



201012150086 7 PGS
 12/15/2010 9:46am \$68.00
 SNOHOMISH COUNTY, WASHINGTON

**NO EXCISE TAX
 REQUIRED**

DEC 15 2010

KIRKE SIEVERS, Snohomish County Treasurer

By KIRKE SIEVERS

After Recording, return to:
 Fred Owyen
 P.O. Box 222
 North Lakewood, WA 98259

Document Title: **CRITICAL AREAS PROTECTION EASEMENT**
 Grantor: **ARLINGTON SCHOOL DISTRICT NO. 16**, a Washington municipal corporation
 Grantee: **CITY OF ARLINGTON**
 Reference Nos.: **None**
 Abbrev. Legal: **Portions of the NW ¼ of the NW ¼, Section 24, and SW ¼ of the SW ¼, Section 13, township 31 North, Range 5 East, W.M., in Snohomish County Washington**
 Additional Lgl.: **Exhibits B and D**
 Assessor's Parcel No.: **31052400201000 & 31051300300600**

**CRITICAL AREAS PROTECTION EASEMENT
 (ARLINGTON HIGH SCHOOL SITE)**

GRANTOR, ARLINGTON SCHOOL DISTRICT NO. 16, a Washington municipal corporation, in consideration of mutual benefits, for public benefit, hereby grants, dedicates and conveys to GRANTEE, the CITY of ARLINGTON, a Washington municipal corporation, an easement over, through, under, across, upon, and in the real property described in Exhibits B (southern easement area) and D (northern easement area) attached hereto and incorporated herein by reference (collectively, the "**Easement Area**"), and as depicted, respectively, on Exhibits C and E, attached hereto for informational purposes; for the protection of critical wetland and wetland buffer areas, together with the right of Grantee's access into the Easement Area across Grantors' property for the sole benefit of Grantee and not for use by the general public, at times and locations which are reasonable and will minimize the disruption of educational activities on Grantor's property and enable Grantee to exercise its rights under this easement. (Note: Exhibit A is intentionally omitted.) Grantee shall provide Grantor with reasonable notice of its intent to undertake any such activities within the Easement Area.

This Easement Area is designated as open space and this easement is intended to protect streams, wetlands, native vegetation, steep slopes, and endangered species and shall preclude: grading or any recontouring of the land; placement of structures, wells, leach fields, utility lines and/or easements, and any other thing; vehicle activity; grazing; dumping; and the addition or removal of vegetation, except that vegetation may be selectively removed upon written order of the City's Fire Chief for the express purpose of reducing an identified fire hazard, or the Director of Public Works for the express purpose of reducing an identified hazard; and except that underground utility lines may be placed in the buffer areas in locations approved by the Director of Planning and Community Development. In addition, stream or wetland restoration activities may occur per a restoration plan approved by the Director of Planning and Community Development.

Grantor shall retain the right to use the Easement Area so long as said use does not materially interfere with Grantee's use of the easement. Grantee hereby acknowledges and agrees that Grantor's passive educational use of the Easement Area consistent with the above use restrictions is an allowed use under this easement and does not interfere with the City's use of the Easement Area.

This easement has been duly authorized, executed and delivered by Grantor and is binding on and enforceable against Grantor in accordance with its terms. Grantor represents and warrants that it has full authority to grant the easement rights included herein.

The covenants herein contained shall run with the land and are binding upon all subsequent owners thereof.

Dated this 25th day of October, 2010.

GRANTOR:

ARLINGTON SCHOOL DISTRICT NO. 16,
a Washington municipal corporation

By:

E. Kristine McDuffy

Name: Dr. Kristine McDuffy

Title: Superintendent

Accepted and Approved:

GRANTEE: CITY OF ARLINGTON
a Washington municipal corporation

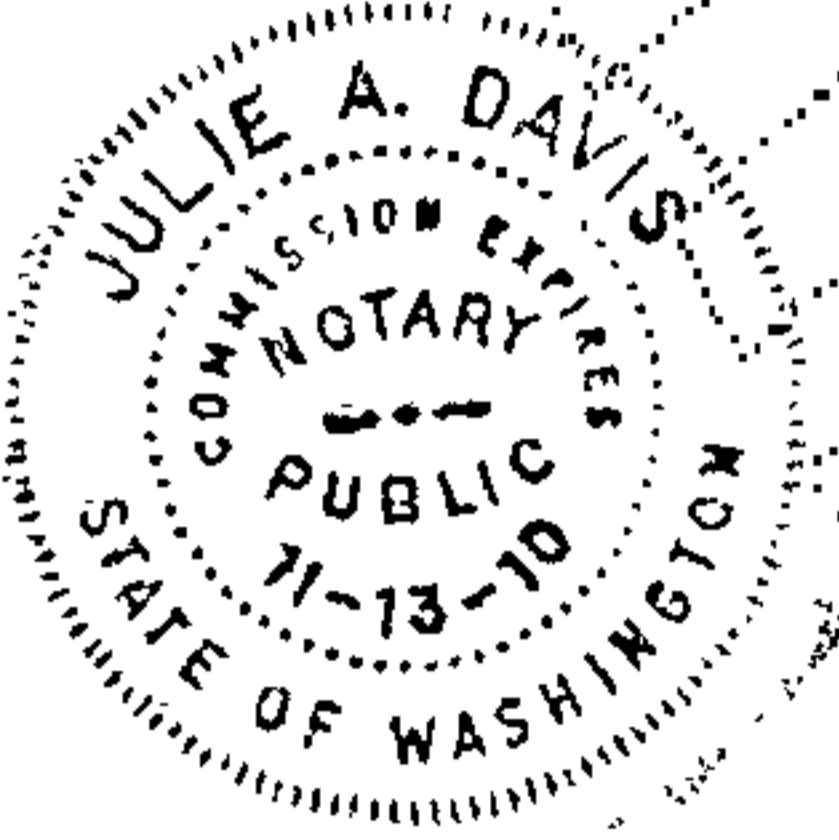
By:

Margaret Larson

STATE OF WASHINGTON)
) ss.
COUNTY OF SNOHOMISH)

I certify that I know or have satisfactory evidence that DR. KRISTINE MCDUFFY is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument, and acknowledged it as the SUPERINTENDENT of ARLINGTON SCHOOL DISTRICT NO. 16 to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED this 25th day of October, 2010.



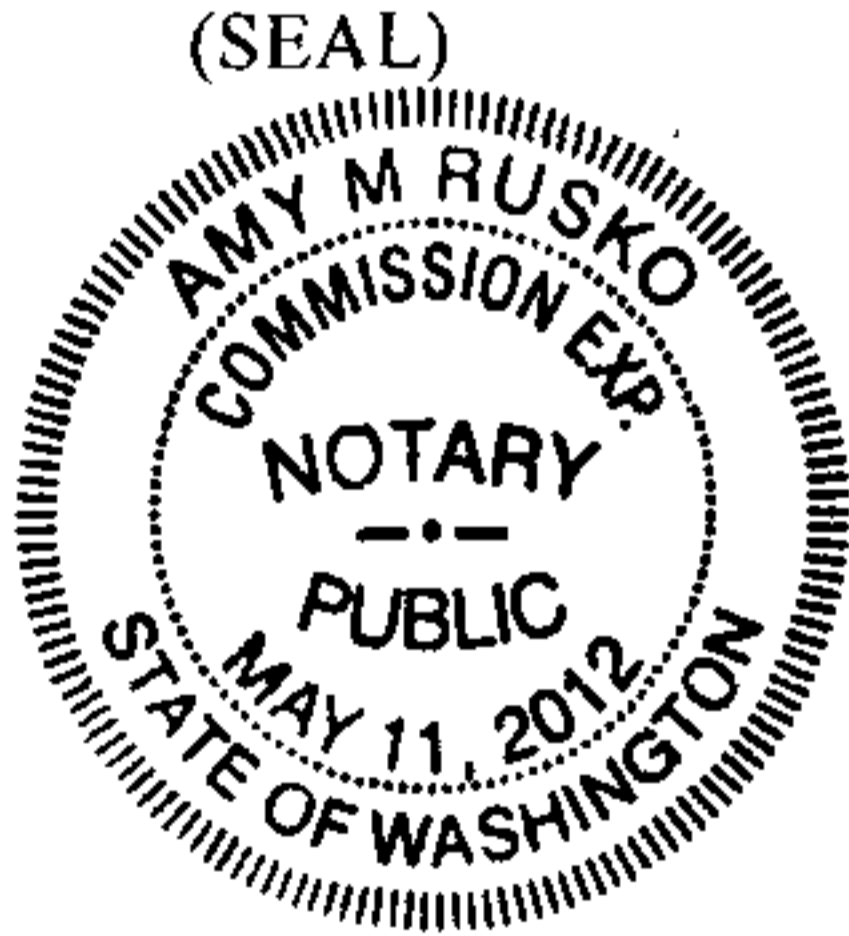
(SEAL)

Julie A. Davis
Notary Public
Residing at ARLINGTON, WA
My appointment expires 11.13.10

STATE OF WASHINGTON)
) ss.
COUNTY OF SNOHOMISH)

I certify that I know or have satisfactory evidence that Margaret Larson is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument, and acknowledged it as the Mayor of City of Arlington to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED this 7th day of December, 2010.



(SEAL)

Amy M Rusko
Notary Public
Residing at Arlington
My appointment expires 5-11-2012

EXHIBIT B

Legal Description of Southern Easement Area

A Critical Area Protection Easement located in the Northwest Quarter of the Northwest Quarter of Section 24, Township 31 North, Range 5 East, W.M., more particularly described as follows:

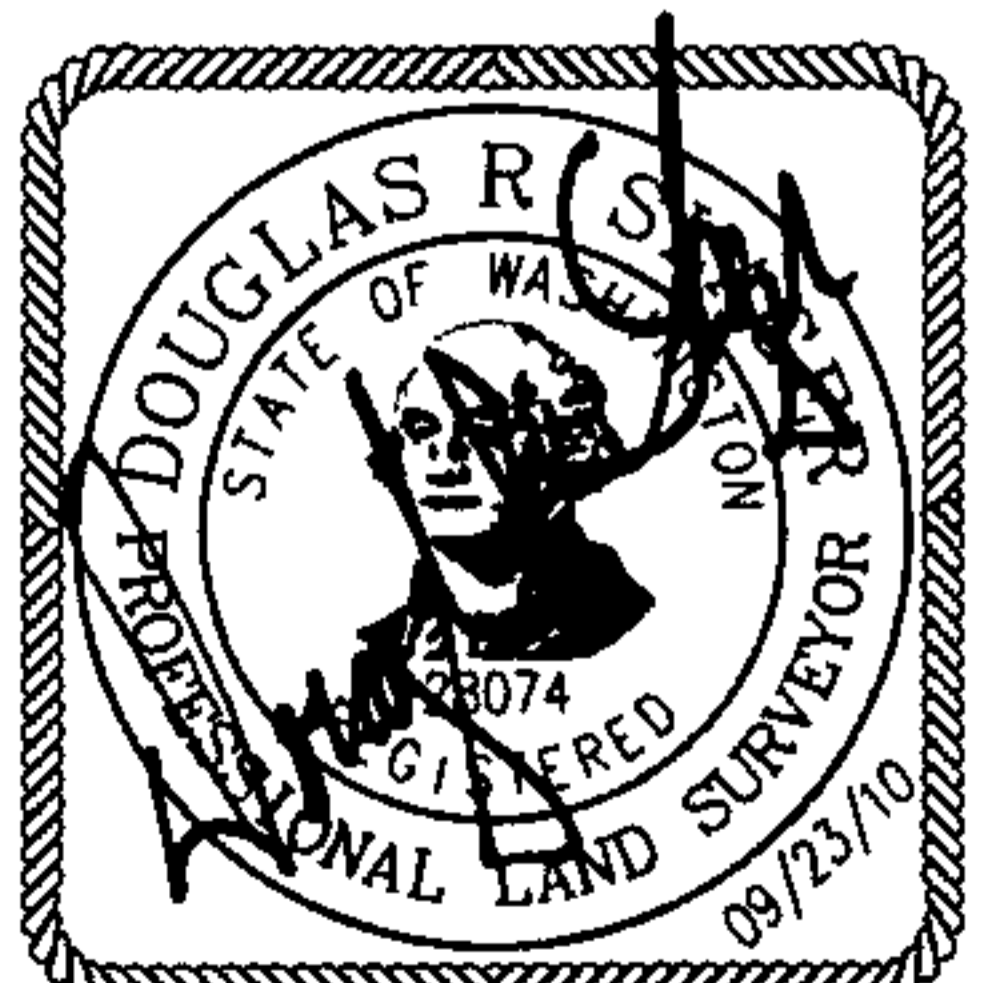
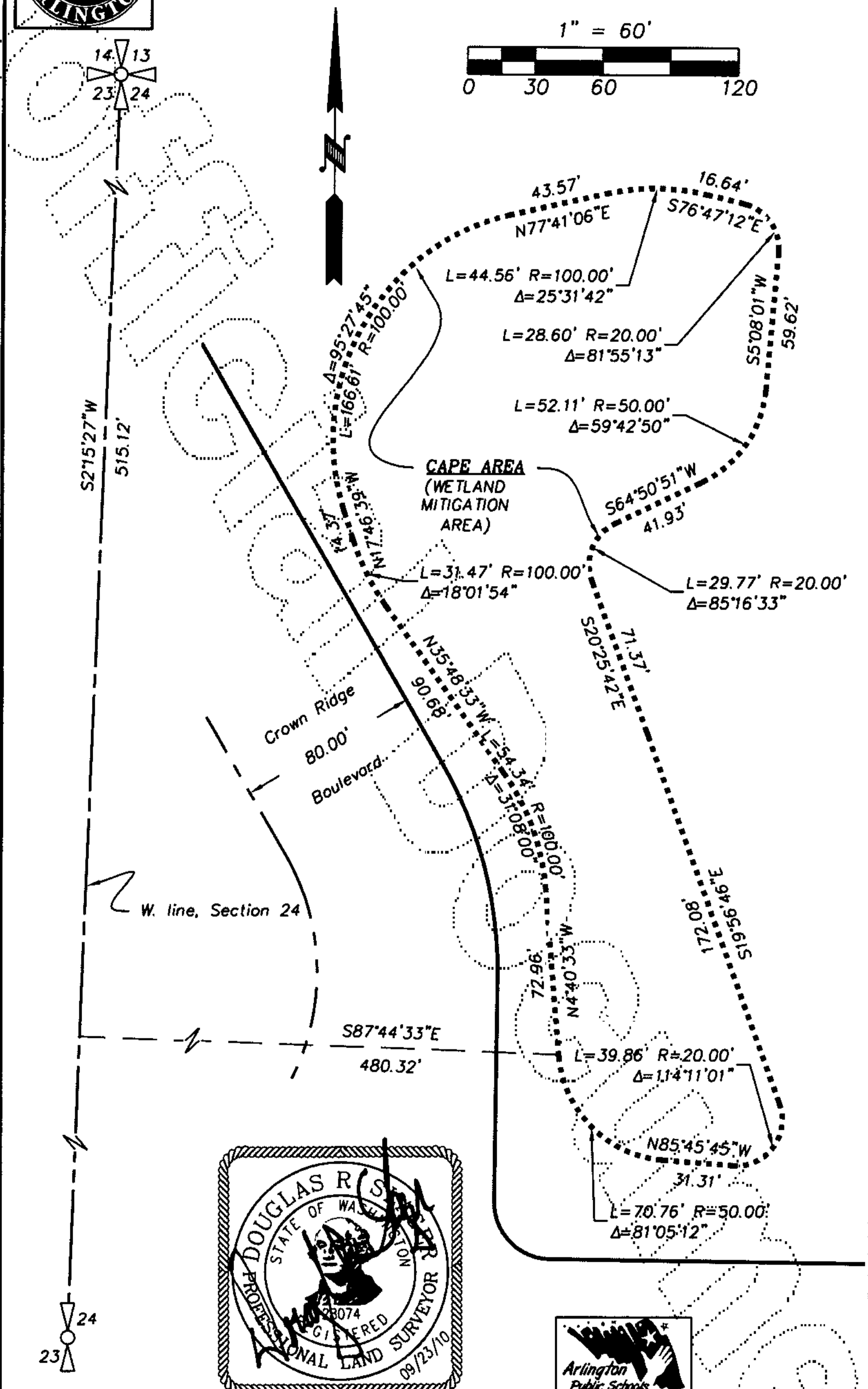
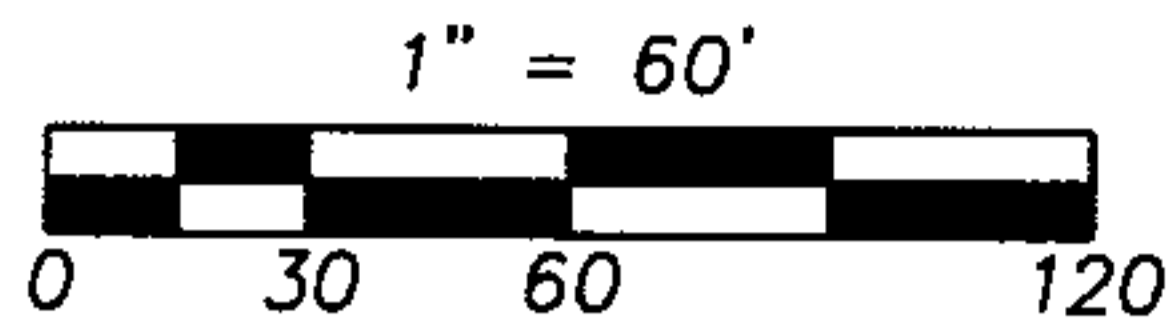
Commencing at the Northwest Section Corner of said Section 24;
Thence S 02°15'27" W, along the west line of said Section 24, a distance of 515.12 feet;
Thence, leaving said west line, S 87°44'33" E, a distance of 480.32 feet to the **POINT OF BEGINNING** of this Easement description;
Thence N 04°40'33" W a distance of 72.96 feet to a point of curvature to the left;
Thence along said curve having a radius of 100.00 feet through a central angle of 31°08'00" for an arc length of 54.34 feet;
Thence N 35°48'33" W a distance of 90.68 feet to a point of curvature to the right;
Thence along said curve having a radius of 100.00 feet through a central angle of 18°01'54" for an arc length of 31.47 feet;
Thence N 17°46'39" W a distance of 14.37 feet to a point of curvature to the right;
Thence along said curve having a radius of 100.00 feet through a central angle of 95°27'45" for an arc length of 166.61 feet;
Thence N 77°41'06" E a distance of 43.57 feet to a point of curvature to the right;
Thence along said curve having a radius of 100.00 feet through a central angle of 25°31'42" for an arc length of 44.56 feet;
Thence S 76°47'12" E a distance of 16.64 feet to a point of curvature to the right;
Thence along said curve having a radius of 20.00 feet through a central angle of 81°55'13" for an arc length of 28.60 feet;
Thence S 05°08'01" W a distance of 59.62 feet to a point of curvature to the right;
Thence along said curve having a radius of 50.00 feet through a central angle of 59°42'50" for an arc length of 52.11 feet;
Thence S 64°50'51" W a distance of 41.93 feet to a point of curvature to the left;
Thence along said curve having a radius of 20.00 feet through a central angle of 85°16'33" for an arc length of 29.77 feet;
Thence S 20°25'42" E a distance of 71.37 feet;
Thence S 19°56'46" E a distance of 172.08 feet to a point of curvature to the right;
Thence along said curve having a radius of 20.00 feet through a central angle of 114°11'01" for an arc length of 39.86 feet;
Thence N 85°45'45" W a distance of 31.31 feet to a point of curvature to the right;
Thence along said curve having a radius of 50.00 feet through a central angle of 81°05'12" for an arc length of 70.76 feet to the **TRUE POINT OF BEGINNING**;

A sketch is attached as Exhibit C and by reference thereto is made a part hereof.

Situate in the County of Snohomish, State of Washington.



EXHIBIT C
CRITICAL AREA PROTECTION EASEMENT
 NW1/4 NW1/4 OF SEC 24, T31N, R 5E, W.M.



© HARMSEN & ASSOCIATES INC 2010

DATE: 09/23/10	ARLINGTON HIGH SCHOOL	JOB#: 09-121
DWN: TLR APR: DRS	H&A HARMSEN & ASSOCIATES INC 16778 146th St SE, Ste 104, MONROE, WA 98272 (360)794-7811 (206)343-5903	FB: N/A
SCALE: 1" = 60'		SHEET 1 OF 1

EXHIBIT D

Legal Description of Northern Easement Area

A Critical Area Protection Easement located in the Southwest quarter of the Southwest quarter of Section 13, Township 31 North, Range 5 East, W.M., said Easement being more particularly described as follows:

BEGINNING at the Northeast corner of said Southwest quarter of the Southwest quarter;
Thence N 89°02'08" W along the North line of said subdivision for a distance of 664.97 feet;
Thence S 18°27'30" E, leaving said North line, for a distance of 112.05 feet;
Thence S 39°31'15" E for a distance of 253.07 feet;
Thence S 23°32'04" E for a distance of 221.15 feet;
Thence S 32°09'11" E for a distance of 204.31 feet;
Thence S 41°10'07" E for a distance of 136.41 feet;
Thence S 33°11'57" E for a distance of 288.94 feet to a point on the East line of said Southwest quarter of the Southwest quarter;
Thence N 01°19'18" E along the East line of said subdivision for a distance of 1010.77 feet to the Northeast corner thereof and the **POINT OF BEGINNING**.

A sketch is attached as Exhibit E and by reference thereto is made a part hereof.

Situate in the County of Snohomish, State of Washington.

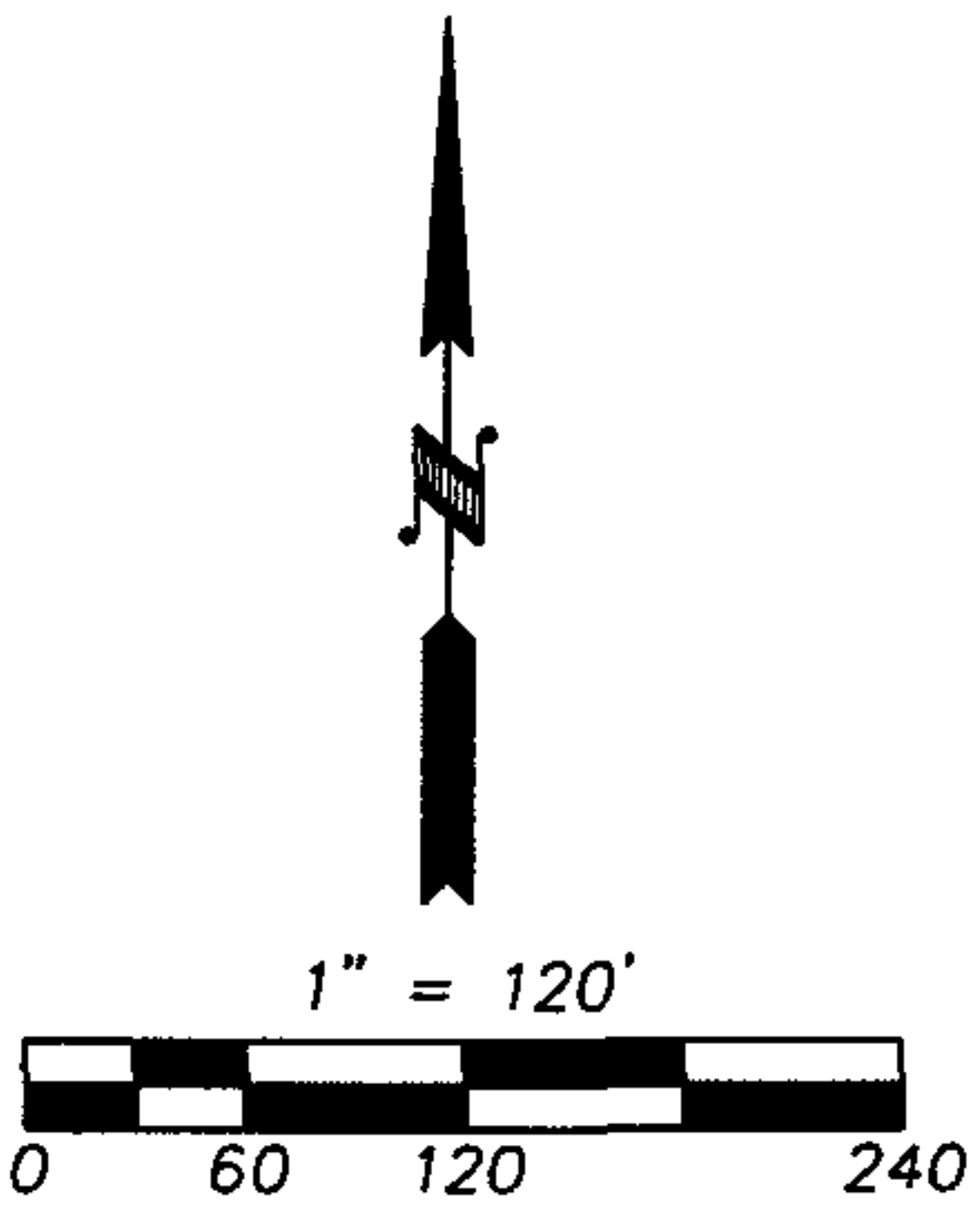
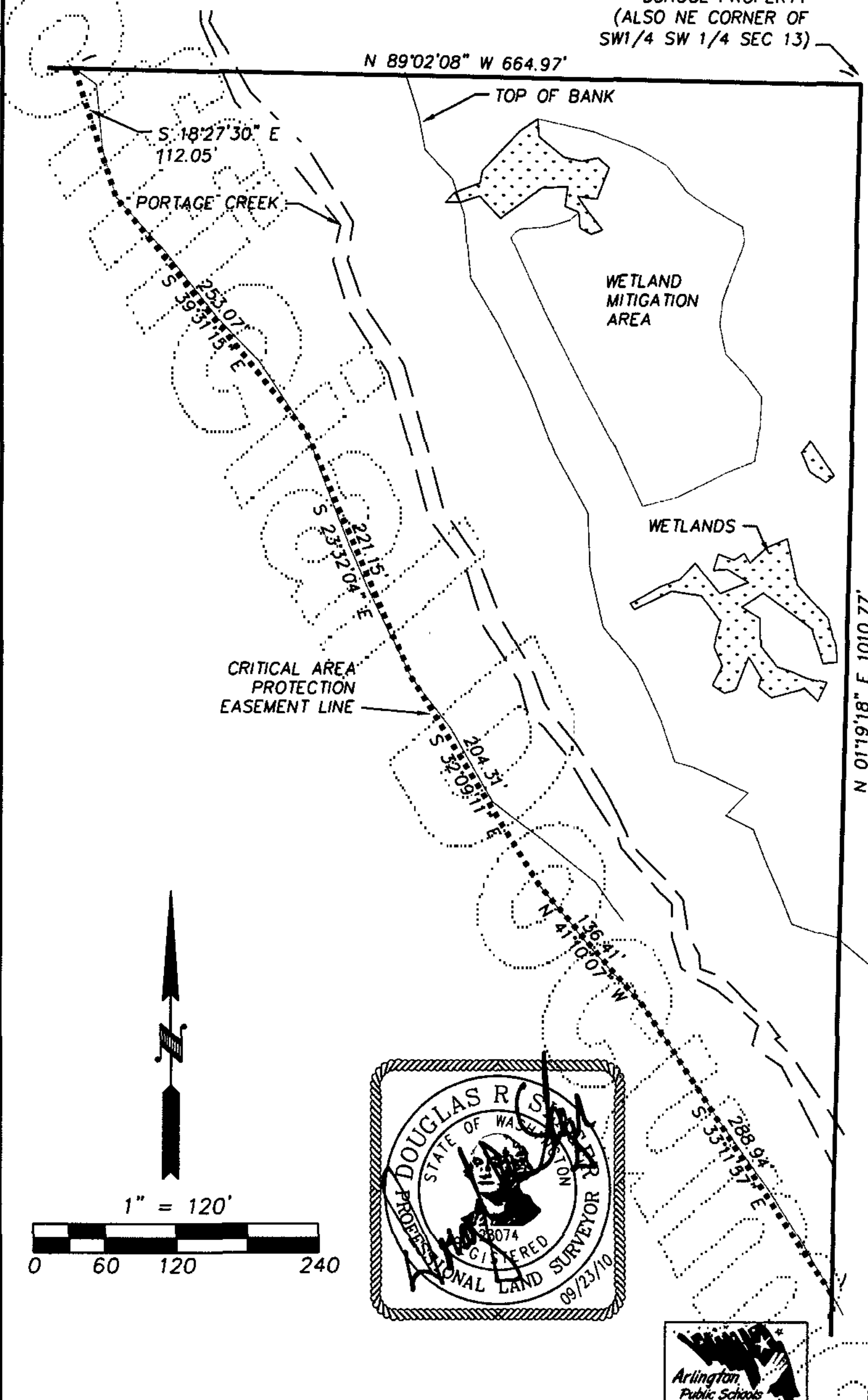


EXHIBIT E

CRITICAL AREA PROTECTION EASEMENTS

SECTIONS 13 & 24, T31N, R 5E, W.M.

NE CORNER OF SCHOOL PROPERTY
(ALSO NE CORNER OF SW 1/4 SW 1/4 SEC 13)



© HARMSEN & ASSOCIATES INC 2010

DATE: 08/31/10		ARLINGTON HIGH SCHOOL		JOB#: 09-121
DWN: DRS	APR: JBM	HARMSEN & ASSOCIATES INC 16778 146th St SE, Ste 104, MONROE, WA 98272 (360)794-7811 (206)343-5903	FB: N/A	SHEET 1 OF 1
SCALE: 1" = 60'				