

**NO EXCISE TAX  
REQUIRED**

**JUL 21 2010**

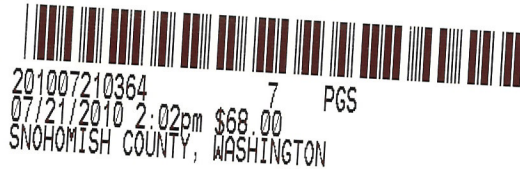
KIRKE SIEVERS, Snohomish County Treasurer

By KIRKE SIEVERS

AFTER RECORDING, RETURN TO:

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

OUR FILE NO. 27-502



**WATER EASEMENT**

**GRANTOR(S): STILLAGUAMISH SENIOR CENTER**

**GRANTEE(S): City of Arlington**

**LEGAL (Abbrev.): Ptn. SE ¼ of NE ¼ of Section 20, T. 31 N., Range 5 E., W.M.**

**ASSESSOR'S TAX #: 00472500000601**

**REFERENCE #:**

THIS AGREEMENT is made and entered into this 16 day of July, 2010, by and between STILLAGUAMISH SENIOR CENTER, a Washington nonprofit corporation, (hereinafter "Grantors"); and the City of Arlington, Washington (hereinafter "City").

WHEREAS, Grantors are the owners of certain property located within the City of Arlington legally described on the attached Exhibit "A"; 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:

1. Grant of Easements by Grantors to the City.

1.1 Grantors convey and grant to the City of Arlington, its successors and

UTILITY EASEMENT

assigns and permittees and licensees, a perpetual easement for utilities and the right, privilege and authority to construct, alter, improve, repair, operate and maintain water lines, pipes and appurtenances, over, under and across Grantors's property legally described as follows:

See 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 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.



**EXHIBIT A**

(Grantor's Property)

(BASED UPON CHICAGO TITLE INSURANCE COMPANY SHORT PLAT CERTIFICATE  
ORDER NO. 5610703, AMENDMENT NO. 1, DATED DECEMBER 1, 2009)

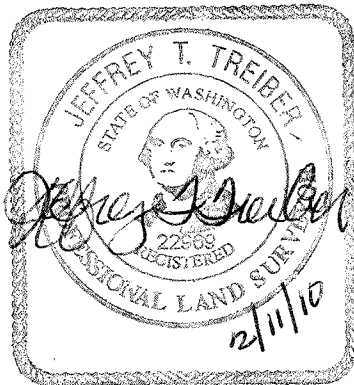
NEW PARCEL 2 OF CITY OF ARLINGTON BOUNDARY LINE ADJUSTMENT #Z-06-054-BLA  
RECORDED UNDER AUDITOR'S FILE NUMBER 200707105219, BEING MORE PARTICULARLY  
DESCRIBED AS FOLLOWS:

LOT 1 OF SNOHOMISH COUNTY SHORT PLAT #SP-214 (5-79), RECORDED UNDER AUDITOR'S  
FILE NUMBER 7905230248, SAID SHORT PLAT BEING A PORTION OF LOTS 6 AND 7 OF  
HIGHWAY HOME SITES, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 11 OF  
PLATS, PAGE 93, RECORDS OF SNOHOMISH COUNTY, WASHINGTON;  
EXCEPT THE SOUTH 55.50 FEET THEREOF.

TOGETHER WITH THE NORTH 15.50 FEET OF THE SOUTH 55.50 FEET OF THE WEST  
273.50 FEET OF SAID LOT 1.

TOGETHER WITH A PRIVATE EASEMENT FOR INGRESS, EGRESS AND UTILITIES OVER THE  
NORTH 30 FEET OF THE SOUTH 72 FEET OF SAID LOT 6;  
EXCEPT THE EAST 20 FEET THEREOF; AND  
ALSO EXCEPT THE WEST 273.50 FEET THEREOF.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.



**EXHIBIT B  
LEGAL DESCRIPTION  
FOR  
WATER EASEMENT**

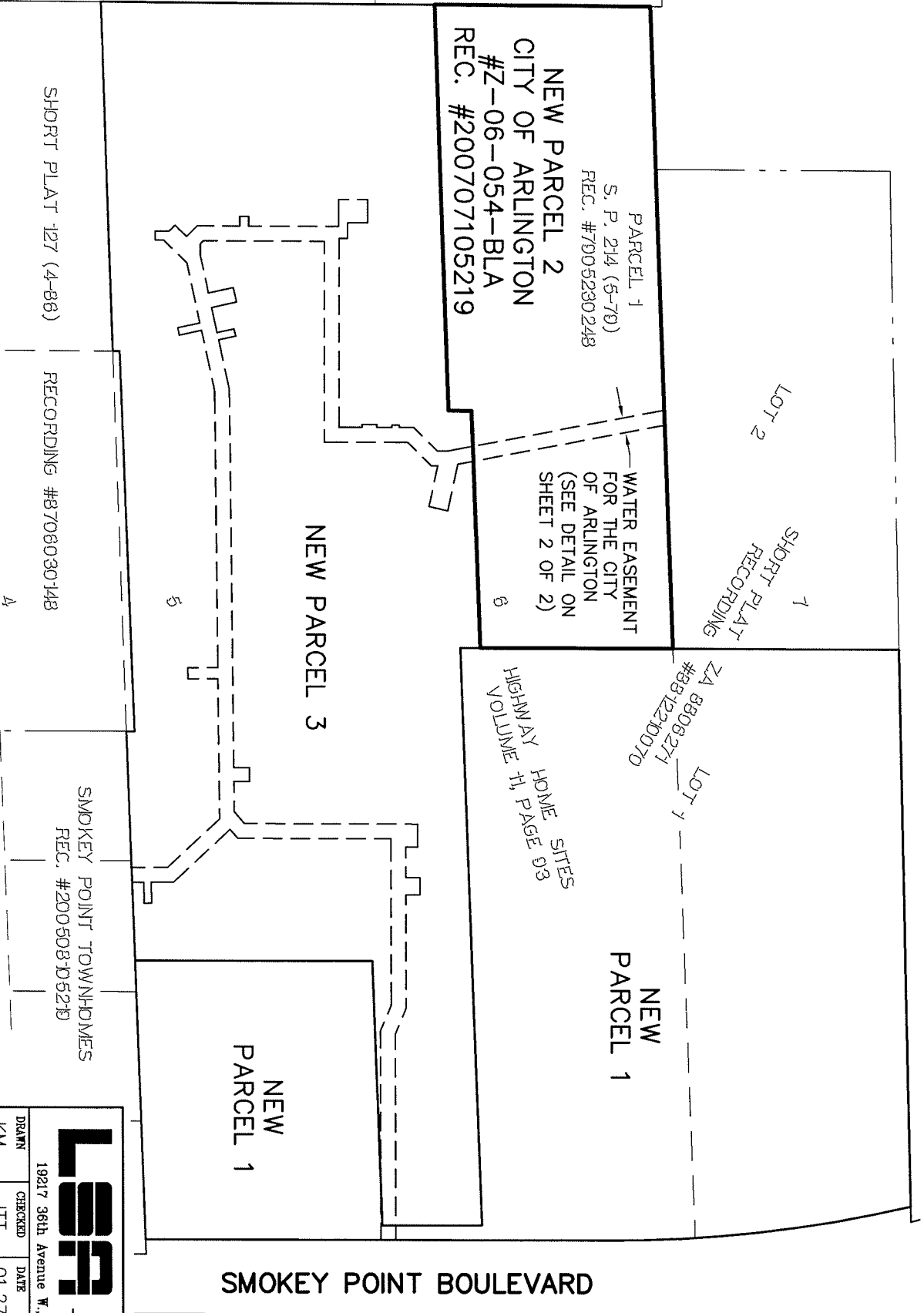
**(Stillaguamish Senior Center portion)**

A strip of land 10.00 feet in width, lying 5.00 feet on each side of the following described centerline, of that portion of New Parcel 2 of City of Arlington Boundary Line Adjustment #Z-06-054-BLA recorded under Auditor's File Number 200707105219, said BLA being a portion of Lots 5, 6 and 7, Highway Home Sites, according to the plat thereof, recorded in Volume 11 of Plats, page 93, records of Snohomish County, Washington, all being a portion of the Southeast quarter of the Northeast quarter of Section 20, Township 31 North, Range 5 East, W.M., and more particularly described as follows:

Beginning at the southeast corner of said New Parcel 2;  
thence South 87°56'13" West, along the south line of said New Parcel 2, a distance of 130.49 feet to the True Point of Beginning;  
thence North 10°55'21" West, a distance of 131.14 feet to an intersection with the north line of said New Parcel 2 at a point 155.60 feet west of the northeast corner thereof and the terminus of this centerline description.

The sidelines of said easement shall be lengthened or shortened, as required, so as to commence and terminate upon property lines.





SHORT PLAT 127 (4-86)

RECORDING #8708030148

4

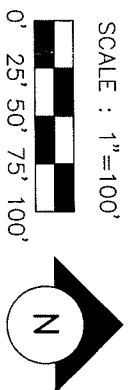
SMOKEY POINT TOWNHOMES  
REC. #200508105219

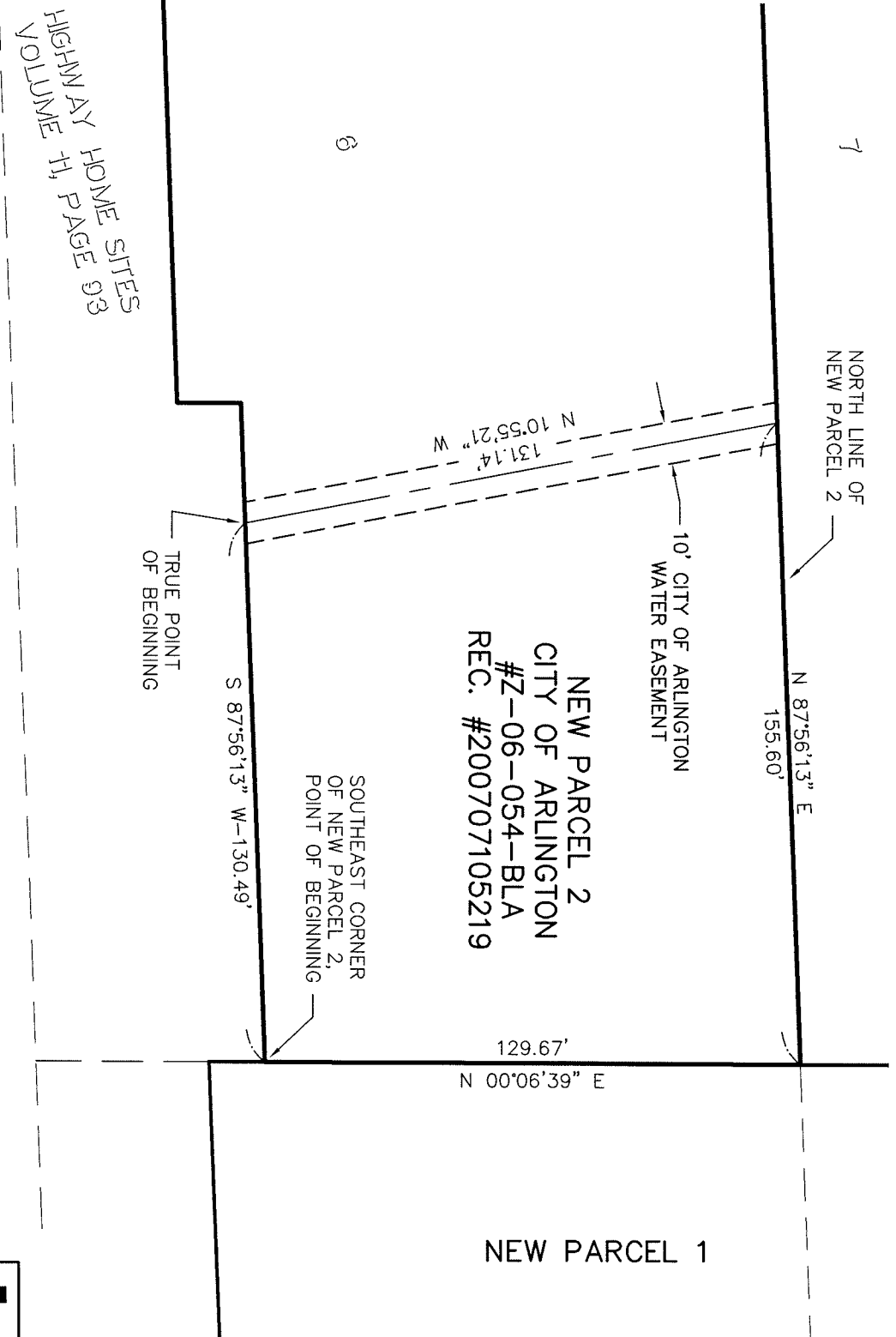
**LS&A**  
 Lovell-Sauerland & Associates, Inc.  
 Engineers/Surveyors/Planners/Development Consultants  
 e-mail: info@lsaeengineering.com • web: lsaeengineering.com  
 18217 36th Avenue W., Suite 106 • Lynnwood, WA 98036 • (425) 775-1581

DRAWN	CHECKED	DATE	F.B.	SCALE	FILE NO.
KM	JTT	01.27.10	-	1"=100'	4815-0-05

SHEET 1 OF 2

EXHIBIT C  
 STILLAGUAMISH  
 SENIOR CENTER PROJECT  
 IN SE1/4, NE1/4, SEC. 20,  
 T.31N., R.5E., W.M.  
 CITY OF ARLINGTON  
 SNOHOMISH COUNTY,  
 WASHINGTON





NEW PARCEL 3

HIGHWAY HOME SITES  
VOLUME 14, PAGE 93

NEW PARCEL 2  
CITY OF ARLINGTON  
#Z-06-054-BLA  
REC. #200707105219

NEW PARCEL 1

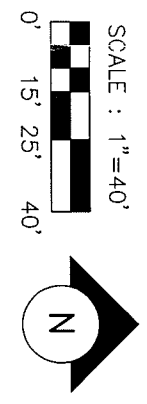


EXHIBIT C  
PORTION OF WATER EASEMENT ACROSS  
STILLAGUAMISH SENIOR CENTER PROPERTY  
IN SE1/4, NE1/4, SEC. 20, T.31N., R.5E., W.M.  
CITY OF ARLINGTON  
SNOHOMISH COUNTY, WASHINGTON

SHEET 2 OF 2

**LS&A**  
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 Engineers/Surveyors/Planners/Development Consultants  
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 19217 36th Avenue W, Suite 106 • Lynnwood, WA 98036 • (425) 775-1591

DRAWN	CHECKED	DATE	F.B.	SCALE	FILE NO.
KM	JTT	01.27.10	-	1"=40'	4815-0-05