

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

MAY 01 2020

Amount Paid \$
By Skagit Co. Treasurer
Deputy

PUD UTILITY EASEMENT

THIS AGREEMENT is made this 20th day of April, 2020, between VWA – MOUNT VERNON, LLC, an Ohio limited liability company, 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: P134970, P134974 & P134975

A portion of the southwest quarter of the southwest quarter of Section 20, Township 34 North, Range 4 East, W.M., and a portion of Lots 2, 6, and 7 as per City of Mount Vernon boundary line adjustment no. ENGR19-0308, and as depicted on record of survey recorded under Skagit County Auditor’s file no. 201910040056

on the easement described as follows:

See Exhibit A and Exhibit B – Easement Descriptions and Easement Maps

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.

To the extent permitted by law, each party agrees to be responsible and assume liability for its own wrongful and / or negligent acts or omissions or those of their officials, officers, agents, or employees to the fullest extent required by law, and further agrees to save, indemnify, defend, and hold the other Party

harmless from any such liability. It is further provided that no liability shall attach to either Party by reason of entering into this Agreement except as expressly provided herein.

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 20th day of April, 2020.

VWA – MOUNT VERNON, LLC,
an Ohio limited liability company

By: Dominic A. Visconsi, Jr.
Name: Dominic A. Visconsi, Jr.
Title: Managing Member

STATE OF OHIO
COUNTY OF CUYAHOGA

I certify that I know or have satisfactory evidence that Dominic A. Visconsi, Jr. is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument, on oath stated that (he/she) was authorized to execute the instrument and acknowledged it as the Managing Member of **VWA – MOUNT VERNON, LLC**, an Ohio limited liability company, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Date: April 20, 2020

(Signature) Theresa M. Bales
Notary Public
(Printed Name) Theresa M. Bales
My appointment expires: 9/21/2020



THERESA M. BALES
NOTARY PUBLIC
STATE OF OHIO
Recorded in
Gauga County
My Comm. Exp. 9/21/2020

EXHIBIT "A"



Pacific Surveying & Engineering, Inc
 land surveying • civil engineering • consulting • environmental
 909 Squalicum Way #111, Bellingham, WA 98225
 Phone 360.671.7387 Facsimile 360.671.4685 Email info@psurvey.com

EXHIBIT 'A'
UTILITY EASEMENT AREA DESCRIPTION (SKAGIT PUD)

A 20.00 FOOT WIDE EASEMENT FOR WATERMAIN PURPOSES LYING WITHIN A PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 7, AS PER CITY OF MOUNT VERNON BOUNDARY LINE ADJUSTMENT NO. ENGR19-0308, AND AS DEPICTED ON RECORD OF SURVEY RECORDED UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 201910040056, SAID CORNER ALSO BEING THE POINT OF INTERSECTION OF THE SOUTH LINE OF LOT 16, BLOCK 2, PICKEN'S ADDITION TO THE TOWN OF MT. VERNON, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 2 OF PLATS, PAGE 105, RECORDS OF SKAGIT COUNTY, WASHINGTON, AND THE WEST MARGIN OF INTERSTATE 5; THENCE ALONG THE SOUTH LINE OF SAID LOT 7 AND 16 OR EXTENSION THEREOF, NORTH 88°09'10" WEST, 127.19 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUING ALONG SAID SOUTH LINE, NORTH 88°09'10" WEST, 187.07 FEET TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 1, OF SAID PICKEN'S ADDITION; THENCE DEPARTING SAID SOUTH LINE AND ALONG THE WEST LINE OF SAID LOT 1 AND LOT 6 OF "KINCAID'S ADDITION TO MY. VERNON, SKAGIT CO., WASH.", AS PER PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 84, RECORDS OF SKAGIT COUNTY, WASHINGTON, NORTH 01°50'50" EAST, 88.32 FEET; THENCE DEPARTING SAID WEST LINE, NORTH 43°06'48" WEST 58.32 FEET; THENCE NORTH 01°53'12" EAST, 22.90 FEET TO A POINT ON THE SOUTH LINE OF LOT 3 OF SAID BOUNDARY LINE ADJUSTMENT; THENCE ALONG SAID SOUTH LINE, SOUTH 88°06'48" EAST, 20.00 FEET; THENCE DEPARTING SAID SOUTH LINE AND AT RIGHT ANGLES THERETO, SOUTH 01°53'12" WEST, 14.61 FEET; THENCE SOUTH 43°06'48" EAST, 58.32 FEET; THENCE PARALLEL WITH THE WEST LINE OF SAID OF SAID LOTS 1 AND 6, SOUTH 01°50'50" WEST 76.60 FEET; THENCE PARALLEL WITH AND 20.00 FEET NORTH OF THE SOUTH LINE OF SAID LOT 7, SOUTH 88°09'10" EAST, 167.07 FEET; THENCE AT RIGHT ANGLES, SOUTH 01°50'50" WEST, 20.00 FEET TO THE **POINT OF BEGINNING**.

SITUATE IN THE CITY OF MOUNT VERNON, SKAGIT COUNTY, WASHINGTON.



PACIFIC SURVEY & ENGINEERING INC EMAIL: info@psurvey.com
909 SQUALICUM WAY SUITE 111 BELLINGHAM, WA 98225 PHONE: 360.671.7387 FAX: 360.671.4685 www.psurvey.com

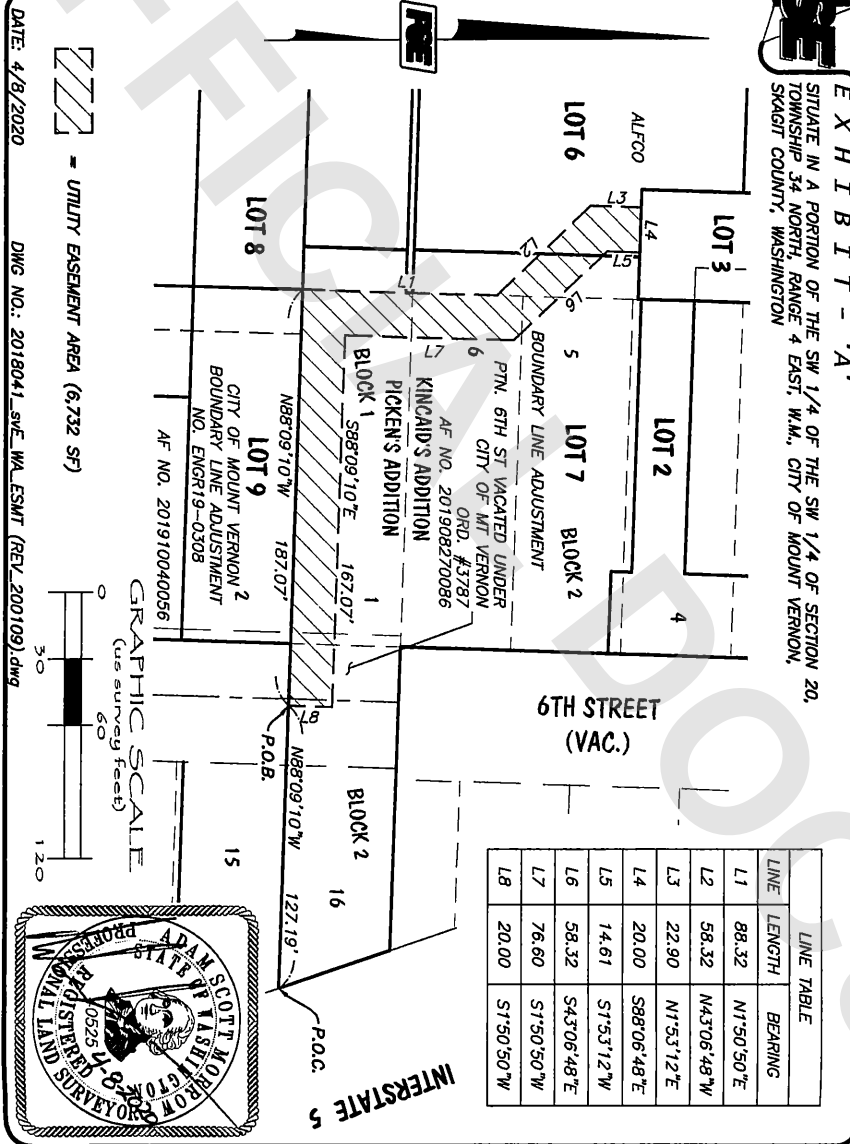


EXHIBIT "B"

**Pacific Surveying & Engineering, Inc**

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

EXHIBIT 'B'
UTILITY EASEMENT AREA DESCRIPTION (SKAGIT PUD)

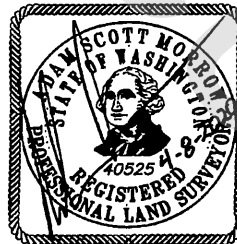
AN EASEMENT LYING WITHIN A PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M., AND A PORTION OF LOTS 2 AND 7 AS PER CITY OF MOUNT VERNON BOUNDARY LINE ADJUSTMENT NO. ENGR19-0308, AND AS DEPICTED ON RECORD OF SURVEY RECORDED UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 201910040056, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE ORIGINAL SOUTHERLY RIGHT-OF-WAY LINE OF KINCAID STREET, ACCORDING TO THE RECORDED PLAT OF THE TOWN OF MOUNT VERNON, WASHINGTON, AND A LINE DRAWN PARALLEL WITH AND DISTANT 54.0 FEET EASTERLY OF, AS MEASURED AT RIGHT ANGLES TO BURLINGTON NORTHERN RAILROAD COMPANY'S (FORMERLY GREAT NORTHERN RAILWAY COMPANY'S) MAIN TRACK CENTERLINE, AS ORIGINALLY LOCATED AND CONSTRUCTED; THENCE SOUTHERLY PARALLEL WITH SAID MAIN TRACK CENTERLINE SOUTH 01°53'12" WEST, 14.95 FEET, TO THE CURRENT SOUTHERLY RIGHT OF WAY MARGIN OF KINCAID STREET AS DESCRIBED UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 200005080050; THENCE ALONG SAID MARGIN THE FOLLOWING COURSES AND DISTANCES:

SOUTH 01°53'12" WEST, 10.00 FEET;
 SOUTH 88°09'10" EAST, 78.10 FEET TO AN ANGLE POINT;
 SOUTH 77°03'33" EAST, 25.99 FEET TO AN ANGLE POINT;
 SOUTH 88°09'10" EAST, 75.46 FEET TO AN ANGLE POINT;
 SOUTH 22°35'48" EAST, 10.98 FEET;

THENCE DEPARTING SAID MARGIN, SOUTH 01°50'50" WEST, 89.00 FEET; THENCE AT RIGHT ANGLES, SOUTH 88°09'10" EAST, 30.00 FEET TO A POINT ON THE WEST LINE OF BLOCK 2, "KINCAID'S ADDITION TO MT. VERNON, SKAGIT CO., WASH.", AS PER PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 84, RECORDS OF SKAGIT COUNTY, WASHINGTON; THENCE ALONG SAID WEST LINE, SOUTH 01°50'50" WEST, 179.04 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WEST LINE OF BLOCK 2, SOUTH 01°50'50" WEST, 20.00 FEET; THENCE DEPARTING SAID WEST LINE AND AT RIGHT ANGLES THERETO, SOUTH 88°09'10" EAST, 137.30 FEET; THENCE AT RIGHT ANGLES, NORTH 01°50'50" EAST, 20.00 FEET; THENCE AT RIGHT ANGLES, NORTH 88°09'10" WEST 137.30 FEET TO THE POINT OF BEGINNING.

SITUATE IN THE CITY OF MOUNT VERNON, SKAGIT COUNTY, WASHINGTON.



KINCAID STREET

P.O.C.

L1 L2 L3 L4 L5 L6 L7 L8

ALFCO

BOUNDARY LINE ADJUSTMENT

LOT 4

CITY OF MOUNT VERNON
BOUNDARY LINE ADJUSTMENT
NO. ENGR19-0308

LOT 5

179.04'

S01°50'50"W

P.O.B.

LOT 6

LOT 7

6TH STREET (VAC.)

QUIT CLAIM DEED
AF NO. 201907150094

BLOCK 1

BLOCK 2

LOT 1

LOT 2

V. 2 PG. 84

5 AF #201910040056

GRAPHIC SCALE
(in survey feet)

0 80 160

REGISTERED PROFESSIONAL LAND SURVEYOR
ADAM SCOTT MORRISON
STATE OF MONTANA
40525

SHEET 1 OF 2
DATE: 4/8/20 DWG NO.: 2018041_svE_REV ESMT_200107.dwg

PACIFIC SURVEY & ENGINEERING INC. EMAIL: info@psurvey.com
909 SQUALICUM WAY SUITE 111-BELLINGHAM, WA 98225 PHONE:360.671.7387 FAX:360.671.4685 WWW.PSESURVEY.COM

EXHIBIT - 'B'



LINE TABLE		
LINE	LENGTH	BEARING
L1	14.95	S1°53'12"W
L2	10.00	S1°53'12"W
L3	78.10	S88°09'10"E
L4	25.99	S77°03'33"E
L5	75.46	S88°09'10"E
L6	10.98	S22°35'48"E
L7	89.00	S1°50'50"W
L8	30.00	S88°09'10"E
L9	20.00	S01°50'50"W
L10	137.30	S88°09'10"E
L11	20.00	N01°50'50"E
L12	137.30	N88°09'10"W



SHEET 2 OF 2

DATE: 4/8/20

DWG NO.: 2018041_svE_REV ESMT_200107.dwg