

**NO EXCISE TAX
REQUIRED**

MAR 31 2017

KIRKE SIEVERS, Snohomish County Treasurer

By KIRKE SIEVERS

AFTER RECORDING, RETURN TO:

CITY OF ARLINGTON
DEVELOPMENT SERVICES
238 N. OLYMPIC AVENUE
ARLINGTON, WA 98223

OUR FILE NO. _____



UTILITY EASEMENT

GRANTOR(S): Triple Creek Investments, LLC
GRANTEE(S): City of Arlington

LEGAL (Abbrev.): Ptn Lot 6 Phase 1, Industrial Plat for: Jensen Business Park AFN 8901175002

ASSESSOR'S TAX #: 00769800000600

REFERENCE #:

THIS AGREEMENT is made and entered into this 27th day of March, 2017, by and between Triple Creek Investments, LLC, a Washington limited liability company, (hereinafter "Grantors"); and the City of Arlington, Washington (hereinafter "City).

WHEREAS, Grantors are the owners of certain property located within the City of Arlington; and

WHEREAS, Grantor wishes to grant an easement to the Grantee;

NOW, THEREFORE, for and in consideration of a transfer for a public purpose in connection with development and no other consideration, it is agreed by and between the parties hereto as follows:

UTILITY EASEMENT

1. Grant of Easements by Grantors to the City.

1.1 Grantors convey and grant to the City of Arlington, its successors and assigns and permittees and licensees, a perpetual easement for ingress, egress and utilities and the right, privilege and authority to construct, alter, improve, repair, operate and maintain a Sanitary Sewer Lift Station along with all associated pipes and appurtenances, over, under and across Grantor's property legally described as follows:

See Legal Description and Map Attached As Exhibits "A" and "B" hereto

together with the right of ingress to and egress from said lands across adjacent lands of the Grantor, for the purpose of constructing, reconstructing, repairing, renewing, altering, changing, patrolling and operating the said lines and appurtenances, and the right at any time to remove said lines and appurtenances from said lands. There will specifically be no building structure built on, or added to, the ground area of the subject easement

2. General Terms.

2.1 Entire Agreement. This Agreement contains all of the agreements of the parties and no prior agreements or understandings pertaining to any such matters shall be effective for any such purpose.

2.2 Modification. No provision of this Agreement may be amended or added to except by agreement in writing signed by the parties.

2.3 Successors in Interest. This easement shall be a covenant running with the land and shall be binding on the Grantor, and Grantor's heirs, successors and assigns forever.

2.4 Subordination of Mortgage. Any mortgage on said land held by Mortgagee shall be subordinated to the rights herein granted to the Grantee, but in all other respects shall remain unimpaired.

DATED this 27 day of MARCH, 2017.

GRANTOR:

TRIPLE CREEK INVESTMENTS, LLC
A Washington limited liability company

By: [Signature]
J. Brent McKinley, Member

STATE OF WASHINGTON)
) ss:
COUNTY OF SNOHOMISH)

On this 27th day of March, 2017, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared J. Brent McKinley, to me known to be the member of Triple Creek Investments, LLC, the limited liability company that executed the foregoing instrument and acknowledged the said instrument to be the free and voluntary act and deed of said company, for the uses and purposes herein mentioned, and on oath stated that he/she is authorized to execute the said instrument on behalf of said company.

Witness my hand and official seal hereto affixed the day and year first above written.



Elaine Marie Jensen
NOTARY PUBLIC in and for the State of
Washington, residing at Marssvilk, WA
My commission expires: 12/9/20
Printed name: Elaine Marie Jensen

UTILITY EASEMENT

EXHIBIT A
LIFT STATION 2 ADDITIONAL EASEMENT
Triple Creek Investments, LLC
Tax Parcel #0076980000600 Portion of Lot 6 AFN 8901175002

LEGAL DESCRIPTION FOR THE LIFT STATION 2 ADDITION EASEMENT AREA

THAT PORTION OF LOT 6, PHASE 1, INDUSTRIAL PLAT FOR: JENSEN BUSINESS PARK, ACCORDING TO THE PLAT THEREOF RECORDED UNDER AUDITOR'S FILE NO. 8901175002, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 6; THENCE SOUTH 1°28'27" WEST, ALONG THE EAST LINE OF SAID LOT 6, A DISTANCE OF 20.00 FEET; THENCE NORTH 88°37'33" WEST, PARALLEL WITH THE NORTH LINE OF SAID LOT 6, A DISTANCE OF 288.03 FEET TO THE SOUTHEAST CORNER OF THE 20 FT. X 30 FT. PUMP STATION EASEMENT, AS SHOWN ON SAID PLAT, BEING THE **TRUE POINT OF BEGINNING**; THENCE NORTH 1°22'27" EAST, ALONG THE EAST LINE OF SAID EASEMENT, A DISTANCE OF 20.00 FEET TO THE NORTH LINE OF SAID LOT 6; THENCE SOUTH 88°37'33" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 27.70 FEET; THENCE SOUTH 1°22'27" WEST, PARALLEL WITH THE EAST LINE OF SAID EASEMENT, A DISTANCE OF 20.00 FEET; THENCE NORTH 88°37'33" WEST, PARALLEL WITH SAID NORTH LINE, A DISTANCE OF 27.70 FEET TO THE **TRUE POINT OF BEGINNING**.

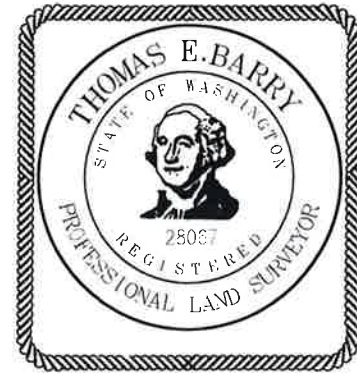
TOGETHER WITH THAT PORTION OF SAID LOT 6, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 6; THENCE SOUTH 1°28'27" WEST, ALONG THE EAST LINE OF SAID LOT 6, A DISTANCE OF 20.00 FEET; THENCE NORTH 88°37'33" WEST, PARALLEL WITH THE NORTH LINE OF SAID LOT 6, A DISTANCE OF 288.03 FEET TO THE SOUTHEAST CORNER OF THE 20 FT. X 30 FT. PUMP STATION EASEMENT, AS SHOWN ON SAID PLAT; THENCE NORTH 88°37'33" WEST, ALONG THE SOUTH LINE OF SAID EASEMENT, A DISTANCE OF 30.00 FEET TO THE SOUTHWEST CORNER OF SAID EASEMENT, BEING THE **TRUE POINT OF BEGINNING**; THENCE NORTH 1°22'27" EAST, ALONG THE WEST LINE OF SAID EASEMENT, A DISTANCE OF 20.00 FEET TO THE NORTH LINE OF SAID LOT 6; THENCE NORTH 88°37'33" WEST, ALONG SAID NORTH LINE, A DISTANCE OF 36.21 FEET; THENCE SOUTH 1°22'27" WEST, PARALLEL WITH THE WEST LINE OF SAID EASEMENT, A DISTANCE OF 20.00 FEET; THENCE SOUTH 88°37'33" EAST, PARALLEL WITH SAID NORTH LINE, A DISTANCE OF 36.21 FEET TO THE **TRUE POINT OF BEGINNING**.

ALL CONTAINING 1,278 SQUARE FEET, MORE OR LESS.

REV 01 02/10/2017

T.D.M.
3/27/17



PROJECT PARCEL

TAX # 00769800000600

PARCEL ADDRESS:

UNKNOWN
ARLINGTON, WA 98223

OWNER:

TRIPLE CREEK INVESTMENTS, LLC
P.O. BOX 430
ARLINGTON, WA 98223

J.B.17.
3/27/17

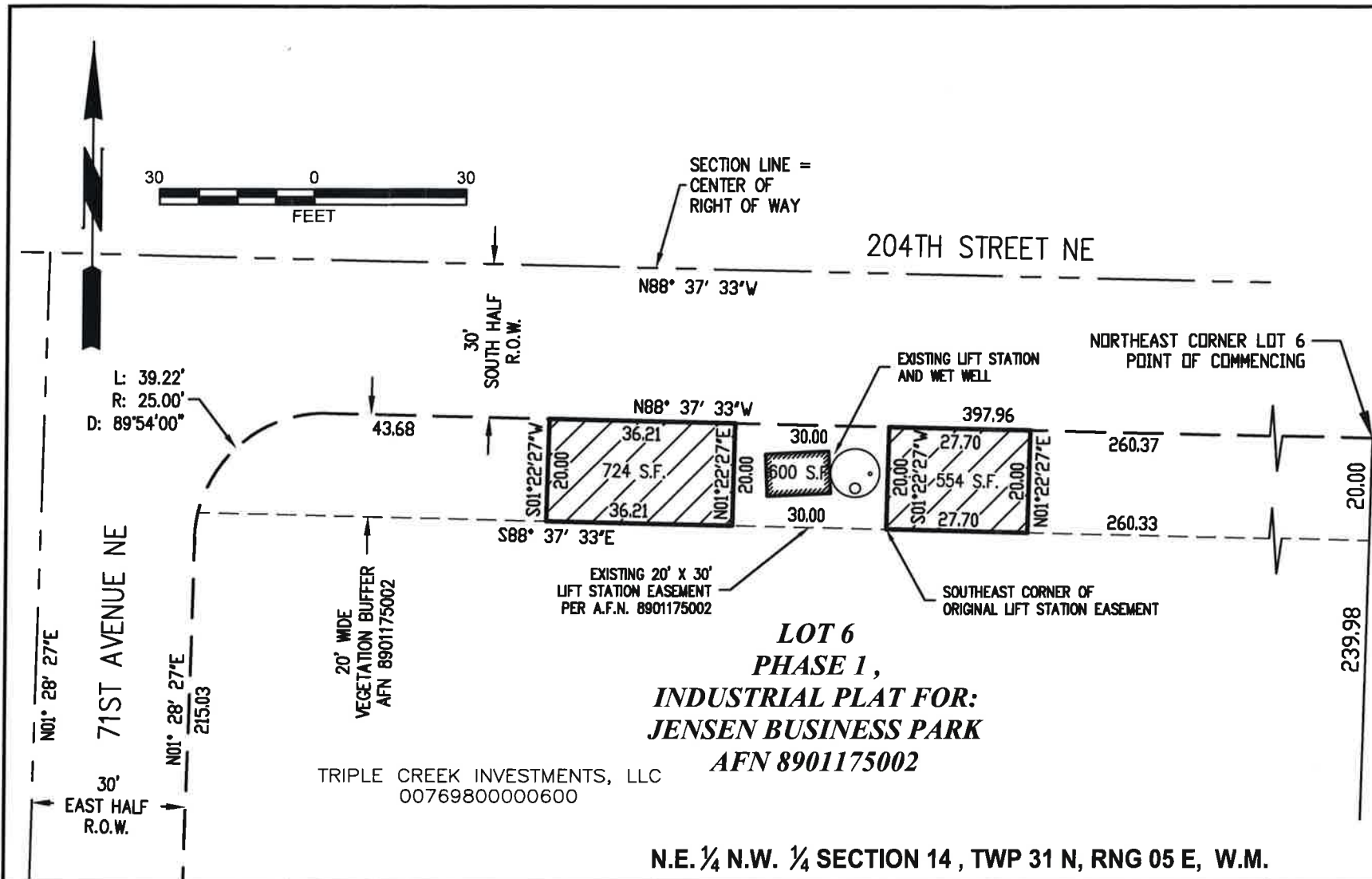
LEGEND:

 EASEMENT ACQUISITION

ACQUISITION LEGAL:

SEE ATTACHED EXHIBIT A

REV. 01 2/10/17



N.E. ¼ N.W. ¼ SECTION 14 , TWP 31 N, RNG 05 E, W.M.

**CITY OF ARLINGTON
PUBLIC WORKS**

ARLINGTON LIFT STATION 2
CITY P.O.#: _____

*ORIGINAL AREA = 600 S.F.
ACQUISITION AREA = 1,278 S.F.

9/29/16

**Exhibit B
16012**