

NO EXCISE TAX
REQUIRED

MAR 10 1993

KIRKE SIEVERS, Snohomish County Treasurer
By KIRKE SIEVERS

EASEMENT

West Ave.

10-T

10' 9303110004
THIS AGREEMENT, made this 5th day of January
1993, by and between the City of Arlington, a municipal corporation of Snohomish
County, Washington, herein termed "Grantee", and John Henken
and Mona Henkel, hereinafter termed "Grantor".

WITNESSETH:

That the said Grantor, for valuable consideration, does by these presents grant, bargain, sell, convey, and confirm unto the Grantee a temporary construction easement for street improvements, sidewalk and necessary appurtenances through, over, and across the following described property situated in Snohomish County, Washington, more particularly described as follows:

The westerly 15 feet of the following described property:

Parcel A:

That portion of the SW 1/4 of the SE 1/4 of Section 2, Township 31 North, Range 5 East, W.M., described as follows:

Beginning at a point 210 feet north of the southwest corner of said subdivision;

Thence north 90 feet;

Thence east to west line of right-of-way of Northern Pacific Railway Company;

Thence south along the said right-of-way to a point due east of Point of Beginning;

Thence west to Point of Beginning;

Parcel B:

That portion of the SE 1/4 of the SW 1/4 of Section 2, Township 31 North, Range 5 East, W.M., described as follows:

Beginning at a point located 210 feet north of the southeast corner of said subdivision;

Thence north 90 feet;

Thence west to an intersection with the east line of West Street in the Town of Arlington;

Thence south along the east line of said street to a point west of the Point of Beginning;

Thence east to the Point of Beginning;

Parcel C:

Those portions of the SW 1/4 of the SE 1/4 and the SE 1/4 of the SW 1/4 both of Section 2, Township 31 North, Range 5 East, W.M., described as follows:

Beginning at a point 15 feet west of the southwest corner of said SW 1/4 of the SE 1/4;

Thence north 210 feet;

Thence east to west line of Northern Pacific Railway right-of-way;

Thence south along said right-of-way to a point due east of the True Point of Beginning;

Thence west to True Point of Beginning;

EXCEPT the south 16 feet thereof;

EXCEPT those portions conveyed to the City of Arlington under Recording Nos. 9008130208 and 9008130211;

Parcel E:

A portion of the SE 1/4 of the SW 1/4 of Section 2, Township 31 North, Range 5 East, W.M., more particularly described as follows:

Commencing at the southeast corner of the SE 1/4 of the SW 1/4 of said Section 2;

Thence N 00°00'00" E along the east line of said subdivision for a distance of 210.00 feet;

Thence N 90°00'00" W for a distance of 15.00 feet to the True Point of Beginning;

Thence continue N 90°00'00" W for a distance of 8.50 feet;

Thence S 04°07'43" E for a distance of 118.11 feet;

Thence N 00°00'00" W for a distance of 117.80 feet to the Point of Beginning;

Situate in the County of Snohomish, State of Washington.

Exceptions:

Rights as contained in Warranty Deed recorded May 28, 1971, under Auditor's File No. 2198622, as follows:

Right of the Town of Arlington to widen street as appears in Deed dated April 12, 1948, and recorded April 14, 1948, under Auditor's File No. 876448 in Volume ___ of Deeds at page 368. (affects Parcels A and B).

Reservation as contained in Warranty Deed recorded under Auditor's File No. 2198622, as follows:

Sellers reserve a perpetual non-exclusive easement for ingress and egress to the north over and upon that portion of the premises lying west of a lien beginning at point on the north line of said premises 130 feet west of the centerline of the Northern Pacific Railroad and running to the east boundary of West Avenue at an angle of 45° to the said north line. (affects Parcels A and B)

Agreement as contained in Warranty Deed recorded under Auditor's File No. 2198622, as follows:

Purchaser covenants not to erect any structure, sign or other fixture or improvement on said property west of the following described line:

Beginning at a point on the south line of the premises herein described 130 feet west of centerline of Northern Pacific Railroad tract;

Thence northeasterly to a point on the north boundary of the premises herein conveyed, 110 feet west of the centerline of said tract.

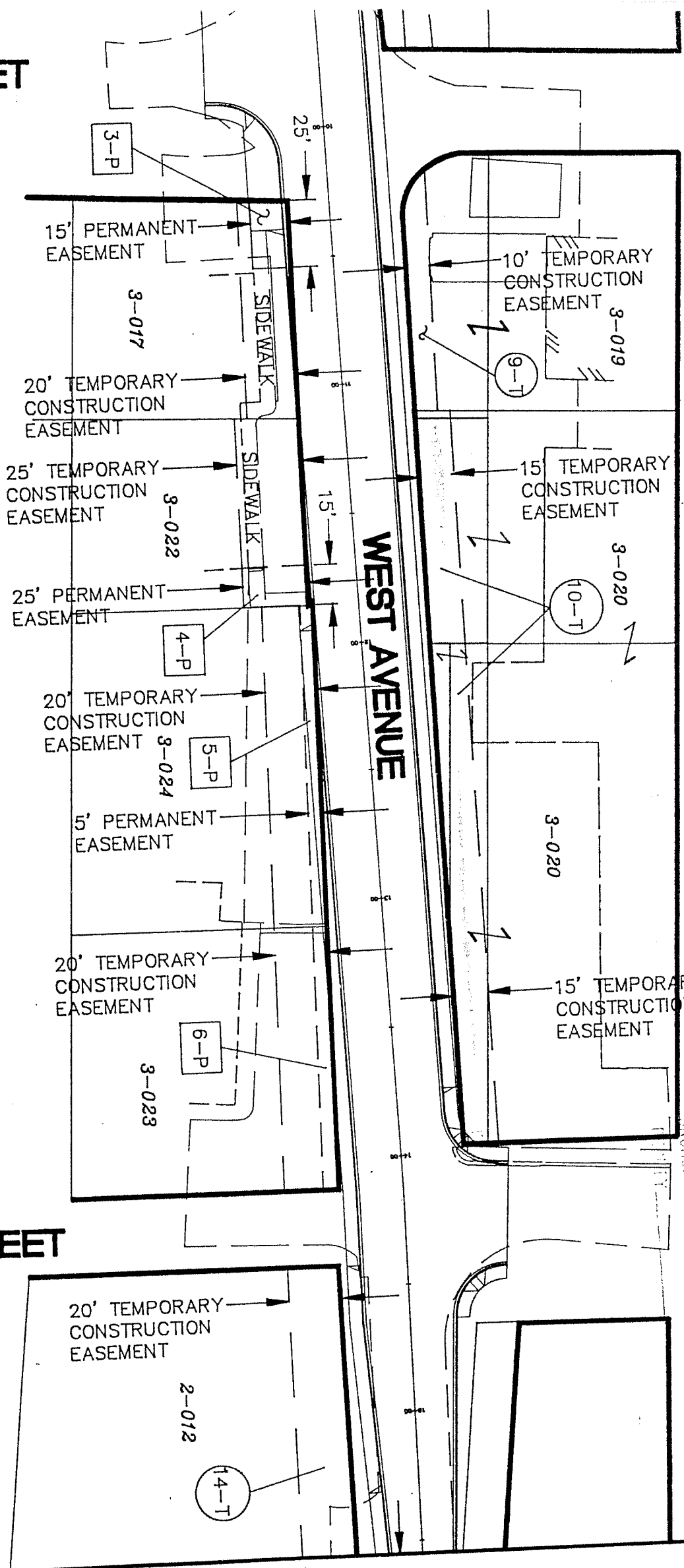
This covenant shall run with the land for the benefit of seller's property to the north of these premises, in perpetuity. (affects Parcels A and B).

9303110004

I STREET

RD STREET

I LINE



100' BURLINGTON NORTHERN RAILROAD R.O.W.

RECORDED

93 MAR 11 AM 9:00

DEAN J. HARTMAN, AUDITOR
SHERIFF, DISTRICT OF COLUMBIA, WASH. D.C.

George W. Walker

SEE SHEET 2

9303110004