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BOB DANTINI, Snohomish County Treasurer

By BOB DANTINI

Return Address

City of Arlington
238 North Olympic Avenue
Arlington, WA 98223



200303200476 5 PGS
03-20-2003 11:47am \$23.00
SNOHOMISH COUNTY, WASHINGTON

Please print or type information

Document Title(s) (or transactions contained therein): UTILITY EASEMENT
Grantor(s) (Last name first, then first name and initials) Davis, J. Michael Davis, Janice A.
Grantee(s) (Last name first, then first name and initials) City of Arlington
Legal description (abbreviated: i.e., lot, block, plat or section, township, range, qtr./qtr.) A portion of the Southwest quarter, Northwest quarter, Section 12, Township 31 North, Range 5 East, W.M. (Exhibit "A")
Reference Number(s) of Documents assigned or released: N/A
Assessor's Property Tax Parcel/Account Number: 00849900000600
The Auditor/Recorder will rely on the information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

AFTER RECORDING RETURN TO:

City of Arlington
238 N. Olympic
Arlington, WA 98223

**CITY OF ARLINGTON
UTILITY EASEMENT**

This INDENTURE made this _____ day of _____, 2001 between J. Michael Davis And Janice A. Davis, herein after referred to as "Grantor," the CITY OF ARLINGTON, a municipal corporation of the State of Washington, hereinafter referred to as "Grantee," and _____ hereinafter referred to as "Mortgagee," WITNESSETH:

WHEREAS, Grantor is the owner of certain lands and premises situated in the County of Snohomish, State of Washington described as follows:

Attached Exhibit "A"

and,

WHEREAS, Grantee is desirous of acquiring certain rights and privileges across, under, over, and upon said lands and premises;

NOW, THEREFORE, Grantor, for valuable consideration, the adequacy and receipt of which is hereby acknowledges, hereby conveys and grants to the Grantee, its successors and assigns and its permittees and licensees, the perpetual right, privilege and authority to construct, alter, improve, repair, operate and maintain a sanitary sewer line, pipes and appurtenances, across, under, over and upon the following described lands and premises in the County of Snohomish, State of Washington, to-wit:

Attached Exhibit "B"

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 said lines, and the right at any time to remove said lines and appurtenances from said lands.

The Grantor reserves the right to use the surface of the above-described easement in the manner now existing, but shall not erect any permanent buildings, structures, patios, or other construction of any nature on said easement. This conveyance is conditioned upon the Grantee's obligation to replace any fences, lawn, shrubbery, or land contours that are disturbed in connection with the exercise of the Grantee's rights hereunder, in as good condition as the same were immediately before the property was entered by the Grantee.

The rights, title, privilege, and authority hereby granted shall continue to be in force until such time as the Grantee, its successors or assigns, shall permanently remove said lines and appurtenances from said lands, or shall otherwise permanently abandon said lines, at which time all such rights, title, privileges and authority hereby granted shall terminate.

The Grantor also covenants to and with the Grantee that Grantor is lawfully seized and possessed of the land aforesaid; has a good lawful right and power to sell and convey same; that same is free and clear of encumbrances, except as above indicated; and that Grantor will forever warrant and defend the title to said easement and the quiet possession thereof against the lawful claims and demands of all persons whomsoever. This conveyance shall be a covenant running with the land, and shall be binding on the Grantor and its heirs, successors, and assigns forever.

Any mortgage on said land held by Mortgagee is hereby subordinated to the rights herein granted to the Grantee, but in all other respects the said mortgage shall remain unimpaired.

IN WITNESS WHEREOF, this instrument has been executed the day and year first above written.

GRANTOR:

J. Michael Davis
Janice Davis

MORTGAGEE:

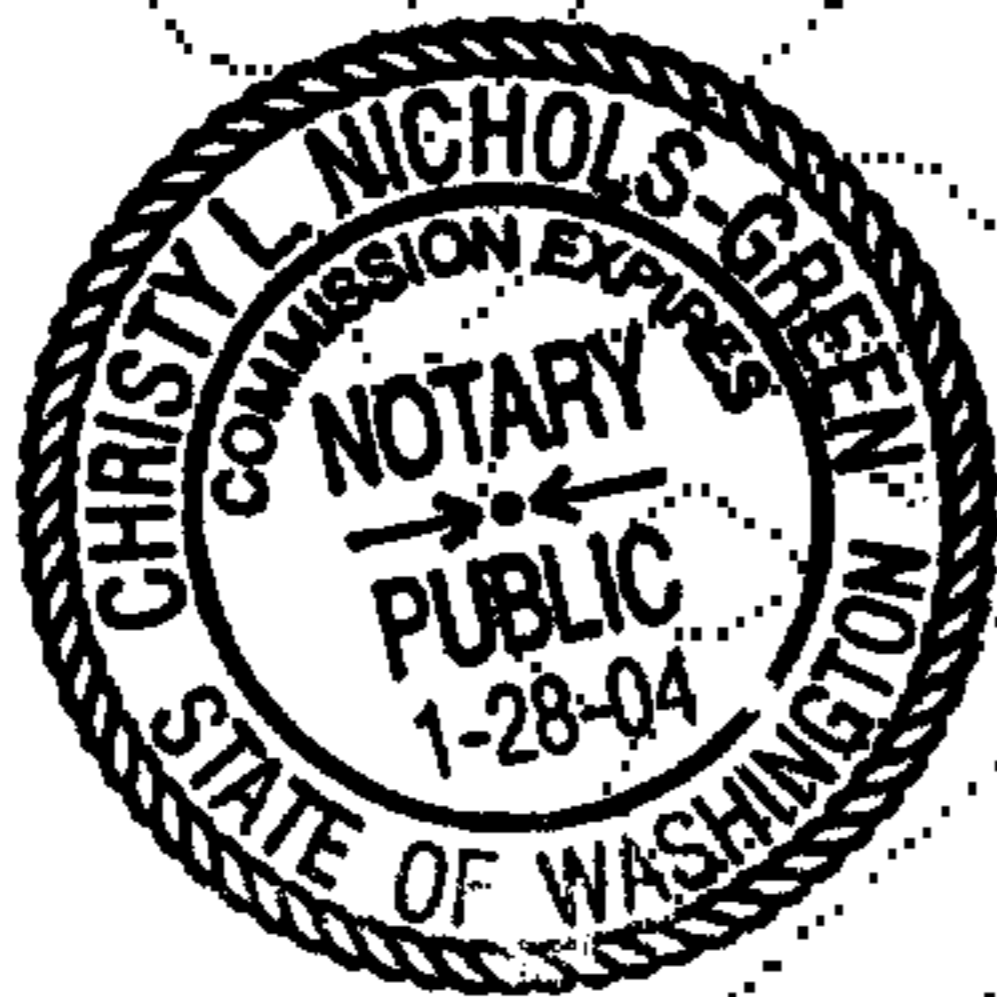
[Signature]

INDIVIDUAL NOTARY:

STATE OF WASH.)
) ss.
COUNTY OF SNOHOMISH)

I certify that I know or have satisfactory evidence that Mike & Janice Davis is/are the person(s) who appeared before me, and said person(s) acknowledged that he/she/they signed this instrument and acknowledged it to be his/her/their free and voluntary act for uses and purposes mentioned in the instrument.

DATED this 18th day of May, 20 01.



[Signature]

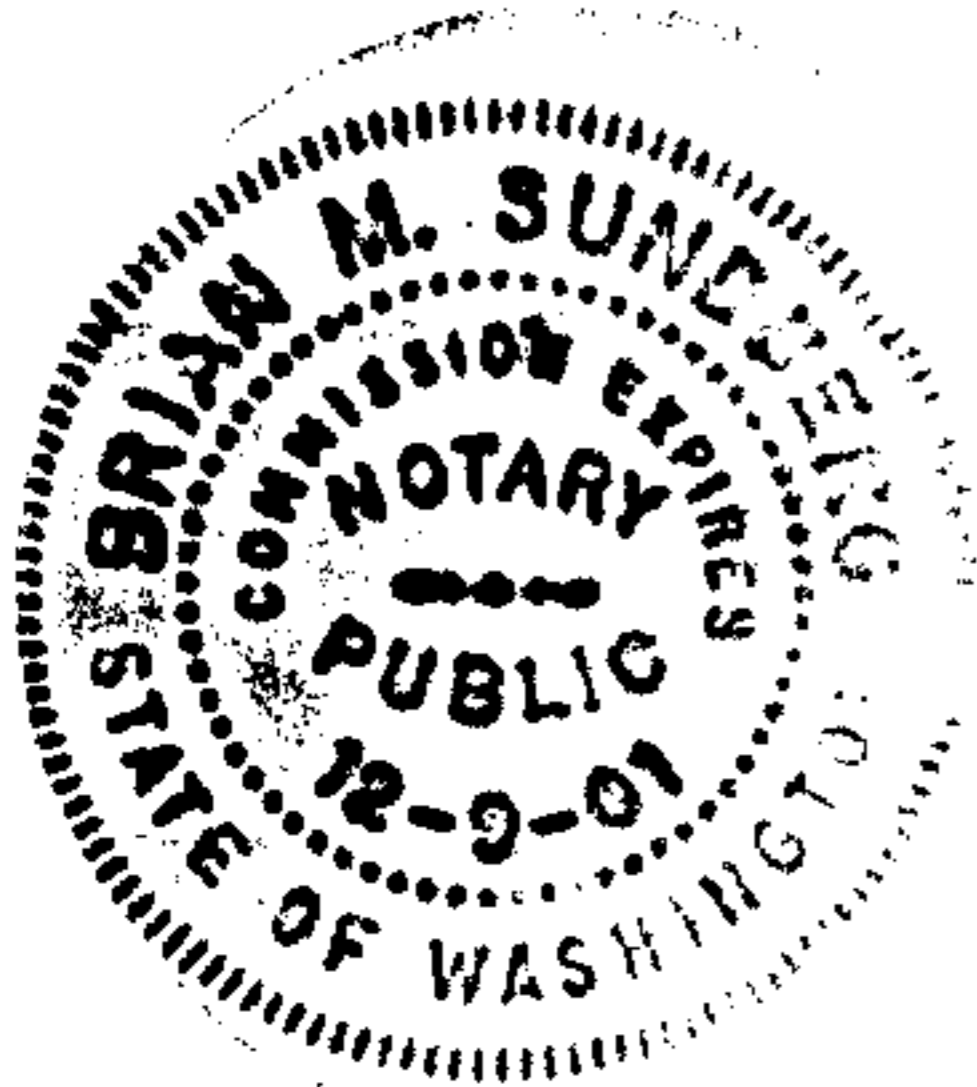
CHRISTY L. NICHOLS-GREEN
(Legibly print name of notary)
NOTARY PUBLIC in and for the State of WA, residing at Arlington, Snohomish County
My appointment expires 1-28-2004

REPRESENTATIVE NOTARY:

STATE OF WASHINGTON)
) ss.
COUNTY OF Thurston)

I certify that I know or have satisfactory evidence that Mike Marthaller is/are the person(s) who appeared before me, and said person(s) acknowledged that he/she/they signed this instrument, on oath state that he/she/they was/were authorized to execute the instrument and acknowledge it as the Regional Vice President of Chase Bank to be the free and voluntary act of such a party for the uses and purposes mentioned in the instrument.

DATED this 12 day of June, 20 01.



[Signature]
Brian M. Sundberg

(Legibly print name of notary)
NOTARY PUBLIC in and for the State of Washington, residing at Thurston County
My appointment expires 12/09/01

“EXHIBIT A”

LOT 6, The Yarmuth Plat, according to the Plat thereof, recorded in Volume 60 of Plats, Pages 130 through 132, inclusive, under Auditor's File Number 9512015001, Records of Snohomish County, State of Washington.

SUBJECT TO easements, conditions, restrictions, and reservations of record.

Situate in the County of Snohomish, State of Washington.

“EXHIBIT B”

A 10.00 foot wide Sanitary Sewer Easement being a portion of the Southwest quarter of the Northwest quarter of Section 12, Township 31 North, Range 5 East, W.M. and being a portion of the Yarmuth Plat as Recorded under Auditor's File No.9512015001, and being 5.00 feet on each side of and abutting the following described centerline:

COMMENCING at the Northwest corner of Lot 6 of the said Yarmuth Plat; thence N 89° 28' 54" E along the North line of said Lot 6 for a distance of 167.73 feet to the **TRUE POINT OF BEGINNING** of said Easement centerline; thence S 23° 41' 08" W along said centerline for a distance of 120.60 feet to the South line of said Lot 6 said point lying N 89° 28' 54" E a distance of 110.70 feet from the Southwest corner of said Lot 6 and the terminus point of said Easement centerline.

SUBJECT TO easements, conditions, restrictions and reservations of record.

Situate in the County of Snohomish, State of Washington.

