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08/01/2023 11:11 AM Pages: 1 of 7 Fees: \$209.50
Skagit County Auditor

FILED FOR RECORD AT THE
REQUEST OF/RETURN TO:
City Finance Director
City of Mount Vernon
910 Cleveland Avenue, WA 98273

REVIEWED BY
SKAGIT COUNTY TREASURER
DEPUTY *Bern Thompson*
DATE 8-1-23

DEED FOR PUBLIC NON-EXCLUSIVE SLOPE MAINTENANCE EASEMENT

Grantor (s) Hollander Properties, LLC
Grantee (s) City of Mount Vernon
Abbreviated Legal: BINDING SITE PLAN MV-1-90 AF# 9009250037, ACRES 2.16,
TRACT A-2, BEING A PORTION OF SE1/4. *18/34/04*
Additional Legal on page(s) 5
Assessor's Tax Parcel No's: P99559

THIS AGREEMENT (the "Agreement"), is made the date set forth below, by and between, Hollander Properties LLC (hereinafter "Grantor") and the City of Mount Vernon, WA (a Municipal Corporation):

In consideration of the mutual promises and covenants herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

- 1) Grantor(s), is the owner of the following described parcel of property in Skagit County, Washington:

See Exhibit A attached hereto and incorporated herein

All properties described in this paragraph 1 are known collectively hereinafter as "Grantor's Parcel"

- 2) EASEMENT: The easement conveyed herein is more particularly described as follows:

Grantee shall have the right to regulate and use the area(s) described in the attached Exhibit "B" (the "Easement Area") and shown in the attached Exhibit "C" dedicated as a non-exclusive slope maintenance easement. Such use shall include, but not be limited to the following: the right to enter upon said premise for the purpose of maintaining, reconstructing or replacing constructed cut and fill slopes and all appurtenances necessary thereto. The present and future lot owners shall refrain from placing or

constructing or allowing others to place or construct any buildings or other improvements of any kind upon said premise. The Grantee shall under no circumstance be held responsible for the restoration of any building or improvements if they are disturbed during the exercise of any rights granted herein. In addition, Grantee shall have the right to clear, remove and dispose of any material, obstructions, timber and vegetation within the dedication area.

Subject to the terms hereof, Grantee shall have all other rights and benefits that are reasonably necessary or useful for Grantee's full and complete use of the Easement Area dedicated to maintain, repair and construct the slope area which serves to support Grantee's rights of way. Grantor shall not authorize or otherwise permit any person or entity to interfere with Grantee's use of the Easement Area.

All oil, gas and mineral rights are reserved to Grantor(s), provided that Grantor(s) shall not use a method of extraction that unreasonably interferes with or impairs in any way the exercise of Grantee's rights herein, or Grantee's use of the easement; Nor shall Grantor(s) permit another person or entity to use a method of extraction that unreasonably interferes with or impairs in any way the exercise of Grantee's rights herein, or Grantee's use of the area(s) dedicated, except to the extent that any such person or entity has an existing right or entitlement to use such method of extraction.

- 3) SIGHT OBSTRUCTIONS: In the event hazardous conditions exists to any public roadways in the Easement Area due to the presence of sight-obstructions caused by roadside vegetation, Grantor grants Grantee the right to trim or remove all vegetation causing such site obstructions regardless of whether the sight obstruction exists within or adjacent to the Easement Area.
- 4) GRANT: Grantor(s) hereby grants and conveys to Grantee, City of Mount Vernon, a Washington State municipal corporation, its successors, assigns, principals, and agents, the Easement identified above, over under and across Grantor's Parcel, which Easement Area is more particularly described above.
- 5) WARRANTY. Grantor(s) warrant(s) that he/she/they are seized of the real property interests that are granted in this instrument. Grantor(s) warrant(s) that he/she/they have the right to grant, and dedicate to the City of Mount Vernon, WA for public use, the real property interests that are granted in this instrument. Grantor(s) warrant(s) that the real property interests that are granted in this instrument are not encumbered. Except where legally justified, Grantor(s) warrant(s) that Grantee will not be disturbed in Grantee's regulation and use of the real property interests that are granted in this instrument due to a person or entity having superior title. Furthermore, Grantor(s) warrant(s) that Grantor(s) and his/her/their successors and assigns will defend against claims and will compensate the Grantee for any loss that the Grantee may sustain due to a person or entity having superior

EXHIBIT A
LEGAL DESCRIPTION OF GRANTOR'S PROPERTY

Parcel "A"

Lot A-2, City of Mount Vernon Binding Site Plan No. MV-1-90 as approved September 25, 1990 and recorded September 25, 1990 in Volume 9 of Plats page 262 under Auditor's File No. 9009250037, records of Skagit County, Washington

Situate in Skagit County, Washington.

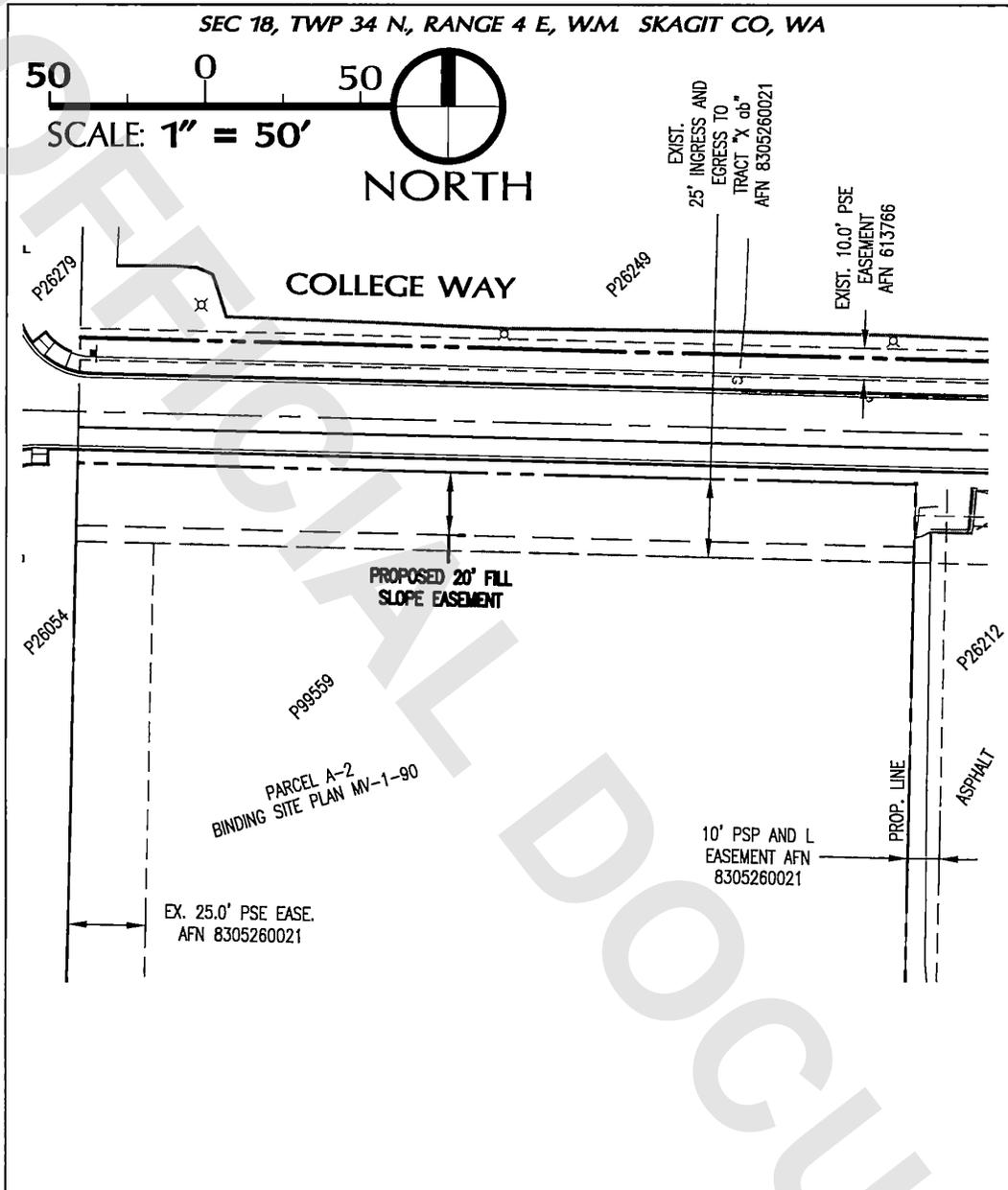
EXHIBIT B
LEGAL DESCRIPTION OF EASEMENT AREA

THAT PORTION OF LOT A-2 OF THE CITY OF MOUNT VERNON SHORT PLAT MV-1-90 APPROVED ON SEPTEMBER 5, 1990 AND RECORDED ON SEPTEMBER 25, 1990 UNDER AUDITOR FILE NUMBER 9009250037 SKAGIT COUNTY RECORDS, BEING A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M. MORE PARTICULARLY DESCRIBED AS FOLLOWS;

THE NORTH 20 FEET OF LOT A-2 OF SAID SHORT PLAT AS MEASURED PERPENDICULAR TO THE NORTH LINE OF SAID LOT.

SITUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON.

CONTAINING 5,389 SQ. FT. MORE OR LESS.



<p>Sound Development Group ENGINEERING, SURVEYING & LAND DEVELOPMENT SERVICES P.O. Box 1705-1111, Cleveland Avenue, Suite 202 Mount Vernon, WA 98273 Tel. 360-404-2010 Fax. 360-404-2013</p>	SHEET DESCRIPTION EXHIBIT A	SCALE 1" = 50'
	PROJECT EASEMENT FOR CITY OF MOUNT VERNON	DRAWN BY: T.ZEMPEL
		JOB NUMBER: 20004
		DATE 07.27.22
		DRAWING NAME 20004.SD.PROFS SHEET
		1 OF 1