

AFTER NOTARIZING RETURN TO DEL MAR COMMUNITY SERVICE, INC. ATTORNEY:
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1500 Railroad Ave.
Bellingham, WA 98225

REVIEWED BY
SKAGIT COUNTY TREASURER
DEPUTY Lena Thompson
DATE 02/02/2022

Title of Document: UTILITY EASEMENT
Grantor: EILEEN HULL
Grantee: Del Mar Community Service, Inc.
Abbreviated Legal Description: THAT PORTION OF GOVERNMENT LOTS 4 AND 5, OF SECTION 2, TOWNSHIP 34 NORTH, RANGE 1 EAST, W.M., AND A PORTION OF LOT 1 OF SHORT PLAT NO. 17-75, FILED IN BOOK 1 OF SHORT PLATS AT PAGE 36, RECORDS OF SKAGIT COUNTY, WASHINGTON

Assessor's Tax Parcel No(s): P19016

UTILITY EASEMENT

For a valuable consideration, receipt whereof is hereby acknowledged, the Grantor EILEEN HULL, hereby conveys and warrants to the Grantee, DEL MAR COMMUNITY SERVICES, INC., its successors and assigns, a perpetual, nonexclusive easement under, over, through and across the property described in Exhibits "A", "B", and "C", attached hereto and by this reference incorporated herein, for the purpose of designing, constructing, repairing and maintaining water utilities for public purposes.

The following specific provisions apply to the use of this easement:

1. Grantee shall have the right at all times to enter the premises described in Exhibits "A", "B", and "C" hereto for the purpose of inspecting, maintaining, improving, repairing, constructing, reconstructing, locating and relocating water utilities.
2. The cost of any inspection, maintenance, repair, construction, reconstruction, location, or relocation of the water utilities, or improvements thereto, shall be borne by Grantee, except in the case of damage to the utilities caused by activities of the Grantor or its agents or licensees.

Revised Paragraph 3:

Upon completion of any work by the Grantee under this Easement, Grantee shall restore the surface of the servient property to its prior condition consistent with Grantee's use of the property. ***This shall include repairing of all disturbed asphalt paving and replacement of that 20 to 30 feet of totally disintegrated pavement on Abbott Lane directly at the entrance to the Hull residence.***

Notwithstanding such surface restoration, Grantee shall have no obligation to replace or restore trees, brush or other vegetation, and specifically reserves the right to keep the easement clear of all trees, brush or other vegetation which, in its sole discretion and judgment, may interfere with Grantee's access, use, operation or maintenance of the utilities.

EXHIBIT "A"
PARCEL LEGAL DESCRIPTION

UNOFFICIAL DOCUMENT

EXHIBIT "A"**PARCEL LEGAL DESCRIPTION****ACCESS & UTILITY EASEMENT****AFFECTING SKAGIT COUNTY TAX PARCEL P19016**

UNRECORDED DOCUMENT

THAT PORTION OF GOVERNMENT LOTS 4 AND 5, OF SECTION 2, TOWNSHIP 34 NORTH, RANGE 1 EAST, W.M., AND A PORTION OF LOT 1 OF SHORT PLAT NO. 17-75, FILED IN BOOK 1 OF SHORT PLATS AT PAGE 36, RECORDS OF SAGIT COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH 1/4 CORNER OF SECTION 2, TOWNSHIP 34 NORTH, RANGE 1 EAST, W.M.;

THENCE SOUTH 00°14' WEST, 723.29 FEET TO THE NORTHEAST CORNER OF LOT 4 OF SAID SHORT PLAT NO. 17-75;

THENCE SOUTH 87°44' WEST ALONG THE NORTH LINE OF SAID SHORT PLAT A DISTANCE OF 1,326.18 FEET TO THE NORTHWEST CORNER OF LOT 1 OF SAID SHORT PLAT;

THENCE CONTINUING SOUTH 87°44' WEST, 367.81 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF THE 40 FOOT WIDE COUNTY RIGHT-OF-WAY AS SHOWN ON THE PLAT OF "RANCHO SAN JUAN DEL MAR, SUBDIVISION NO. 2", AS PER PLAT RECORDED IN VOLUME 5 OF PLATS AT PAGE 30, RECORDS OF SKAGIT COUNTY, WASHINGTON;

THENCE SOUTH 00°14' WEST ALONG THE SAID EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 240 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 00°14' WEST A DISTANCE OF 405.97 FEET;

THENCE NORTH 89°07'21" EAST, 124.13 FEET;

THENCE SOUTH 00°52'40" EAST 171.17 FEET;

THENCE SOUTH 60°40'27" EAST A DISTANCE OF 208.18 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF THE ROSARIO / HAVEKOST ROAD;

THENCE NORTH 41°27'35" EAST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 316.74 FEET;

THENCE NORTH 42°27'38" WEST A DISTANCE OF 332.77 FEET;

THENCE NORTH 35°11'17" WEST A DISTANCE OF 245.37 FEET;

THENCE SOUTH 87°44' WEST A DISTANCE OF 150.00 FEET TO THE TRUE POINT OF BEGINNING.

TOGETHER WITH THAT PORTION OF LOT 1 OF SAID SHORT PLAT NO. 17-75, LYING SOUTHERLY OF DEL MAR ROAD AND WESTERLY OF ROSARIO / HAVEKOST ROAD AS SHOWN ON SAID SHORT PLAT.

SITUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON.

EXHIBIT "B"
EASEMENT LEGAL DESCRIPTION

UNOFFICIAL DOCUMENT

EXHIBIT "B"**EASEMENT LEGAL DESCRIPTION****ACCESS & UTILITY EASEMENT****AFFECTING SKAGIT COUNTY TAX PARCEL P19016**

A 15-FOOT WATERLINE EASEMENT ACROSS A PORTION OF GOVERNMENT LOTS 4 AND 5, SECTION 2, TOWNSHIP 34 NORTH, RANGE 1 EAST, W.M., A PORTION OF VACATED ABBOTT LANE PER COMMISSIONER'S FILE NO. 12093, AND A PORTION OF TRACT "B" OF THAT CERTAIN BOUNDARY LINE ADJUSTMENT SURVEY RECORDED UNDER AUDITOR'S FILE NO. 9310060064 RECORDS OF SKAGIT COUNTY, WASHINGTON AND FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 2;

THENCE SOUTH 49°00'09" WEST, 1,864.88 FEET TO THE NORTH MARGIN OF VACATED ABBOTT LANE AND THE NORTH EAST BOUNDARY OF SAID TRACT "B";

THENCE SOUTH 41°19'14" EAST ALONG SAID BOUNDARY, 16.39 FEET TO THE TRUE POINT OF BEGINNING OF THE EASEMENT DESCRIBED HEREIN;

THENCE SOUTH 41°19'14" EAST CONTINUING ALONG SAID BOUNDARY, 16.66 FEET;

THENCE SOUTH 22°51'15" WEST ALONG AN OFFSET LINE PARALLEL WITH AND 10 FEET EASTERLY OF A 4" CASCADE NATURAL GAS DISTRIBUTION LINE, 5.92 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 632.00 FEET FROM WHICH THE INITIAL RADIAL BEARS NORTH 81°04'24" WEST;

THENCE SOUTH AND WEST ALONG SAID OFFSET LINE AND CURVE CONSUMING A CENTRAL ANGLE OF 20°24'21" OVER AN ARC DISTANCE OF 225.09 FEET TO A POINT FROM WHICH THE CLOSING RADIAL BEARS NORTH 60°40'03" WEST;

THENCE SOUTH 28°07'20" WEST ALONG SAID OFFSET LINE, 139.64 FEET;

THENCE SOUTH 34°27'51" WEST ALONG SAID OFFSET LINE, 16.50 FEET;

THENCE SOUTH 45°24'32" WEST ALONG SAID OFFSET LINE, 12.10 FEET TO THE NORTH MARGIN OF WINDWARD WAY;

THENCE NORTH 59°38'18" WEST ALONG SAID MARGIN, 15.53 FEET;

THENCE NORTH 45°24'32" EAST ALONG AN OFFSET LINE PARALLEL WITH AND 5 FEET WESTERLY OF THE AFOREMENTIONED GAS DISTRIBUTION LINE, 14.69 FEET;

THENCE NORTH 34°27'51" EAST ALONG SAID OFFSET LINE, 14.23 FEET;

THENCE NORTH 28°07'20" EAST ALONG SAID OFFSET LINE, 138.97 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 617.00 FEET FROM WHICH THE INITIAL RADIAL BEARS NORTH 60°39'10" WEST;

THENCE ALONG SAID OFFSET LINE AND CURVE CONSUMING A CENTRAL ANGLE OF 20°35'22" OVER AN ARC DISTANCE OF 221.72 FEET TO A POINT FROM WHICH THE CLOSING RADIAL BEARS NORTH 81°11'07" WEST;

THENCE NORTH 22°51'15" EAST ALONG SAID OFFSET LINE, 15.02 FEET TO THE TRUE POINT OF BEGINNING AND THE TERMINUS OF THE EASEMENT CONTAINED HEREIN;

CONTAINS 6,029 SQUARE FEET MORE OR LESS;

SITUATE IN SKAGIT COUNTY, WASHINGTON.

**EXHIBIT "C"
EASEMENT MAP**

UNOFFICIAL DOCUMENT

EXHIBIT "C"

