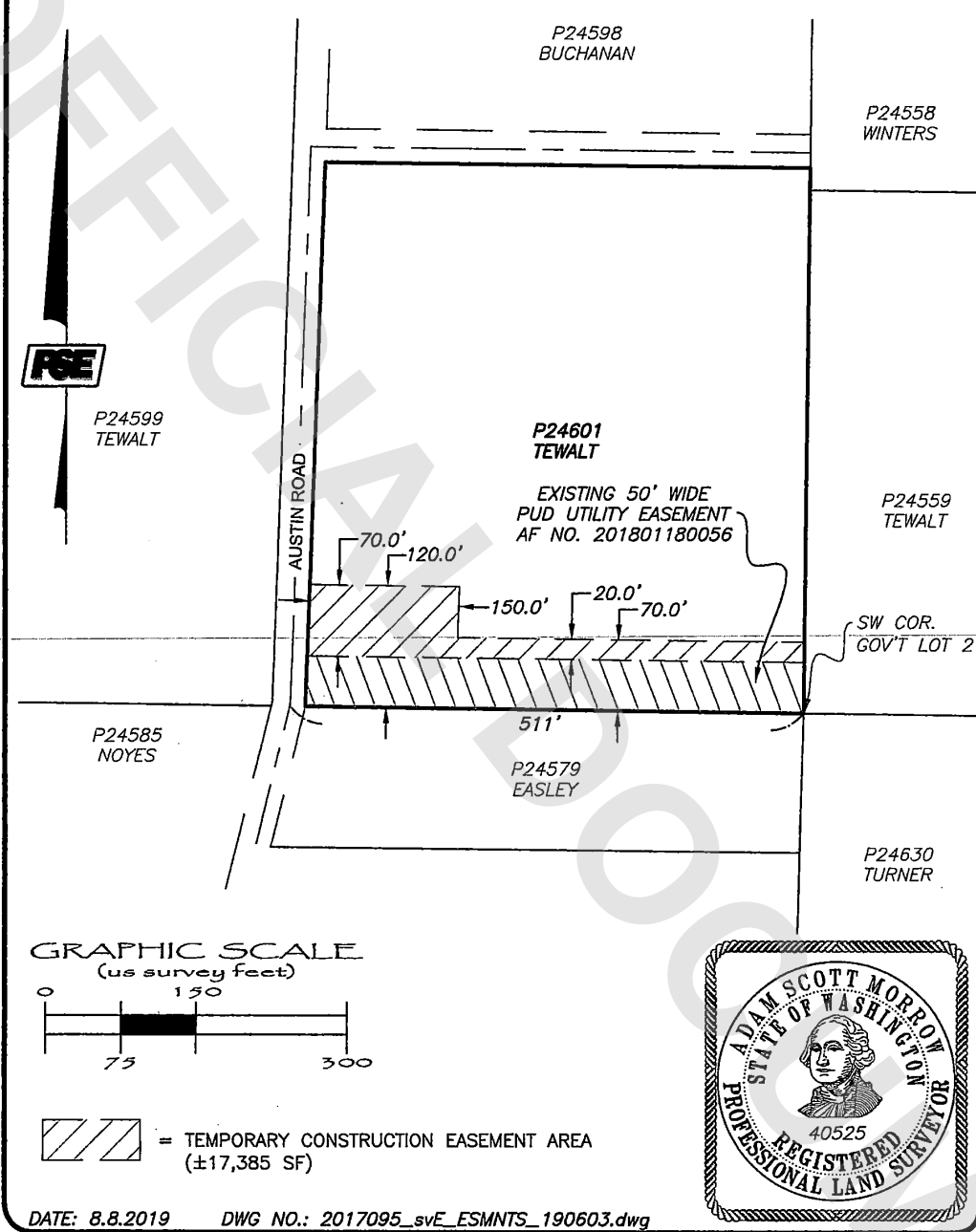


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### EXHIBIT - 'H'

SITUATE IN A PORTION OF THE SW 1/4 OF THE NE 1/4 OF SECTION 12,  
TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M., SKAGIT COUNTY, WASHINGTON



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### EXHIBIT 'I' TEMPORARY CONSTRUCTION EASEMENT AREA DESCRIPTION P24559

THE NORTH 20.00 FEET OF THE SOUTH 70.00 FEET OF THE SOUTH 15.20 ACRES OF GOVERNMENT LOT 2, SECTION 12, TOWNSHIP 34 NORTH, RANGE 4 EAST;

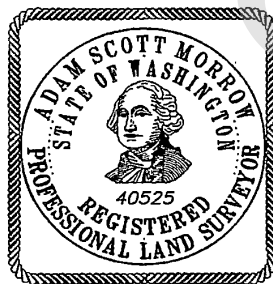
TOGETHER WITH A 20.00 FOOT WIDE STRIP ABUTTING THE NORTHWESTERLY MARGIN OF THAT CERTAIN SKAGIT PUD PIPELINE EASEMENT RECORDED UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 604623, BOUNDED ON THE SOUTH BY THE NORTH MARGIN OF THAT CERTAIN EASEMENT GRANTED TO SKAGIT PUD UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 201801180056, AND BOUNDED ON THE NORTH BY THE WEST MARGIN OF BEAVER LAKE ROAD.

ALSO TOGETHER WITH THE NORTH 128.00 FEET OF THE EAST 181.00 FEET OF SAID SOUTH 15.20 ACRES OF GOVERNMENT LOT 2 LYING NORTH OF THE NORTHWESTERLY MARGIN OF SAID SKAGIT PUD PIPELINE EASEMENT.

EXCEPT BEAVER LAKE ROAD RIGHT OF WAY.

CONTAINING 40,261 SQUARE FEET MORE OR LESS.

SITUATE IN SKAGIT COUNTY, WASHINGTON.

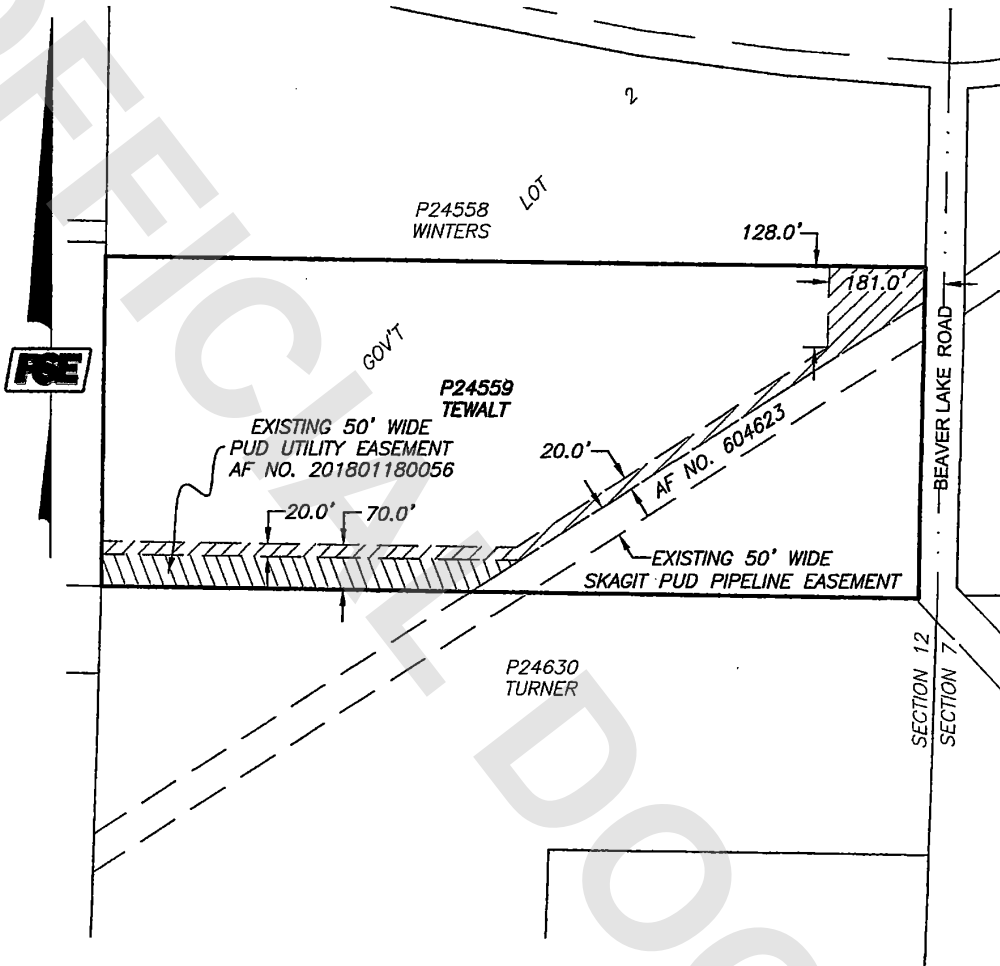


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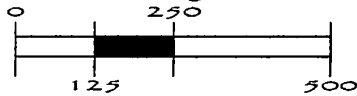



**EXHIBIT - 'J'**

SITUATE IN A PORTION OF THE SE 1/4 OF THE NE 1/4 OF SECTION 12,  
TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M., SKAGIT COUNTY, WASHINGTON



GRAPHIC SCALE  
(us survey feet)



 = TEMPORARY CONSTRUCTION EASEMENT AREA  
(±40,261 SF)



DATE: 8.8.2019 DWG NO.: 2017095\_svE\_ESMNTS\_190603.dwg