



202005290600

EASEMENT

Fee: \$113.50

5/29/2020 12:20 PM 1 of 11

SNOHOMISH COUNTY, WA

Electronically Recorded

AFTER RECORDING, RETURN TO:

CITY OF ARLINGTON  
18204 59<sup>th</sup> Avenue NE  
Arlington, WA 98223

**NO EXCISE TAX  
REQUIRED**

MAY 29 2020

BRIAN SULLIVAN, Snohomish County Treasurer

By BRIAN SULLIVAN *[Signature]*

**UTILITY EASEMENT**

**GRANTOR (S):** VILLAS AT ARLINGTON PARTNERS LLLP  
**GRANTEE (S):** CITY OF ARLINGTON, WASHINGTON  
**LEGAL (Abbrev.):** PTN NE¼, NE¼, SEC. 20, TWP, 31 R05 E  
Lot A of City of Arlington BLA File No. PLN 395  
AFN #201810095006  
**ASSESSOR'S TAX #:** 31052000100800

THIS AGREEMENT is made and entered into this 29<sup>th</sup> day of, May 2020 by and between VILLAS AT ARLINGTON PARTNERS LLLP, a Washington limited liability limited partnership (hereinafter "Grantors") and the City of Arlington, Washington (hereinafter "City"); and consented to by KEYBANK NATIONAL ASSOCIATION, a national banking association (hereinafter referred to as "Mortgage").

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

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

NOW, THEREFORE, for valuable consideration, the receipt of which is hereby acknowledged, it is agreed by and between the parties hereto as follows:

This document filed for record by Misc 5427  
Fidelity National Title Major Accounts as  
an accommodation only. It has not been  
examined as to its effect upon the title.

CITY OF ARLINGTON UTILITY EASEMENT

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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 utilities and the right, privilege and authority to construct, alter, improve, repair, operate and maintain a storm sewer, sanitary sewer lines, and/or water lines, pipes, and appurtenances, over, under and across Grantor's property legally described as follows:

See Attached Exhibit "A" & "B"

together with the right to 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.

- 1.2 The Grantor reserves the right to use the surface of the above-described easement in any manner now existing, but shall not erect any buildings, structures, patios, or other construction of any nature on said easement; provided, however, that Grantor shall have the right to make any use of the easement area not inconsistent with the Grantee's rights hereunder.

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.

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DATED this 29<sup>th</sup> day of May, 2020.

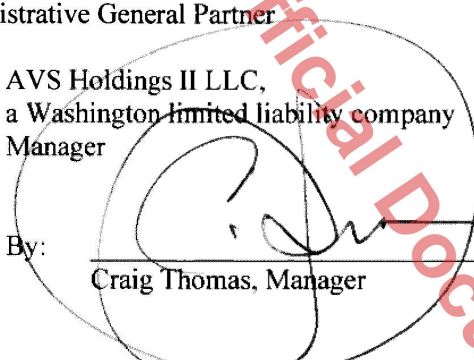
**VILLAS AT ARLINGTON PARTNERS LLLP,**  
a Washington limited liability limited partnership

By: Villas at Arlington GP LLC,  
a Washington limited liability company

Its: Administrative General Partner

By: AVS Holdings II LLC,  
a Washington limited liability company

Its: Manager

By:   
Craig Thomas, Manager

By: AHCDC Villas Arlington, LLC,  
a Delaware limited liability company

Its: Charitable General Partner

By: Affordable Housing CDC, Inc.,  
a California nonprofit public benefit corporation

Its: Member

By: \_\_\_\_\_  
Joseph Stalzer, Executive Director

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DATED this 29<sup>th</sup> day of May, 2020.

**VILLAS AT ARLINGTON PARTNERS LLLP,**  
a Washington limited liability limited partnership

By: Villas at Arlington GP LLC,  
a Washington limited liability company

Its: Administrative General Partner

By: AVS Holdings II LLC,  
a Washington limited liability company

Its: Manager


By: \_\_\_\_\_  
Craig Thomas, Manager

By: AHCDC Villas Arlington, LLC,  
a Delaware limited liability company

Its: Charitable General Partner

By: Affordable Housing CDC, Inc.,  
a California nonprofit public benefit corporation

Its: Member

By:  \_\_\_\_\_  
Joseph Stalzer, Executive Director

CITY OF ARLINGTON UTILITY EASEMENT



**GENERAL ACKNOWLEDGMENT**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA )  
 )  
COUNTY OF LOS ANGELES ) ss:

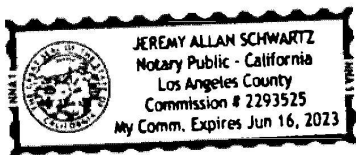
On MAY 21<sup>ST</sup>, 2020 before me, JEREMY ALLAN SCHWARTZ, NOTARY PUBLIC  
(insert name and title of the officer),  
personally appeared CRAIG THOMAS, who proved to me on the basis of  
satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within  
instrument and acknowledged to me that he/she/they executed the same in his/her/their  
authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s),  
or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the  
forgoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: [Handwritten Signature]

[Seal]



CITY OF ARLINGTON UTILITY EASEMENT

**GENERAL ACKNOWLEDGMENT**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA )  
 ) ss:  
COUNTY OF ORANGE )

On MAY 20, 2020 before me, DAVID C. NAHAS, NOTARY PUBLIC  
(insert name and title of the officer),

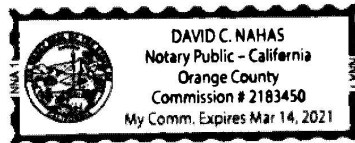
personally appeared JOSEPH STALZER, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the forgoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: David Nahas

[Seal]



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Consented to by MORTGAGEE:

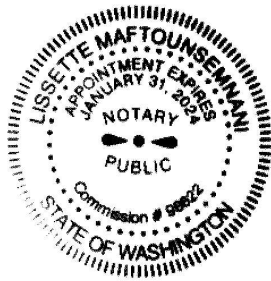
KEYBANK NATIONAL ASSOCIATION,  
a national banking association

By: Carl Hls  
Name: Catherine Danigelis  
Title: Senior Vice President

STATE OF WASHINGTON |  
COUNTY OF King | ss.

I certify that I know or have satisfactory evidence that Catherine Danigelis is the person who appeared before me, and said person acknowledged that said person signed this instrument, on oath stated that said person was authorized to execute the instrument and acknowledged it as a Senior Vice President of KEYBANK NATIONAL ASSOCIATION, a national banking association, to be the free and voluntary act of such association for the uses and purposes mentioned in the instrument.

Dated May 19th, 2020.



Lisette Maftoun  
(Signature of Notary)

Lisette Maftoun-Semnan  
(Legibly Print or Stamp Name of Notary)

Notary public in and for the State of Washington, residing at Bellevue, WA

My appointment expires Jan 31, 2024

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## EXHIBIT A

LEGAL DESCRIPTION

NCS JOB#200005

### CITY OF ARLINGTON UTILITY EASEMENT

THAT PORTION OF BOUNDARY LINE ADJUSTMENT, RECORDED UNDER RECORDING NO. 201810095006, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, LYING WITHIN THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 31 NORTH, RANGE 05 EAST, OF THE W.M., CITY OF ARLINGTON, SNOHOMISH COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST NORTHEASTERLY CORNER OF SAID BOUNDARY LINE ADJUSTMENT; THENCE S 00°02'16"E ALONG THE EAST LINE OF SAID BOUNDARY LINE ADJUSTMENT, 204.84 FEET TO THE TRUE POINT OF BEGINNING; THENCE S 88°46'04"W 107.19 FEET; THENCE N 01°13'56"W, 68.58 FEET; THENCE S 88°46'04"W, 48.93 FEET; THENCE N 01°13'56"W, 31.08 FEET; THENCE S 88°46'04"W, 20.00 FEET; THENCE S 01°13'56"E, 31.08 FEET; THENCE S 88°46'04"W, 275.61 FEET; THENCE N 01°13'56"W, 31.52 FEET; THENCE S 88°46'04"W, 20.00 FEET; THENCE S 01°13'56"E, 31.52 FEET; THENCE S 88°46'04"W, 121.05 FEET; THENCE N 01°13'56"W, 17.18 FEET; THENCE S 88°46'04"W, 15.00 FEET; THENCE N 01°13'56"W, 8.35 FEET; THENCE N 53°36'53"E, 117.01 FEET; THENCE N 01°13'56"W, 47.73 FEET TO THE NORTH LINE OF SAID BOUNDARY LINE ADJUSTMENT; THENCE S 89°15'24"W ALONG SAID NORTH LINE, 20.00 FEET; THENCE S 01°13'56"E, 37.52 FEET; THENCE S 53°36'53"W, 115.78 FEET; THENCE S 01°13'56"E, 36.61 FEET; THENCE S 88°46'04"W, 71.59 FEET; THENCE N 01°13'56"W, 31.46 FEET; THENCE S 88°46'04"W, 20.00 FEET; THENCE S 01°13'56"E, 31.46 FEET; THENCE S 88°46'04"W, 18.03 FEET; THENCE S 01°13'56"E, 64.74 FEET; THENCE S 88°46'04"W, 31.50 FEET; THENCE S 01°13'56"E, 20.00 FEET; THENCE N 88°46'04"E, 31.50 FEET; THENCE S 01°13'56"E, 151.33 FEET; THENCE S 88°46'04"W, 34.50 FEET; THENCE S 01°13'56"E, 20.00 FEET; THENCE N 88°46'04"E, 34.50 FEET; THENCE S 01°13'56"E, 76.00 FEET; THENCE S 88°46'04"W, 110.56 FEET TO THE EAST LINE OF DEDICATED RIGHT-OF-WAY OF 31<sup>ST</sup> AVENUE NORTHEAST; THENCE S 00°02'26"E ALONG SAID RIGHT-OF-WAY, 20.00 FEET; THENCE N 88°46'04"E, 110.98 FEET; THENCE S 01°13'56"E, 26.94 FEET; THENCE N 88°46'04"E, 34.62 FEET; THENCE N 01°13'56"W, 16.73 FEET; THENCE S 88°46'04"W, 14.62 FEET; THENCE N 01°13'56"W, 155.73 FEET; THENCE N 88°46'04"E, 99.25 FEET;

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THENCE N 01°13'56"W, 20.00 FEET; THENCE S 88°46'04"W, 99.25 FEET;  
 THENCE N 01°13'56"W, 166.55 FEET; THENCE N 88°46'04"E, 9.93 FEET;  
 THENCE S 01°13'56"E, 17.79 FEET; THENCE N 88°46'04"E, 15.00 FEET; THENCE  
 N 01°13'56"W, 17.79 FEET; THENCE N 88°46'04"E, 165.82 FEET; THENCE  
 S 01°13'56"E, 33.37 FEET; THENCE N 88°46'04"E, 20.00 FEET; THENCE  
 N 01°13'56"W, 33.37 FEET; THENCE N 88°46'04"E, 109.74 FEET; THENCE  
 S 01°13'56"E, 33.33 FEET; THENCE N 88°46'04"E, 15.00 FEET; THENCE  
 N 01°13'56"W, 33.33 FEET; THENCE N 88°46'04"E, 50.83 FEET; THENCE  
 S 01°13'56"E, 95.33 FEET; THENCE N 88°46'04"E, 20.00 FEET; THENCE  
 N 01°13'56"W, 95.33 FEET; THENCE N 88°46'04"E, 134.82 FEET; THENCE  
 S 01°13'56"E, 12.95 FEET; THENCE N 88°46'04"E, 15.00 FEET; THENCE  
 N 01°13'56"W, 12.95 FEET; THENCE N 88°46'04"E, 33.06 FEET; THENCE  
 S 01°13'56"E, 183.39 FEET; THENCE S 88°46'04"W, 33.04 FEET; THENCE  
 S 01°13'56"E, 20.00 FEET; THENCE N 88°46'04"E, 33.04 FEET; THENCE  
 S 01°13'56"E, 46.37 FEET; THENCE S 10°26'56"W, 111.56 FEET; THENCE  
 N 88°46'04"E, 15.32 FEET; THENCE N 10°26'56"E, 111.56 FEET; THENCE  
 N 11°56'43"E, 20.54 FEET TO A POINT TO BE CALLED "A"; THENCE  
 N 01°13'56"W, 11.28 FEET; THENCE N 88°46'04"E, 17.29 FEET; THENCE  
 N 01°13'56"W, 15.00 FEET; THENCE S 88°46'04"W, 17.29 FEET; THENCE  
 N 01°13'56"W, 91.09 FEET; THENCE N 88°46'04"E, 7.94 FEET; THENCE  
 N 01°13'56"W, 5.00 FEET; THENCE S 88°46'04"W, 7.94 FEET; THENCE  
 N 01°13'56"W, 28.81 FEET; THENCE N 88°46'04"E, 106.57 FEET TO THE EAST  
 LINE OF SAID BOUNDARY LINE ADJUSTMENT; THENCE N 00°02'16"W  
 ALONG SAID EAST LINE, 30.01 FEET TO THE TRUE POINT OF BEGINNING.

**TOGETHER WITH THE FOLLOWING DESCRIBED STRIP OF LAND**

BEGINNING AT SAID POINT "A"; THENCE N 88°46'04"E, 217.88 FEET; THENCE  
 S 01°13'56"E, 12.94 FEET; THENCE N 88°46'04"E, 32.34 FEET; THENCE  
 S 01°13'56"E, 10.00 FEET; THENCE S 88°46'04"W, 32.34 FEET; THENCE  
 S 01°13'56"E, 67.00 FEET; THENCE N 88°46'04"E, 15.00 FEET; THENCE  
 S 01°13'56"E, 15.00 FEET; THENCE S 88°46'04"W, 15.00 FEET; THENCE  
 S 01°13'56"E, 44.32 FEET; THENCE S 88°46'04"W, 109.90 FEET; THENCE  
 S 01°13'56"E, 30.14 FEET; THENCE S 88°46'04"W, 20.00 FEET; THENCE  
 N 01°13'56"W, 30.14 FEET; THENCE S 88°46'04"W, 112.96 FEET; THENCE  
 S 01°13'56"E, 12.99 FEET; THENCE S 88°46'04"W, 15.00 FEET; THENCE  
 N 01°13'56"W, 12.99 FEET; THENCE S 88°46'04"W, 62.73 FEET; THENCE  
 S 01°13'56"E, 36.00 FEET; THENCE S 88°46'04"W, 20.00 FEET; THENCE  
 N 01°13'56"W, 36.00 FEET; THENCE S 88°46'04"W, 224.63 FEET; THENCE  
 S 01°13'56"E, 36.00 FEET; THENCE S 88°46'04"W, 20.00 FEET; THENCE  
 N 01°13'56"W, 36.00 FEET; THENCE S 88°46'04"W, 196.58 FEET; THENCE  
 S 01°13'56"E, 36.00 FEET; THENCE S 88°46'04"W, 20.00 FEET; THENCE  
 N 01°13'56"W, 36.00 FEET; THENCE S 88°46'04"W, 157.23 FEET TO THE EAST



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DEDICATED RIGHT-OF-WAY LINE OF 31<sup>ST</sup> AVENUE NORTHEAST; THENCE  
N 00°02'26"W ALONG SAID RIGHT-OF-WAY, 20.00 FEET; THENCE  
N 88°46'04"E, 310.06 FEET; THENCE N 01°13'56"W, 14.23 FEET; THENCE  
N 88°46'04"E, 15.00 FEET; THENCE S 01°13'56"E, 14.23 FEET; THENCE  
N 88°46'04"E, 64.54 FEET; THENCE N 01°13'56"W, 95.10 FEET; THENCE  
N 88°46'04"E, 20.00 FEET; THENCE S 01°13'56"E, 95.10 FEET; THENCE  
N 88°46'04"E, 51.50 FEET; THENCE N 01°13'56"W, 34.54 FEET; THENCE  
N 88°46'04"E, 15.00 FEET; THENCE S 01°13'56"E, 34.54 FEET; THENCE  
N 88°46'04"E, 121.00 FEET; THENCE N 01°13'56"W, 33.83 FEET; THENCE  
N 88°46'04"E, 20.00 FEET; THENCE S 01°13'56"E, 33.83 FEET; THENCE  
N 88°46'04"E, 161.04 FEET; THENCE N 01°13'56"W, 34.50 FEET; THENCE  
N 88°46'04"E, 20.00 FEET; THENCE S 01°13'56"E, 34.50 FEET; THENCE  
N 88°46'04"E, 140.48 FEET; THENCE N 01°13'56"W, 109.25 FEET; THENCE  
S 88°46'04"W, 202.56 FEET; THENCE N 11°56'43"E, 20.54 FEET TO THE TRUE  
POINT OF BEGINNING.

