



202006110037

06/11/2020 10:37 AM Pages: 1 of 18 Fees: \$120.50
Skagit County Auditor

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

After Recording Return to:
City of Mount Vernon
PO Box 809
Mount Vernon, WA 98273

JUN 11 2020

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

GNW-WILD

Document Title: Sanitary Sewer Easement (Lot 4 & 6)

Date: April 20, 2020

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

Grantee: The City of Mount Vernon, Washington, a municipal corporation

SN 20-34-04

Assessor's Tax Parcel No: P134972; P134974

1. **Grant of Easement.**

VWA – MOUNT VERNON, LLC, an Ohio limited liability company (“Grantor”) is the owner of that certain real property legally described on Exhibit “A” attached hereto, and incorporated herein (“Grantor’s Property”). In consideration of Ten and 00/100 Dollars (\$10.00), in hand paid, and other valuable consideration which is hereby acknowledged, Grantor, does hereby grant and convey to the City of Mount Vernon, Washington, a municipal corporation (“Grantee”), Grantee’s successors, heirs, and assigns, a non-exclusive, perpetual sanitary sewer and storm sewer easement (the “Easement”) in, over, on, under, across and through that certain portion of Grantor’s Property depicted on Exhibit “B”, attached hereto, and incorporated herein and legally described on Exhibit “C”, attached hereto, and incorporated herein (the “Easement Area”). This Easement shall run with the land described herein, and shall be binding upon the parties, their heirs, successors in interest and assigns. Grantor covenants that it is the lawful owner of the above property(ies) and that it has a good and lawful right to execute this agreement.

no monetary consideration

2. **Purpose and Scope Easement.**

The Easement is granted for the sole purpose of constructing and installing, if applicable, repairing, replacing, operating and maintaining a sanitary sewer and storm sewer line. Grantee will employ reasonable efforts to perform all work in connection with the Easement in a manner that minimizes interference with Grantor's use of Grantor's Property. All work performed by Grantee in connection with the Easement shall be lien-free and done expeditiously and in a good and workmanlike manner and in accordance with all applicable laws, codes, rules, statutes and regulations of governmental authorities having jurisdiction thereof. Such work shall be carried out in such manner to minimize disruption to any use and/or operation of Grantor's Property as is reasonably practicable.

3. **Grantor's Use of the Easement Area.**

Grantor, its heirs and assigns shall retain the right to use the surface of the Easement Area as long as such use does not interfere with the easement rights granted to the Grantee. Grantor shall not, however, have the right to:

- a. Erect or maintain any buildings or structures within the Easement Area; or
- b. Plant trees, shrubs or vegetation having deep root patterns which may cause damage to or interfere with the utilities to be placed within the Easement Area by the Grantee;
- c. Develop, landscape, or beautify the easement area in any way which would unreasonably increase the costs to the Grantee of restoring the Easement Area and any private improvements therein; or
- d. Dig, tunnel or perform other forms of construction activities on the property which would disturb the compaction or unearth Grantee's facilities, or endanger the lateral support facilities; or
- e. Blast within fifteen (15) feet of the Easement Area; or
- f. Erect fences in such a way as to prevent access by the Grantee to the Grantee's facilities. Any fence construction must provide for an opening (gated, removable sections, barriers, etc.) of adequate length (e.g. least ten (10) feet in width) so Grantee can access facilities.

So long as Grantor complies with the conditions set forth above, Grantor shall have the right to pave, landscape, beautify or otherwise similarly improve the Easement Area, provided that the same shall not unreasonably interfere with Grantee's use and enjoyment of the Easement.

The Grantee shall, upon completion of any work within the Easement Area or otherwise on Grantor's Property, or as a result of any injury, damage or loss to the Easement Area or Grantor's Property, restore the surface of the Easement Area, and any private improvements disturbed or destroyed during execution of the work, as nearly as practicable to the condition they were in immediately before commencement of the work or entry by the Grantee.

4. Grantor's Right of Self-Help.

In the event Grantee defaults under the terms and conditions of this Sanitary Sewer Easement, including, but not limited to, Grantee's obligation to maintain the sanitary sewer in good working condition and to perform Grantee's repair and replacement obligations in the event of damage caused by Grantee, then Grantor shall have the right to perform such maintenance upon ten (10) days advance written notice (or, without notice, in the event of an emergency) on behalf of Grantee and Grantee shall reimburse Grantor within ten (10) days of receipt of invoice for same.

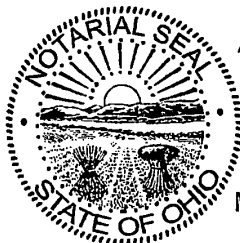
[signature and notary pages follow]

GRANTOR:

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

STATE OF OHIO)
)
) SS:
COUNTY OF CUYAHOGA)

Sworn to before me and subscribed in my presence this 20th day of April, 2020, by Dominic A. Visconsi, Jr., the Managing Manager of VWA – MOUNT VERNON, LLC, an Ohio limited liability company, who acknowledged the same to be his/her free act and deed and the free act and deed of the limited liability company.



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

Notary Public

**Signature Page
Sanitary Sewer Easement**

GRANTEE:

City of Mount Vernon,
a municipal corporation

By: [Signature]
Name: Jill Boudreau
Title: Mayor

STATE OF WASHINGTON)
) SS.
COUNTY OF SKAGIT)

Sworn to before me and subscribed in my presence this 4th day of May, 2020, by Jill Boudreau, the Mayor of City of Mount Vernon, a municipal corporation, who acknowledged the same to be his/her free act and deed and the free act and deed of the municipal corporation.



Kerri A. Grechishkin
NOTARY PUBLIC, in and for the State of
Washington,
Residing at: Mount Vernon
My Commission Expires: 5/11/23
[Signature]

EXHIBIT "A"
(Legal Description)

LOT 1

LOT 1 OF THE MOUNT VERNON BOUNDARY LINE ADJUSTMENT NO ENGR19-0308, APPROVED OCTOBER 2, 2019, AND RECORDED AS AUDITOR'S NO. 201910040056, FURTHER DESCRIBED AS:

THOSE PORTIONS OF LOTS 1 THROUGH 4, INCLUSIVE, 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, TOGETHER WITH THE SOUTHERLY ONE-HALF OF VACATED ALLEY BETWEEN BLOCK 1 AND SAID BLOCK 2, ALSO BEING WITHIN A PORTION OF THE WEST $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 20, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M., SKAGIT COUNTY, WASHINGTON, 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 $01^{\circ}53'12''$ 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 CURRENT SOUTHERLY RIGHT OF WAY MARGIN THE FOLLOWING COURSES AND DISTANCES:

SOUTH $01^{\circ}53'12''$ WEST 10.00 FEET;

THENCE SOUTH $88^{\circ}09'10''$ EAST 78.10 FEET;

THENCE SOUTH $77^{\circ}03'33''$ EAST 25.99 FEET;

THENCE SOUTH $88^{\circ}09'10''$ EAST 75.45 FEET TO AN ANGLE POINT;

THENCE SOUTH $22^{\circ}35'48''$ EAST 10.98 FEET;

THENCE DEPARTING SAID RIGHT OF WAY MARGIN SOUTH 01°50'50" WEST 89.00 FEET; THENCE SOUTH 88°09'10" EAST 29.94 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 88°09'10" EAST 0.06 FEET TO THE NORTHWEST CORNER OF LOT 1, 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 THE NORTHERLY EXTENSION OF THE WEST LINE OF SAID LOT 1 NORTH 01°50'50" EAST 7.00 FEET TO THE CENTERLINE OF SAID VACATED ALLEY; THENCE ALONG SAID ALLEY CENTERLINE SOUTH 88°09'10" EAST 141.44 FEET; THENCE DEPARTING SAID CENTERLINE SOUTH 01°53'12" EAST 47.63 FEET; THENCE AT RIGHT ANGLES NORTH 88°06'48" WEST 19.00 FEET; THENCE AT RIGHT ANGLES SOUTH 01°53'12" WEST 131.51 FEET; THENCE AT RIGHT ANGLES NORTH 88°06'48" WEST 122.50 FEET; THENCE AT RIGHT ANGLES NORTH 01°53'12" EAST 172.04 FEET TO THE POINT OF BEGINNING.

CONTAINING 22,842 SQUARE FEET, MORE OR LESS.

LOT 2

LOT 2 OF THE MOUNT VERNON BOUNDARY LINE ADJUSTMENT NO ENGR19-0308, APPROVED OCTOBER 2, 2019, AND RECORDED AS AUDITOR'S NO. 201910040056, FURTHER DESCRIBED AS:

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 CURRENT SOUTHERLY RIGHT OF WAY MARGIN THE FOLLOWING COURSES AND DISTANCES:

SOUTH 01°53'12" WEST 10.00 FEET;

THENCE SOUTH 88°09'10" EAST 78.10 FEET;

THENCE SOUTH 77°03'33" EAST 25.99 FEET;

THENCE SOUTH 88°09'10" EAST 75.45 FEET TO AN ANGLE POINT;

THENCE SOUTH 22°35'48" EAST 10.98 FEET;

THENCE DEPARTING SAID RIGHT OF WAY MARGIN SOUTH 01°50'50" WEST 89.00 FEET; THENCE SOUTH 88°09'10" EAST 30.00 FEET TO THE NORTHWEST CORNER OF LOT 1, 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 THE NORTHERLY EXTENSION OF THE WEST LINE OF SAID LOT 1 NORTH 01°50'50" EAST 7.00 FEET TO THE CENTERLINE OF SAID VACATED ALLEY; THENCE ALONG SAID ALLEY CENTERLINE SOUTH 88°09'10" EAST 141.44 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID CENTERLINE SOUTH 01°53'12" EAST 47.63 FEET; THENCE AT RIGHT ANGLES NORTH 88°06'48" WEST 19.00 FEET; THENCE AT RIGHT ANGLES SOUTH 01°53'12" WEST 131.51 FEET; THENCE AT RIGHT ANGLES NORTH 88°06'48" WEST 122.50 FEET; THENCE AT RIGHT ANGLES SOUTH 01°53'12" EAST 24.00 FEET; THENCE AT RIGHT ANGLES SOUTH 88°06'48" EAST 122.50 FEET; THENCE AT RIGHT ANGLES SOUTH 01°53'12" WEST 9.50 FEET; THENCE AT RIGHT ANGLES SOUTH 88°06'48" EAST 36.70 FEET TO A POINT ON THE EAST LINE OF SAID BLOCK 2; THENCE ALONG SAID EAST LINE NORTH 01°50'50" EAST 209.13 FEET, MORE OR LESS, TO THE WESTERLY MARGIN OF INTERSTATE 5; THENCE ALONG SAID WESTERLY MARGIN NORTH 23°33'59" WEST 3.89 FEET, MORE OR LESS, TO SAID ALLEY CENTERLINE; THENCE ALONG SAID ALLEY CENTERLINE NORTH 88°09'10" WEST 15.89 FEET TO THE POINT OF BEGINNING.

CONTAINING 9,821 SQUARE FEET, MORE OR LESS.

LOT 3

LOT 3 OF THE MOUNT VERNON BOUNDARY LINE ADJUSTMENT NO ENGR19-0308, APPROVED OCTOBER 2, 2019, AND RECORDED AS AUDITOR'S NO. 201910040056, FURTHER DESCRIBED AS:

THAT PORTION OF THE WEST ½ OF THE SOUTHWEST ¼ OF SECTION 20, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M., SKAGIT COUNTY, WASHINGTON, 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 CURRENT SOUTHERLY RIGHT OF WAY MARGIN THE FOLLOWING COURSES AND DISTANCES:

SOUTH 01°53'12" WEST 10.00 FEET;

THENCE SOUTH 88°09'10" EAST 78.10 FEET;

THENCE SOUTH 77°03'33" EAST 25.99 FEET;

THENCE SOUTH 88°09'10" EAST 61.01 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT OF WAY MARGIN SOUTH 88°09'10" EAST 14.45 FEET TO AN ANGLE POINT; THENCE SOUTH 22°35'48" EAST 10.98 FEET; THENCE DEPARTING SAID RIGHT OF WAY MARGIN SOUTH 01°50'50" WEST 89.00 FEET; THENCE SOUTH 88°09'10" EAST 29.94 FEET; THENCE SOUTH 01°53'12" WEST 197.54 FEET; THENCE AT RIGHT ANGLES NORTH 88°06'48" WEST 49.00 FEET; THENCE AT RIGHT ANGLES NORTH 01°53'12" EAST 296.50 FEET TO THE POINT OF BEGINNING.

CONTAINING 11,540 SQUARE FEET, MORE OR LESS.

LOT 4

LOT 4 OF THE MOUNT VERNON BOUNDARY LINE ADJUSTMENT NO ENGR19-0308, APPROVED OCTOBER 2, 2019, AND RECORDED AS AUDITOR'S NO. 201910040056, FURTHER DESCRIBED AS:

THAT PORTION OF THE WEST ½ OF THE SOUTHWEST ¼ OF SECTION 20, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M., SKAGIT COUNTY, WASHINGTON, 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 $01^{\circ}53'12''$ 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 AND THE POINT OF BEGINNING; THENCE ALONG SAID CURRENT SOUTHERLY RIGHT OF WAY MARGIN THE FOLLOWING COURSES AND DISTANCES:

SOUTH $01^{\circ}53'12''$ WEST 10.00 FEET;

THENCE SOUTH $88^{\circ}09'10''$ EAST 78.10 FEET;

THENCE SOUTH $77^{\circ}03'33''$ EAST 25.99 FEET;

THENCE SOUTH $88^{\circ}09'10''$ EAST 61.01 FEET;

THENCE DEPARTING SAID SOUTHERLY MARGIN AND PARALLEL WITH SAID MAIN TRACK CENTERLINE SOUTH $01^{\circ}53'12''$ WEST 250.50 FEET; THENCE AT RIGHT ANGLES NORTH $88^{\circ}06'48''$ WEST 178.01 FEET TO A POINT 40.60 FEET EAST OF SAID MAIN TRACK CENTERLINE; THENCE AT RIGHT ANGLES, BEING PARALLEL WITH AND 40.60 FEET EASTERLY OF SAID MAIN TRACK CENTERLINE NORTH $01^{\circ}53'12''$ EAST 265.38 FEET TO SAID CURRENT SOUTHERLY RIGHT OF WAY MARGIN OF KINCAID STREET; THENCE ALONG SAID MARGIN SOUTH $88^{\circ}09'10''$ EAST 13.40 FEET TO THE POINT OF BEGINNING.

CONTAINING 45,237 SQUARE FEET, MORE OR LESS.

LOT 6

LOT 6 OF THE MOUNT VERNON BOUNDARY LINE ADJUSTMENT NO ENGR19-0308, APPROVED OCTOBER 2, 2019, AND RECORDED AS AUDITOR'S NO. 201910040056, FURTHER DESCRIBED AS:

THAT PORTION OF THE WEST $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 20, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M., SKAGIT COUNTY, WASHINGTON, 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 $01^{\circ}53'12''$

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 AND THE POINT OF BEGINNING; THENCE ALONG SAID CURRENT SOUTHERLY RIGHT OF WAY MARGIN THE FOLLOWING COURSES AND DISTANCES:

SOUTH 01°53'12" WEST 10.00 FEET;

THENCE SOUTH 88°09'10" EAST 78.10 FEET;

THENCE SOUTH 77°03'33" EAST 25.99 FEET;

THENCE SOUTH 88°09'10" EAST 61.01 FEET;

THENCE DEPARTING SAID SOUTHERLY MARGIN AND PARALLEL WITH SAID MAIN TRACK CENTERLINE SOUTH 01°53'12" WEST 250.50 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 01°53'12" WEST 46.00 FEET; THENCE AT RIGHT ANGLES SOUTH 88°06'48" EAST 30.00 FEET; THENCE AT RIGHT ANGLES SOUTH 01°53'12" WEST 102.47 FEET; THENCE NORTH 88°09'10" WEST 194.61 FEET; THENCE PARALLEL WITH SAID MAIN TRACK CENTERLINE SOUTH 01°50'50" WEST 3.11 FEET; THENCE SOUTH 88°09'10" EAST 194.61 FEET; THENCE SOUTH 01°53'12" WEST 46.89 FEET TO A POINT ON THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOT 1, BLOCK 1 OF THE PLAT OF "PICKEN'S ADDITION TO THE TOWN OF MT. VERNON", AS PER THE PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 105, RECORDS OF SKAGIT COUNTY, WASHINGTON; THENCE ALONG SAID WESTERLY EXTENSION NORTH 88°09'10" WEST 207.98 FEET; THENCE PARALLEL WITH SAID MAIN TRACK CENTERLINE NORTH 01°50'50" EAST 50.00 FEET; THENCE PARALLEL WITH SAID MAIN TRACK CENTERLINE NORTH 01°53'12" EAST 148.62 FEET; THENCE AT RIGHT ANGLES SOUTH 88°06'48" EAST 178.01 FEET TO THE POINT OF BEGINNING.

CONTAINING 39,314 SQUARE FEET, MORE OR LESS.

LOT 7

LOT 7 OF THE MOUNT VERNON BOUNDARY LINE ADJUSTMENT NO ENGR19-0308, APPROVED OCTOBER 2, 2019, AND RECORDED AS AUDITOR'S NO. 201910040056, FURTHER DESCRIBED AS:

THAT PORTION OF LOTS 4 THROUGH 6, BLOCK 2, PLAT OF "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, TOGETHER WITH LOT 1, BLOCK 1 AND LOT 16, BLOCK 2 OF THE PLAT OF "PICKEN'S ADDITION TO THE TOWN OF MT. VERNON", AS PER THE PLAT

RECORDED IN VOLUME 2 OF PLATS, PAGE 105, RECORDS OF SKAGIT COUNTY, WASHINGTON, AND A PORTION OF THE WEST ½ OF THE SOUTHWEST ¼ OF SECTION 20, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M., SKAGIT COUNTY WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1, BLOCK 1 OF SAID PICKEN'S ADDITION PLAT; THENCE ALONG THE WESTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 1 NORTH 88°09'10" WEST 19.30 FEET; THENCE NORTH 01°53'12" EAST 46.89 FEET; THENCE PARALLEL WITH SAID WESTERLY EXTENSION SOUTH 88°09'10" EAST 19.27 FEET TO THE WEST LINE OF SAID LOT 1; THENCE ALONG SAID WEST LINE NORTH 01°50'50" EAST 3.11 FEET TO THE NORTHWEST CORNER OF SAID LOT 1; THENCE ALONG THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 1 NORTH 88°09'10" WEST 19.27 FEET; THENCE NORTH 01°53'12" EAST 102.47 FEET; THENCE AT RIGHT ANGLES SOUTH 88°06'48" EAST 19.00 FEET; THENCE AT RIGHT ANGLES NORTH 01°53'12" EAST 1.50 FEET; THENCE AT RIGHT ANGLES SOUTH 88°06'48" EAST 122.50 FEET; THENCE AT RIGHT ANGLES SOUTH 01°53'12" WEST 9.50 FEET; THENCE AT RIGHT ANGLES SOUTH 88°06'48" EAST 36.70 FEET TO THE WEST LINE OF VACATED 6TH STREET AS DEDICATED ON SAID KINCAID'S ADDITION PLAT; THENCE ALONG SAID WEST LINE SOUTH 01°50'50" WEST 94.35 FEET TO THE SOUTH LINE OF SAID PLAT; THENCE ALONG SAID SOUTH LINE SOUTH 88°09'10" EAST 136.54 FEET, MORE OR LESS, TO THE WESTERLY RIGHT OF WAY MARGIN OF INTERSTATE 5; THENCE ALONG SAID WESTERLY MARGIN SOUTH 18°41'06" EAST 53.39 FEET TO THE SOUTH LINE OF SAID LOT 16, BLOCK 2, PICKEN'S ADDITION PLAT; THENCE ALONG SAID SOUTH LINE AND EXTENSION THEREOF NORTH 88°09'10" WEST 314.27 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH THAT PORTION OF VACATED 6TH STREET ABUTTING SAID LOTS 1 AND 16 OF PLAT OF PICKEN'S ADDITION, AS VACATED UNDER CITY OF MT. VERNON ORDINANCE NUMBER 3787.

EXCEPT ANY PORTION THEREOF CONTAINED WITHIN WARRANTY DEED TO STATE OF WASHINGTON FOR HIGHWAY PURPOSES UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 771195.

CONTAINING 34,293 SQUARE FEET, MORE OR LESS.

PARCEL "AA"

THAT PORTION OF LOTS 8, 9, 10 AND 11, BLOCK 3, AND THAT PORTION OF SOUTH 6TH STREET LYING BETWEEN SAID BLOCK 3 AND BLOCK 2 OF KINCAID'S ADDITION TO MOUNT VERNON, AS PER PLAT RECORDED IN

VOLUME 2 OF PLATS, PAGE 84, RECORDS OF SKAGIT COUNTY, WASHINGTON, LYING WESTERLY OF A LINE DRAWN PARALLEL WITH AND 85 FEET DISTANT SOUTHWESTERLY MEASURED AT RIGHT ANGLES, FROM THE KINCAID STREET RAMP CENTERLINE OF PRIMARY HIGHWAY NO. 1, CONWAY JCT., PRIMARY STATE HIGHWAY NO. 1, NORTH OF BURLINGTON, THE SPECIFIC DETAILS CONCERNING ALL OF WHICH ARE TO BE FOUND WITHIN THAT CERTAIN MAP OF DEFINITE LOCATION NOW OF RECORD AND ON FILE IN THE OFFICE OF THE DIRECTOR OF HIGHWAYS AT OLYMPIA, AND BEARING DATE OF APPROVAL JANUARY 27, 1953, REVISED NOVEMBER 3, 1954.

EXCEPT THAT PORTION, THEREOF, IF ANY, NOT LYING WITHIN THE PROPERTY CONVEYED TO THE CITY OF MOUNT VERNON BY IN DEED RECORDED UNDER AUDITOR'S FILE NO. 842193.

PARCEL "BB"

THAT PORTION OF THE WEST $\frac{1}{2}$ OF THE WEST $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 20, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M., SKAGIT COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH 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 A DISTANCE OF 429.0 FEET; THENCE EASTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE A DISTANCE OF 215.0 FEET; THENCE NORTHERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE A DISTANCE OF 300.0 FEET, TO A POINT LABELLED "HES" K " 2 + 80.00 159.0 FEET R", SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE WESTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE A DISTANCE OF 30.0 FEET, MORE OR LESS, TO A POINT LABELLED "HES "K" 2 + 50.00 159.0 FEET R"; THENCE NORTHERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE A DISTANCE OF 89.0 FEET, MORE OR LESS, TO A POINT LABELLED "HES "K" 2 +50.00 70.0 FEET R" THENCE EAST 30 FEET, MORE OR LESS, TO A POINT LABELLED "HES "K" 2 + 80.00 FEET R"; THENCE SOUTH 90.00 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

EXCEPT THOSE PORTIONS THEREOF, IF ANY, LYING EAST OF THE EAST LINES OF THOSE PROPERTIES CONVEYED TO THE SEATTLE AND MONTANA RAILWAY

COMPANY BY DEEDS RECORDED IN VOLUME 15 OF DEEDS, PAGE 411, AND IN VOLUME 18 OF DEEDS, PAGE 537.

PARCEL CC

LOTS 1 TO 4, INCLUSIVE, BLOCK 1 "KINCAID'S ADDITION TO MT. VERNON, SKAGIT CO., WASH., AS PER PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 84, RECORDS OF SKAGIT COUNTY.

EXCEPTING THEREFROM THAT PORTION LYING NORTHEASTERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT A POINT OF INTERSECTION OF THE SOUTH LINE OF SAID LOT 4 WITH THE WESTERLY RIGHT OF WAY LINE OF SR 5, AS SHOWN ON SR 5, MOUNT VERNON: BLACKBURN ST. TO SKAGIT RIVER, AS IT EXISTED ON JULY 7, 2018; THENCE NORTHWESTERLY ALONG SAID WESTERLY RIGHT OF WAY LINE TO A POINT ON THE WEST LINE OF SAID LOT 1, BEGIN A POINT OPPOSITE HIGHWAY ENGINEER'S STATION K 2+80, ON THE K LINE SURVEY OF SAID HIGHWAY, AND 70 FEET SOUTHERLY THEREFROM AND THE TERMINUS OF THIS LINE DESCRIPTION. THE SPECIFIC DETAILS CONCERNING ALL OF WHICH MAY BE FOUND ON SHEET 4 OF 8 SHEETS OF THAT CERTAIN PLAN ENTITLED SR5, MOUNT VERNON: BLACKBURN ST. TO SKAGIT RIVER, NOW OF RECORD AND ON FILE IN THE OFFICE OF THE SECRETARY OF TRANSPORTATION AT OLYMPIA, AND BEARING DATE OF APPROVAL FEBRUARY 25, 1971, REVISED JULY 6, 2018.

TOGETHER WITH THE NORTH 1/2 OF THAT PORTION OF THE VACATED ALLEY ADJOINING THE SOUTH LINE OF SAID BLOCK 1 THAT HAS REVERTED THERETO BY OPERATION OF LAW.

RAILWAY PARCEL:

THAT PORTION OF THE SOUTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 20, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M. DESCRIBED AS FOLLOWS:

BEGIN AT A POINT IN THE WEST LINE OF SAID SOUTHWEST ¼ OF THE SOUTHWEST ¼; THAT IS 462.11 FEET SOUTH OF THE NORTHWEST CORNER THEREOF; THENCE EASTERLY PERPENDICULAR TO SAID WEST LINE, A DISTANCE OF 65 FEET, MORE OR LESS, TO A POINT PERPENDICULARLY 54 FEET EASTERLY, FROM THE CENTER LINE OF THE MAIN TRACK OF THE RAILWAY OF THE GREAT NORTHERN RAILWAY COMPANY, AS LOCATED ON MAY 8, 1955; TO THE TRUE POINT OF BEGINNING, WHICH POINT IS ALSO THE NORTHWEST CORNER OF THE SECOND PARCEL OF LAND DESCRIBED ON THAT CERTAIN DEED IN FAVOR OF LIBBY, MCNEILL & LIBBY CORPORATION BY DEED RECORDED OCTOBER 31, 1955 AS SKAGIT COUNTY AUDITOR'S FILE NUMBER


526435; THENCE EASTERLY ALONG THE NORTH LINE OF SAID LIBBY, MCNEILL & LIBBY PARCEL 215 FEET, MORE OR LESS, TO THE NORTHEAST CORNER THEREOF, SAID POINT BEING ON A LINE 280 FEET PERPENDICULAR TO THE WEST LINE OF SAID SUBDIVISION; THENCE NORTH, A DISTANCE OF 3.11 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF THAT CERTAIN TRACT OF LAND CONVEYED TO THE GLACIER PARK COMPANY AS PARCEL 1 ON THAT CERTAIN DEED RECORDED JUNE 2, 1989 AS AUDITOR'S FILE NO. 8906020025; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID GLACIER PARK PARCEL 215 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER THEREOF; THENCE SOUTH 3.11 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

EXHIBIT "B"
(Easement Depiction)

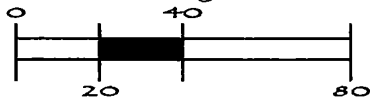
(see attached)

EXHIBIT - '___'



 = EASEMENT AREA

GRAPHIC SCALE
(us survey feet)



LINE TABLE		
LINE	LENGTH	BEARING
L1	14.95	S1°53'12"W
L2	13.40	N88°09'10"W
L3	28.28	S1°53'12"W
L4	20.00	N1°53'12"E



DATE: 1/16/20

DWG NO.: 2018041_svE_ESMT_200107.dwg

EXHIBIT "C"
(Easement Legal Description)

A 20.00 FOOT WIDE 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 4 & 6, 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:

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 CONTINUING ALONG SAID MARGIN, NORTH 88°09'10" WEST, 13.40 FEET TO THE NORTHWEST CORNER OF SAID LOT 4; THENCE ALONG THE WEST LINE OF SAID LOTS 4 AND 6, SOUTH 01°53'12" WEST, 282.58 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE WEST LINE OF LOT 6, SOUTH 01°53'12" WEST, 28.28 FEET; THENCE DEPARTING SAID WEST LINE, NORTH 46°53'12" EAST, 50.18 FEET; THENCE PARALLEL WITH AND 10.00 FEET SOUTH OF THE NORTH LINE OF SAID LOT 6, SOUTH 88°06'48" EAST 142.53 FEET, TO A POINT ON THE EAST LINE OF SAID LOT 6; THENCE ALONG THE EAST LINE OF SAID LOTS 6 AND 4, NORTH 01 °53'12" EAST 20.00 FEET; THENCE DEPARTING SAID EAST LINE OF LOT 4 AND PARALLEL WITH AND 10.00 FEET NORTH OF THE SOUTH LINE OF SAID LOT 4, NORTH 88°06'48" WEST 150.81 FEET; THENCE SOUTH 46°53'12" WEST, 38.46 FEET TO THE POINT OF BEGINNING.

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