

WHEN RECORDED RETURN TO:

City of Anacortes Legal Department
904 6th Street
Anacortes, WA 98221

REVIEWED BY
SKAGIT COUNTY TREASURER
DEPUTY Lena Thompson
DATE 10/06/2021

DOCUMENT TITLE:	UTILITY EASEMENT for the purposes of fiber infrastructure
GRANTOR(S):	Portalis Island Homes Condominium Association
GRANTEE(S):	City of Anacortes, a Washington municipal corporation.
ABBREVIATED LEGAL:	Channel Marker Lane – A private road.
ASSESSOR PARCEL / TAX ID NUMBER:	P122197/ 4847-000-999-000

UTILITY EASEMENT

THIS EASEMENT is made by and between Portalis Island Homes Condominium Association (Grantor), and the City of Anacortes, a Washington municipal corporation (Grantee), for good and valuable consideration, including access to fiber infrastructure, the receipt and sufficiency of which hereby are acknowledged, for the construction, maintenance, inspection, and repair of fiber infrastructure and appurtenances, over, under, and across that certain real property described on Exhibit A (the Property) together with all after acquired title of Grantor therein, and as described in Exhibit B (the Easement), subject to the terms and provisions set forth below. The effective date of this Easement shall be the date this Easement has been signed by the Grantor.

The Permanent Easement described on Exhibit B, shall be to construct, or cause to construct, maintain, replace, reconstruct, and remove fiber optic, and telecommunication facilities, with all appurtenances incident thereto or necessary therewith, in, under and across the said premises, and to cut and remove and other obstructions which may endanger the safety or interfere with the use of said fiber optic, and telecommunication facilities, or appurtenances attached or connected therewith; and the right of ingress and egress to and over said premises at any and all times for the purpose of doing anything necessary or useful or convenient for the enjoyment of the easement hereby granted.

Grantee will maintain all equipment and infrastructure installed within the Easement Area in good repair and will reasonably repair any damage caused to the existing roadway by the installation of Grantee infrastructure, consistent with City road repair standards.

To the extent permitted by law, Grantee shall indemnify and hold Grantor harmless from any and all claims, actions, damages or liability occasioned wholly or in part by any negligent or intentional act or omission by Grantee, its agents, or invitees, relating to the use, construction, maintenance, operation, or repair of the road or work within the Easement Area, except to the extent attributable to the acts or omissions by any third party or Grantor, its agents or invitees.

This easement and each of the terms, provisions, conditions and covenants herein shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns. Any covenant granted herein shall be a covenant running with the land.

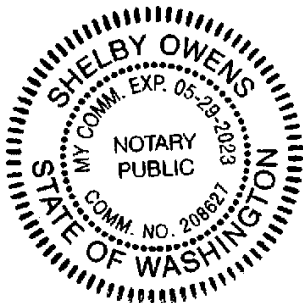
Dated this 15 day of July, 2021.

By: Patrick O. Gallagher
Portalis Island Homes Condominium Association

STATE OF WASHINGTON)
)ss.
COUNTY OF SKAGIT)

On this 15th day of July, 2021, before, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Patrick Gallagher, to me known to be the individual(s) described in with authority to bind the Portalis Island Homes Condominium Association and who executed the within and foregoing instrument, and acknowledged said instrument to be their free and voluntary act and deed for the uses and purposes therein mentioned.

IN WITNESS WHEREOF I have hereunto given my hand and official seal this 15th day of July, 2021.



Shelby Owens
Notary Public in and for the State of Washington
Residing at Anacortes
My appointment expires 05/29/2023

EXHIBIT A

Legal Description of Parcel P122197

PORTALIS ISLAND HOMES CONDOMINIUM, AF#200412080101. CHANNEL MARKER LANE - A PRIVATE ROAD. AF#200412080101. CHANNEL MARKER LANE - A PRIVATE ROAD

Situate in the County of Skagit, State of Washington.

EXHIBIT B
Legal Description of Easement Area

An unlabeled tract of land depicted in PLANS OF PORTALIS ISLAND HOMES CONDOMINIUM

As Recorded under Auditor's File Number 200412080101, on December 8, 2004, records of Skagit County Washington.

More particularly described as follows:

Said tract of land is approximately 32 feet wide, extending between PORTALIS WAY and PORTALIS COURT. Directly abutting Units 2 through 19, as shown on said plans.