

Filed at the Request of/Return to:

Port of Skagit County
15400 Airport Drive
Burlington, WA 98233
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

EASEMENT
SEP 16 2020

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



202009160053

09/16/2020 11:42 AM Pages: 1 of 9 Fees: \$111.50
Skagit County Auditor

DEDICATION OF EASEMENT
FOR INGRESS, EGRESS, AND UTILITIES

GRANTOR(S): **PORT OF SKAGIT COUNTY**, a Washington public port district and municipal corporation

GRANTEE(S): **PORT OF SKAGIT COUNTY**, a Washington public port district and municipal corporation

Abbreviated Legal: A portion of the Amended Skagit Regional Airport Binding Site Plan, Phase 1, AF 200303040030, SE ¼, Section 33, Township 35N, Range 3 E.

Servient Parcel No.: P115642, P115644

Dominant Parcel Nos.: P115649, P115648, P115646, P115645, P115640, P115641

THIS DEDICATION OF EASEMENT is made and entered into this 11th day of August 2020, as "Grantor" and "Grantee" by the **PORT OF SKAGIT COUNTY**, a Washington public port district and municipal corporation").

RECITALS

A. Grantor/Grantee is the owner of real property legally described in **Exhibit A-1**, the "Servient Parcel" encumbered by the easement dedicated herein attached hereto and incorporated herein by this reference.

B. Grantee is also the owner of real property legally described in **Exhibit A-2** the "Dominant Parcels," benefitting from the easement dedicated herein and attached hereto and incorporated herein by this reference.

C. Grantor has determined that it is in its best interest to dedicate a non-exclusive perpetual easement for ingress, egress, and utilities over, under, and across a strip of legally described in Section 1 below..

NOW, THEREFORE, the Grantor hereby dedicates the following non-exclusive easement:

1. Dedication of Easement. Grantor hereby dedicates and grants to Grantee, without warranty, a non-exclusive, perpetual easement for ingress, egress, and utilities, over, under, and across a portion of Lot 53 and Lot N of Amended Skagit Regional Airport Binding Site Plan, Phase 1, Auditor's File No. 200303040030 (the "Easement Area") and being more particularly described in **Exhibit A-3** and attached hereto and incorporated herein by this reference

2. Intent of Easement. The intent of this easement is to provide access from the west edge of Higgins Airport Way right-of-way to benefit the Dominant Parcels lying westerly thereof.

3. Use of Easement. The Grantor/Grantee and any tenant of the Grantor/Grantee, including employees, agents and invitees thereof, may use the easement in a reasonable manner that does not interfere with the use of the easement area by any tenant of either the Dominant Parcels or the Servient Parcel. Grantor/Grantee shall have exclusive authority to approve the placement, or to place, improvements in the easement area consistent with the terms hereof.

4. Site Map. A map showing the Easement Area, the Servient Parcel and the Dominant Parcels is attached hereto as **Exhibit B** and incorporated herein by this reference.

5. Non-Waiver of Breach. The failure of Grantor to insist upon strict performance of any of the covenants or agreements of this easement in one or more instances shall not be construed to be a waiver or relinquishment of any such covenant or agreement, but the same shall be and remain in full force and effect during the term of this easement.

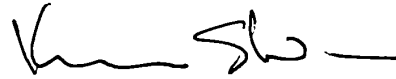
6. Easement Runs with Land. The benefits, burdens, and covenants of the easement granted herein shall be deemed to be appurtenant to and run with the land and shall bind the Grantor's/Grantee's Property, the Grantor/Grantee, and all entities and persons possessing the properties subject hereto.

7. Applicable Law. This Agreement shall be construed according to the laws of the State of Washington.

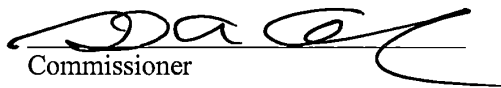
IN WITNESS WHEREOF, the Grantor/Grantee has executed this Easement on the day, month and year first written above.

GRANTOR/GRANTEE

PORT OF SKAGIT COUNTY



Commissioner



Commissioner

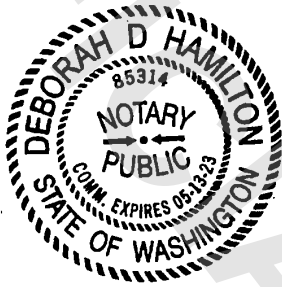
Commissioner Shuter Excused Absence
Commissioner

EASEMENT

STATE OF WASHINGTON)
) ss
COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that Kevin E. Ware is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as Secretary of the Board of Commission of the Port of Skagit County, to be the free and voluntary act of such trust for the uses and purposes mentioned in the instrument.

Given Under My Hand and Official Seal this 11th day of August, 2020



Deborah D. Hamilton

(Signature)

Deborah D. Hamilton

(Print Name)

Notary Public in and for the State of Washington,
residing at Burlington WA
My commission expires: 5-13-23

EASEMENT

EXHIBIT A-1
Encumbered Parcel

P115642

AMENDED SKAGIT REGIONAL AIRPORT BINDING SITE PLAN, PHASE 1, LOT 53, ACRES 6.19, AF/# 200303040030, (FORMERLY SKAGIT REGIONAL AIRPORT BINDING SITE PLAN PHASE 1, AF# 8608250002). AF/# 200303040030, (FORMERLY SKAGIT REGIONAL AIRPORT BINDING SITE PLAN PHASE 1, AF# 8608250002).

P115644

AMENDED SKAGIT REGIONAL AIRPORT BINDING SITE PLAN, PHASE 1, ACRES 5.04, TRACT N, AF#200303040030. (FORMERLY SKAGIT REGIONAL AIRPORT BINDING SITE PLAN PHASE 1, AF#8608250002). TRACT N, AF#200303040030. (FORMERLY SKAGIT REGIONAL AIRPORT BINDING SITE PLAN PHASE 1, AF#8608250002).

EASEMENT

EXHIBIT A-2
Benefitted Parcels

P115640

AMENDED SKAGIT REGIONAL AIRPORT BINDING SITE PLAN, PHASE 1, ACRES 15.31, TRACT J, AF#200303040030. (FORMERLY SKAGIT REGIONAL AIRPORT BINDING SITE PLAN PHASE 1, AF#8608250002). TRACT J, AF#200303040030. (FORMERLY SKAGIT REGIONAL AIRPORT BINDING SITE PLAN PHASE 1, AF#8608250002).

P115641

AMENDED SKAGIT REGIONAL AIRPORT BINDING SITE PLAN, PHASE 1, LOT 52, ACRES 1.46, AF#200303040030. (FORMERLY SKAGIT REGIONAL AIRPORT BINDING SITE PLAN PHASE 1, AF#8608250002). AF#200303040030. (FORMERLY SKAGIT REGIONAL AIRPORT BINDING SITE PLAN PHASE 1, AF#8608250002).

P115645

AMENDED SKAGIT REGIONAL AIRPORT BINDING SITE PLAN, PHASE 1, LOT 54, ACRES 3.55, AF#200303040030. (FORMERLY SKAGIT REGIONAL AIRPORT BINDING SITE PLAN PHASE 1, AF#8608250002). AF#200303040030. (FORMERLY SKAGIT REGIONAL AIRPORT BINDING SITE PLAN PHASE 1, AF#8608250002).

P115646

AMENDED SKAGIT REGIONAL AIRPORT BINDING SITE PLAN, PHASE 1, ACRES 2.83, TRACT K, AF#200303040030. (FORMERLY SKAGIT REGIONAL AIRPORT BINDING SITE PLAN PHASE 1, AF#8608250002). TRACT K, AF#200303040030. (FORMERLY SKAGIT REGIONAL AIRPORT BINDING SITE PLAN PHASE 1, AF#8608250002).

P115648

AMENDED SKAGIT REGIONAL AIRPORT BINDING SITE PLAN, PHASE 1, LOT 55, ACRES 1.90, 200303040030. (FORMERLY SKAGIT REGIONAL AIRPORT BINDING SITE PLAN PHASE 1, AF#8608250002). 200303040030. (FORMERLY SKAGIT REGIONAL AIRPORT BINDING SITE PLAN PHASE 1, AF#8608250002).

P115649

AMENDED SKAGIT REGIONAL AIRPORT BINDING SITE PLAN, PHASE 1, LOT 56, ACRES 1.40, AF#200303040030. (FORMERLY SKAGIT REGIONAL AIRPORT BINDING SITE PLAN PHASE 1, AF# 8608250002). AF#200303040030. (FORMERLY SKAGIT REGIONAL AIRPORT BINDING SITE PLAN PHASE 1, AF# 8608250002).

EASEMENT

Exhibit A-3
EXHIBIT "A"

LEGAL DESCRIPTION
For
PORT OF SKAGIT COUNTY

LOT 53 EASEMENT

A PORTION OF LOT 53 AND LOT N OF AMENDED SKAGIT REGIONAL AIRPORT BINDING SITE PLAN, PHASE 1, PL 02-127, APPROVED ON FEBRUARY 28, 2003 AND RECORDED MARCH 4, 2003, UNDER AUDITOR FILE NUMBER 200303040030, SAID DESCRIPTION BEING IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 33 AND THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 35 NORTH, RANGE 3 EAST, W.M. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 56 AS SHOWN ON SAID AMENDED BINDING SITE PLAN AND ALSO BEING ON THE NORTH LINE OF EASEMENT; THENCE NORTH 88°58'01" WEST 298.65 FEET TO A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 30.00 FEET THROUGH A CENTRAL ANGLE OF 48°11'23" FOR A DISTANCE OF 25.23 FEET TO A POINT OF REVERSE CURVATURE; SAID CURVE HAVING A RADIUS OF 60.00 FEET THROUGH A CENTRAL ANGLE OF 276°22'46" FOR A DISTANCE OF 289.42 FEET TO A POINT OF REVERSE CURVATURE; SAID CURVE HAVING A RADIUS OF 30.00 FEET THROUGH A CENTRAL ANGLE OF 48°11'23" FOR A DISTANCE OF 25.23 FEET; THENCE SOUTH 88°58'01" EAST 451.18 FEET TO A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 50.00 FEET THROUGH A CENTRAL ANGLE OF 72°01'20" FOR A DISTANCE OF 62.85 FEET TO THE WESTERLY RIGHT OF WAY OF HIGGINS AIRPORT WAY; THENCE NORTHERLY ALONG SAID RIGHT OF WAY AND A NON-TANGENT CURVE CONCAVE TO THE EAST HAVING A RADIAL BEARING OF NORTH 73°03'19" EAST, A RADIUS OF 540.00 FEET AND A CENTRAL ANGLE OF 15°49'51" FOR A DISTANCE OF 149.20 FEET; THENCE SOUTHWESTERLY ALONG A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST HAVING A RADIAL BEARING OF SOUTH 88°53'10" WEST, A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 92°08'49" FOR A DISTANCE OF 80.41 FEET; THENCE NORTH 88°58'01" WEST 124.14 FEET TO THE POINT OF BEGINNING.

SAID EASEMENT TO ADJOIN HIGGINS AIRPORT WAY, LOTS 52, 54-56, J, AND K OF SAID BINDING SITE PLAN.

CONTAINING 41,784± SQUARE FEET,
SITUATED IN SKAGIT COUNTY, WASHINGTON



