

**NO EXCISE TAX
REQUIRED**

MAR 09 2018

KIRKE SIEVERS, Snohomish County Treasurer

By KIRKE SIEVERS

AFTER RECORDING, RETURN TO

CITY OF ARLINGTON
18204 59th Avenue NE
ARLINGTON, WA 98223



SEWER ACCESS EASEMENT

GRANTOR (S): RPI Arlington LLC

GRANTEE (S): City of Arlington, Washington

LEGAL (Abbrev.): Tract C of BLA File No. 2013-58 recorded AFN
201402215006
*Being a part of SEA SWQ and SWQ SEA 11-31N-SE,
Snohomish County, WA*

ASSESSOR'S TAX #: 31051100304100

REFERENCE #:

CHICAGO
50068296-4
6/79

THIS AGREEMENT is made and entered into this 9th day of, March 2018 by and between RPI Arlington LLC, (hereinafter "Grantor") and the City of Arlington, Washington (hereinafter "City"), and M&T Bank, a New York banking corporation (hereinafter referred to as "Mortgage")

WHEREAS, Grantor is the owner 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

1 Grant of Easements by Grantor to the City

1 1 Grantor conveys and grants to the City of Arlington, its successors and assigns and permittees and licensees, a perpetual easement for access and inspection of the sanitary sewer and the right, privilege and authority to inspect the sanitary sewer manhole, over, and across a portion of 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 inspection

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

DATED this 8th day of March, 2018

GRANTOR

RPI Arlington LLC, a Washington limited liability company

By [Signature]
Name Evan Wong
Title Manager

STATE OF WASHINGTON)
) ss
COUNTY OF SNOHOMISH)

On this 8th day of March, 2018 before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared before me Evan Wong, known to be the manager of RPI Arlington LLC, that executed the foregoing instrument and acknowledged the said instrument to be the free and voluntary act of said LLC, for the uses and purposes herein mentioned

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



[Signature]
NOTARY PUBLIC in and for the State of Washington, residing at Sumner
My commission expires 1-18-21
Name Kathleen B Jugovic

EXHIBIT A

TRACT C, CITY OF ARLINGTON BOUNDARY LINE ADJUSTMENT FILE NO 2013-58 AS RECORDED UNDER AUDITOR'S FILE NO 201402215006 AND BEING A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER. ALL IN SECTION 11 TOWNSHIP 31 NORTH RANGE 5 EAST W M IN SNOHOMISH COUNTY WASHINGTON

SAID PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS

A STRIP OF LAND LYING 20 00 FEET IN WIDTH CENTERED ON THE FOLLOWING DESCRIBED CENTERLINE

COMMENCING AT THE MOST NORTHWESTERLY CORNER OF TRACT C CITY OF ARLINGTON NO 2013-58 AS RECORDED UNDER AUDITOR'S FILE NO 201402215006

THENCE S 00° 53' 54" E ALONG THE EASTERLY LOT LINE FOR A DISTANCE OF 10 00 FEET TO THE POINT OF BEGINNING

THENCE N 89° 34' 29" E ALONG THE EASTERLY LOT LINE FOR A DISTANCE OF 108 48 FEET

SITUATE IN THE CITY OF ARLINGTON COUNTY OF SNOHOMISH STATE OF WASHINGTON EASEMENT AREA TOTALS 2 169 6 SQUARE FEET

EXHIBIT B

