

RETURN ADDRESS:

Puget Sound Energy, Inc.
Attn: Real Estate/Right of Way
1660 Park Lane
Burlington, WA 98233

REVIEWED BY
SKAGIT COUNTY TREASURER
DEPUTY Heather Beauvais
DATE 10/22/2020

**PUGET SOUND ENERGY****EASEMENT**

GNW M 10384

REFERENCE #:

GRANTOR (Owner): **VWA – MOUNT VERNON, LLC**
GRANTEE (PSE): **PUGET SOUND ENERGY, INC.**
SHORT LEGAL: **PTN SW ¼, SW ¼, SEC 20, T34N, R04E**
ASSESSOR'S PROPERTY TAX PARCEL: **P134972**

For and in consideration of good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **VWA – MOUNT VERNON, LLC**, an Ohio limited liability company ("Owner" herein), hereby grants and conveys to **PUGET SOUND ENERGY, INC.**, a Washington corporation ("PSE" herein), for the purposes described below, a nonexclusive perpetual easement over, under, along across and through the following described real property (the "Property" herein) in Skagit County, Washington:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

Except as may be otherwise set forth herein PSE's rights shall be exercised upon that portion of the Property ("Easement Area" herein) described as follows:

SEE EXHIBITS "B" AND "C" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

1. Purpose. PSE shall have the right to use the Easement Area to construct, operate, maintain, repair, replace, improve, remove, upgrade and extend one or more utility systems for purposes of transmission, distribution and sale of electricity. Such systems may include, but are not limited to:

Underground facilities. Conduits, lines, cables, vaults, switches and transformers for electricity; fiber optic cable and other lines, cables and facilities for communications; semi-buried or ground-mounted facilities and pads, manholes, meters, fixtures, attachments and any and all other facilities or appurtenances necessary or convenient to any or all of the foregoing.

Following the initial construction of all or a portion of its systems, PSE may, from time to time, construct such additional facilities as it may require for such systems. PSE shall have the right of access to the Easement Area over and across the Property to enable PSE to exercise its rights granted in this easement.

2. Easement Area Clearing and Maintenance. PSE shall have the right, but not the obligation to cut, remove and dispose of any and all brush, trees or other vegetation in the Easement Area. PSE shall also have the right, but not the obligation, to control, on a continuing basis and by any prudent and reasonable means, the establishment and growth of brush, trees or other vegetation in the Easement Area.

3. Restoration. Following initial installation, repair or extension of its facilities, PSE shall, to the extent reasonably practicable, restore landscaping and surfaces and portions of the Property affected by PSE's work to the condition existing immediately prior to such work, unless said work was done at the request of Owner, in which case Owner shall be responsible for such restoration. All restoration which is the responsibility of PSE shall be performed as soon as reasonably possible after the completion of PSE's work and shall be coordinated with Owner so as to cause the minimum amount of disruption to Owner's use of the Property.

4. Owner's Use of Easement Area. Owner reserves the right to use the Easement Area for any purpose not inconsistent with the rights herein granted, provided, however, Owner shall not excavate within or otherwise change the grade of the Easement Area or construct or maintain any buildings or structures on the Easement Area and Owner shall do no blasting within 300 feet of PSE's facilities without PSE's prior written consent.

5. Indemnity. PSE agrees to indemnify Owner from and against liability incurred by Owner as a result of the negligence of PSE or its contractors in the exercise of the rights herein granted to PSE, but nothing herein shall require PSE to indemnify Owner for that portion of any such liability attributable to the negligence of Owner or the negligence of others.

6. Termination. The rights herein granted shall continue until such time as PSE terminates such right by written instrument. If terminated, any improvements remaining in the Easement Area shall become the property of Owner. No termination shall be deemed to have occurred by PSE's failure to install its systems on the Easement Area.

7. Successors and Assigns. PSE shall have the right to assign, apportion or otherwise transfer any or all of its rights, benefits, privileges and interests arising in and under this easement. Without limiting the generality of the foregoing, the rights and obligations of the parties shall be binding upon their respective successors and assigns.

DATED this 21st day of October, 2020.

OWNER:

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

By: Dominic A. Visconsi, Jr.
Dominic A. Visconsi, Jr., managing member

STATE OF OHIO

COUNTY OF CUYAHOGA)^{ss}

On this 21ST day of OCTOBER, 2020, before me, the undersigned, a Notary Public in and for the State of Ohio, duly commissioned and sworn, personally appeared DOMINIC A. VISCONSI, JR., to me known or proved by satisfactory evidence to be the person who signed as managing member, of VWA - MOUNT VERNON, LLC, the Ohio limited liability company that executed the within and foregoing instrument, and acknowledged said instrument to be his free and voluntary act and deed and the free and voluntary act and deed of said limited liability company for the uses and purposes therein mentioned; and on oath stated that he was authorized to execute the said instrument on behalf of said limited liability company.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.

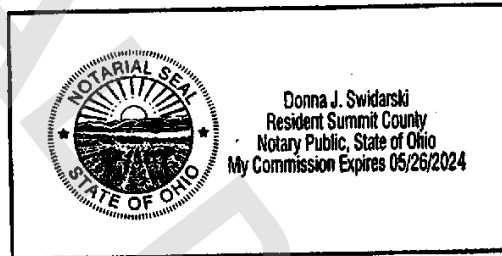
Donna J. Swidarski
(Signature of Notary)

DONNA J SWIDARSKI
(Print or stamp name of Notary)

NOTARY PUBLIC in and for the State of Ohio,
residing at 1904 HINES HILL RD, HUDSON,

My Appointment Expires: 5-26-24 ⁰⁴ 44236

Notary seal, text and all notations must not be placed within 1" margins





Pacific Surveying & Engineering, Inc

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

EXHIBIT "A" PROPERTY LEGAL DESCRIPTION

LOT 4 ALFCO BOUNDARY LINE ADJUSTMENT, AF NO. 201910040056

THAT PORTION OF THE WEST 1/2 OF THE SOUTHWEST 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°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; THENCE AT RIGHT ANGLES NORTH 88°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°53'12" EAST 265.38 FEET TO SAID CURRENT SOUTHERLY RIGHT OF WAY MARGIN OF KINCAID STREET; THENCE ALONG SAID MARGIN SOUTH 88°09'10" EAST 13.40 FEET TO THE POINT OF BEGINNING.

CONTAINING 45,237 SQUARE FEET, MORE OR LESS.





Pacific Surveying & Engineering, Inc

land surveying • civil engineering • consulting • environmental
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 Phone 360.671.7387 Facsimile 360.671.4685 Email info@psurvey.com

EXHIBIT "B" EASEMENT AREA DESCRIPTION

AN EASEMENT FOR ELECTRICAL FACILITIES LOCATED WITHIN A PORTION OF LOT 4, ALFCO BOUNDARY LINE ADJUSTMENT, ACCORDING TO THE MAP THEREOF, 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 CONTINUING ALONG SAID MARGIN, SOUTH 01°53'12" WEST, 10.00 FEET; THENCE CONTINUING ALONG SAID MARGIN, SOUTH 88°09'10" EAST, 78.10 FEET; THENCE CONTINUING ALONG SAID MARGIN SOUTH 77°03'33" EAST 25.99 FEET; THENCE CONTINUING ALONG SAID MARGIN SOUTH 88°09'10" EAST 34.01 FEET; THENCE CONTINUING ALONG SAID MARGIN SOUTH 88°09'10" EAST 27.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 4; THENCE ALONG THE EAST LINE THEREOF, SOUTH 01°53'12" WEST, 123.77 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 01°53'12" WEST, 10.00 FEET; THENCE DEPARTING SAID LINE AND AT RIGHT ANGLES THERETO, NORTH 88°06'48" WEST, 3.12 FEET; THENCE PARALLEL WITH SAID EAST LINE, SOUTH 01°53'12" WEST, 50.35 FEET; THENCE AT RIGHT ANGLES, NORTH 88°06'48" WEST, 84.75 FEET; THENCE NORTH 53°30'33" WEST, 81.74 FEET; THENCE NORTH 88°06'48" WEST, 10.83 FEET; THENCE AT RIGHT ANGLES, NORTH 01°53'12" EAST, 17.61 FEET; THENCE AT RIGHT ANGLES, SOUTH 88°06'48" EAST, 17.23 FEET; THENCE AT RIGHT ANGLES, SOUTH 01°53'12" WEST, 9.88 FEET; THENCE SOUTH 53°30'33" EAST, 77.76 FEET; THENCE SOUTH 88°06'48" EAST, 71.64 FEET; THENCE PARALLEL WITH SAID EAST LINE, NORTH 01°53'12" EAST, 50.35 FEET; THENCE AT RIGHT ANGLES SOUTH 88°06'48" EAST, 13.12 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

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

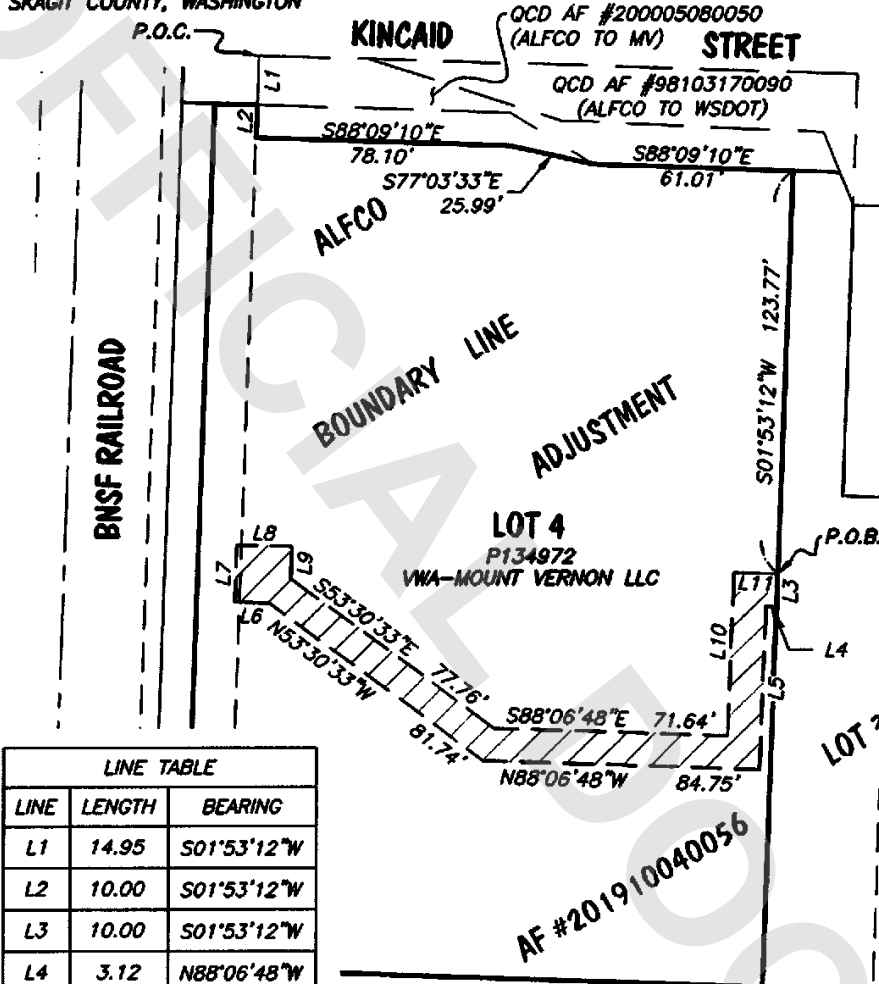


Exhibit "C"

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 "C"

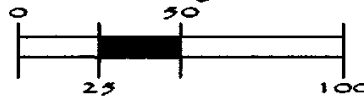
SITUATE IN A PORTION OF THE SW 1/4 OF THE SW 1/4 OF SECTION 20,
 TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M., CITY OF MOUNT VERNON,
 SKAGIT COUNTY, WASHINGTON



LINE TABLE

LINE	LENGTH	BEARING
L1	14.95	S01°53'12"W
L2	10.00	S01°53'12"W
L3	10.00	S01°53'12"W
L4	3.12	N88°06'48"W
L5	50.35	S01°53'12"W
L6	10.83	N88°06'48"W
L7	17.61	N01°53'12"E
L8	17.23	S88°06'48"E
L9	9.88	S01°53'12"W
L10	50.35	N01°53'12"E
L11	13.12	S88°06'48"E

GRAPHIC SCALE
 (in survey feet)



= EASEMENT AREA



DWG. NO.: 2018041 svf ESMT 201012 DATE: 10.15.20