

RETURN ADDRESS:

Puget Sound Energy, Inc.
Attn: Real Estate Dept. /SM
P.O. Box 97034, BEL-08W
Bellevue, WA 98009-9734

REVIEWED BY
SKAGIT COUNTY TREASURER
DEPUTY Lena Thompson
DATE 04/12/2023

TEMPORARY ACCESS EASEMENT

GRANTOR: Puget Sound Energy, Inc.
GRANTEE: Skagit River System Cooperative
SHORT LEGAL: SW S17 T35N R05E & NW S20 T35N R05E
ASSESSOR'S PROPERTY TAX PARCEL: P133568, P134612, P39269, P40027, P40028, & P135119

This TEMPORARY ACCESS EASEMENT ("Easement") is made and entered by and between PUGET SOUND ENERGY, INC., a Washington corporation ("Grantor"), and SKAGIT RIVER SYSTEM COOPERATIVE ("Grantee"). Grantor and Grantee are sometimes referred to individually herein as "Party" and collectively as the "Parties".

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Grant of Temporary Access Easement. Grantor grants and conveys to Grantee, a temporary access easement over, upon and across the Property (See Exhibit "A" & "B") for purposes of observing and monitoring the Project. Grantee shall access the Property using established roads, driveways, and/or other access ways.
2. No Interference with Project. Grantor shall not interfere with and/or remove the Project during the term of this Easement.
3. Duration of Easement. The term of this Easement is ten (10) years (the "Term"). The Term shall commence upon execution of the Easement, and shall remain in force until January 1st, 2033, unless terminated by the Grantee.
4. Indemnification and Hold Harmless. Grantee shall indemnify, defend and hold harmless Grantor from any and all claims for injuries or damages (including reasonable attorneys' fees) arising out of, and/or resulting from negligent acts and/or omissions by Grantee, its officers, employees and/or agents during the exercise of the rights granted herein; provided, that the Grantee shall not be responsible to the Grantor for any injuries or damages suffered by any person or property caused by negligent acts or omissions of the Grantor. This indemnity shall survive the expiration or termination of this Easement with respect to any event occurring prior to such expiration or termination.
5. Binding Effect. This Easement shall be a covenant running with the land and shall be binding on, and inure to the benefit of, the successors, heirs and assigns of Grantor and Grantee.

IN WITNESS THEREOF, the parties have executed this Agreement as of the date set forth above.

Grantor: Puget Sound Energy, Inc.

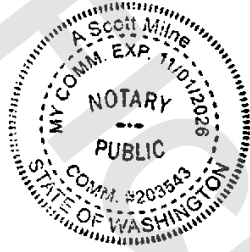
By: Brett Bolton
Brett Bolton, Manager Real Estate

Dated: 4/7/23

State of Washington
County of King

On this 7th day of April, 2023, before me, the undersigned, personally appeared Brett Bolton, to me known to be the individual who executed the within and foregoing instrument, and acknowledged that he/she/they signed the same as his/her/their free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal hereto affixed the day and year in this certificate first above written.



A. Scott Milne
Print Name A. Scott Milne
Notary Public in and for the State of
Washington, residing at Bothell
My commission expires 10/01/2026

EXHIBIT "A"**Legal Descriptions****Parcel A. (P133568)**

THE EAST 522.50 FEET OF THE SOUTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 17, TOWNSHIP 35 NORTH, RANGE 5 EAST, W.M.

TOGETHER WITH THAT PORTION OF LOT 1, SHORT PLAT No. 94-014, APPROVED AUGUST 2, 1994, RECORDED AUGUST 5, 1994, IN VOLUME 11 OF SHORT PLATS, PAGE 95, UNDER AUDITOR'S FILE No. 9408050002, RECORDS OF SKAGIT COUNTY, WASHINGTON; BEING A PORTION OF THE SOUTHWEST ¼ OF SECTION 17, TOWNSHIP 35 NORTH, RANGE 5 EAST, W.M., LYING EAST OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 17;
THENCE SOUTH 88° 16' 36" EAST ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 17 FOR A DISTANCE OF 788.93 FEET, TO THE SOUTHEAST CORNER OF LOT 2 OF SAID SHORT PLAT 94-014.
THENCE NORTH 0° 12' 29" WEST, ALONG THE EAST LINE OF SAID LOT 2, FOR A DISTANCE OF 767.69 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF LOT 1 OF SAID SHORT PLAT 94-014, AND THE POINT OF BEGINNING OF SAID LINE.

EXCEPT ANY PORTION OF SAID LOT 1 LYING EAST OF HANSEN CREEK AS CONVEYED TO TRAVIS R. MARTINEZ AND MARIA L. MARTINEZ, HUSBAND AND WIFE, BY DEED RECORDED DECEMBER 19, 2011, UNDER SKAGIT COUNTY AUDITOR'S FILE No. 201112190072.

SITUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON.

Parcel B. (P134612)

LOT 2, SHORT PLAT No. 94-014, APPROVED AUGUST 2, 1994, RECORDED AUGUST 5, 1994, IN VOLUME 11 OF SHORT PLATS, PAGE 95, UNDER AUDITOR'S FILE No. 9408050002, RECORDS OF SKAGIT COUNTY, WASHINGTON; BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 35 NORTH, RANGE 5 EAST, W.M., LESS ANY PORTION LYING NORTH OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 2; THENCE NORTH 00° 17' 44" WEST ALONG THE WEST LINE OF SAID LOT 2 A DISTANCE OF 644.70 FEET TO THE CENTERLINE OF AN EXISTING DRAINAGE DITCH, ALSO POINT BEING THE TRUE POINT OF BEGINNING OF THIS LINE DESCRIPTION; THENCE SOUTH 75° 39' 59" EAST ALONG THE APPROXIMATE CENTERLINE OF SAID DITCH A DISTANCE OF 248.41 FEET; THENCE SOUTH 88° 16' 44" EAST A DISTANCE OF 549.67 FEET TO THE EAST LINE OF SAID LOT 2 AND THE TERMINUS OF THIS LINE DESCRIPTION.

SITUATE IN SKAGIT COUNTY, WASHINGTON
SUBJECT TO AND TOGETHER WITH ALL EASEMENTS, COVENANTS, RESTRICTIONS AND/OR AGREEMENTS OF RECORD.

SITUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON.

Parcel C. (P39269)

THE EAST 522.5 FEET OF THE SOUTH 46-1/2 RODS OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 35 NORTH, RANGE 5 EAST, W.M.

SITUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON.

Parcel D. (P40027)

LOT 4, OF SKAGIT COUNTY SHORT PLAT No. 94-051, APPROVED SEPTEMBER 7, 1995, RECORDED SEPTEMBER 19, 1995 IN VOLUME 12 OF SHORT PLATS, PAGES 28-30, UNDER AUDITOR'S FILE No. 9509190033, BEING A PORTION OF THE NORTHEAST ¼ OF SECTION 19 AND THE NORTHWEST ¼ OF SECTION 20, ALL IN TOWNSHIP 35 NORTH, RANGE 5 EAST, W.M.

TOGETHER WITH A 25 FOOT WIDE NON-EXCLUSIVE EASEMENT FOR INGRESS, EGRESS AND UTILITIES OVER AND ACROSS LOT 3 OF SAID SHORT PLAT, AS DELINEATED THEREON.

SITUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON.

Parcel E. (P40028)

THAT PORTION OF THE EAST 522.5 FEET OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 35 NORTH, RANGE 5 EAST, W.M., LYING NORTHERLY OF HANSEN CREEK;

TOGETHER WITH THE EXISTING BRIDGE THAT SPANS HANSEN CREEK AT THE SOUTH END OF PARCEL B, AND THE RIGHT TO ACCESS THE CREEK BANK AND LAND ADJACENT TO THE SOUTH END OF SAID EXISTING BRIDGE FOR THE PURPOSE OF REPAIRING, MAINTAINING, SECURING, ENHANCING, AND/OR ALTERING SAID EXISTING BRIDGE.

EXCEPT ANY PORTION THEREOF LYING WITHIN THE FOLLOWING DESCRIBED TRACT:

BEGINNING AT A POINT ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 20, APPROXIMATELY 20 FEET NORTH OF THE CENTERLINE OF HANSEN CREEK AT THE EXISTING FENCE CORNER;

THENCE SOUTHWESTERLY ALONG THE EXISTING FENCE LINE PARALLEL TO HANSEN CREEK APPROXIMATELY 165 FEET TO THE FENCE CORNER;

THENCE SOUTH 47° EAST ALONG THE EXISTING FENCE LINE APPROXIMATELY 230 FEET TO THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 20;

THENCE NORTH ALONG THE QUARTER SECTION LINE APPROXIMATELY 205 FEET TO THE POINT OF BEGINNING.

SITUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON.

Parcel F. (P135119)

THAT PORTION OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER AND OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 35 NORTH, RANGE 5 EAST W.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTH HALF OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE SOUTH 89° 44' 12" WEST ALONG THE SOUTH LINE OF SAID NORTH HALF, 567.72 FEET; THENCE NORTH 02° 12' 21" EAST 73.87 FEET;

THENCE NORTH 42° 59' 21" WEST 56.87 FEET;

THENCE NORTH 46° 29' 19" WEST 86.68 FEET;

THENCE NORTH 01° 56' 52" WEST 128.2 FEET;

THENCE NORTH 02° 33' 56" WEST 162.46 FEET;

THENCE NORTH 21° 01' 22" WEST 64.18 FEET;

THENCE NORTH 70° 06' 02" WEST 88.54 FEET;

THENCE NORTH 15° 59' 19" EAST 64.14 FEET;

THENCE NORTH 21° 04' 22" EAST 17.19 FEET;

THENCE NORTH 17° 42' 42" EAST 31.94 FEET;

THENCE NORTH 89° 55' 52" EAST 246.01 FEET;

THENCE NORTH 10° 08' 30" EAST 217.55 FEET;

THENCE NORTH 00° 01' 23" WEST 305.57 FEET, MORE OR LESS TO THE SOUTH LINE OF THE ABANDONED BURLINGTON NORTHERN RAILROAD RIGHT OF WAY; THENCE EASTERLY FOLLOWING SAID SOUTHERLY RIGHT OF WAY LINE 465 FEET MORE OR LESS TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE SOUTH 00° 36' 06" EAST ALONG SAID EAST LINE 479.56 FEET MORE OR LESS TO THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE SOUTH 0° 13' 22" WEST ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 17, 687.62 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPT THE FOLLOWING DESCRIBED TRACT:

THAT PORTION OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 35 NORTH, RANGE 5 EAST W.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTH HALF; THENCE SOUTH 89° 43' 52" WEST ALONG THE SOUTH LINE OF SAID NORTH HALF A DISTANCE OF 520.61 FEET TO THE TRUE POINT OF BEGINNING; THENCE THE FOLLOWING NINE (9) COURSES:

1. CONTINUING SOUTH 89° 43' 52" WEST ALONG SAID SOUTH LINE A DISTANCE OF 47.11 FEET;
2. NORTH 02° 15' 01" EAST A DISTANCE OF 73.87 FEET;
3. NORTH 42° 59' 41" WEST A DISTANCE OF 56.84 FEET;
4. NORTH 46° 29' 39" WEST A DISTANCE OF 86.68 FEET;
5. NORTH 01° 57' 12" WEST A DISTANCE OF 128.52 FEET;
6. NORTH 02° 34' 16" WEST A DISTANCE OF 40.32 FEET;
7. SOUTH 81° 03' 20" EAST A DISTANCE OF 183.20 FEET;
8. SOUTH 07° 02' 55" WEST A DISTANCE OF 239.96 FEET;
9. SOUTH 00° 23' 25" EAST A DISTANCE OF 76.96 FEET TO THE TRUE POINT OF BEGINNING.

TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS OVER AND ACROSS THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION ALONG THE EXISTING ROADWAY, AS RESERVED IN DEED RECORDED NOVEMBER 16, 1944 AS AUDITOR'S FILE NO. 375992.

SITUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON.

