

NO EXCISE TAX
REQUIRED

NOV 07 2001

BOB DANTINI, Snohomish County Assessor

By BOB DANTINI



200111070035

11/07/2001 09:44 AM Snohomish
P.0004 RECORDED County

200111070035

FILED FOR RECORD AT REQUEST OF

WHEN RECORDED RETURN TO
ABEYTA & ASSOCIATES
1001 Fourth Avenue Plaza, Suite 3200,
Seattle, WA 98154

EASEMENT

PNWT101048-1

IN THE MATTER OF

Project Name: 67TH AVE NE IMPROVEMENTS 176TH ST TO BNSF RR
Project No 36651-01
Parcel No 2231051001 310522-001-001-00
Section/Township/Range NE22 31N 05E
Tax Parcel No 2231051001 310522-001-001-00

Grantor NORTH AMERICAN PIPE AND STEEL INC, a Washington corporation
Grantee City of Arlington, a municipal corporation
Abbreviated Legal Description A PORTION OF THE NE QUARTER OF 22-31-5
Assessor's Tax Parcel ID No 2231051001 310522-001-001-00

THIS EASEMENT made this 17 day of MAY, 2001, by and between NORTH AMERICAN PIPE AND STEEL INC, a Washington corporation, (hereinafter "GRANTOR"), and the City of Arlington, a municipal corporation, (hereinafter "GRANTEE")

RECITALS

WHEREAS, the GRANTEE is desirous of acquiring certain rights and privileges over, under, across and upon said real property

NOW, THEREFORE, the GRANTOR, for and in consideration of the sum of TEN and No/100 (\$10.00) and other valuable consideration Dollars, receipt of which is hereby acknowledged, hereby conveys and grants to the GRANTEE, its successors and assigns, the perpetual right, privilege and authority to construct, alter, erect, improve, extend, repair, operate and maintain a slope, together with a right of access over, under, and across the easement area for construction, installation, repair and maintenance of said slope and general access for the purposes set forth herein to the GRANTEE's property, in and to the following described real estate and any after acquired interest therein, situated in City of Arlington, State of Washington, to the same extent and purpose as if the rights herein granted had been acquired under the Eminent Domain statute of the State of Washington

THAT PORTION OF THAT PARCEL AS DESCRIBED IN PARCEL "A" LYING WITHIN THE WEST 10 FEET OF THE EAST 40 FEET OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22 TOWNSHIP 31 NORTH RANGE 5 EAST W M IN SNOHOMISH COUNTY WASHINGTON TOGETHER WITH THAT PORTION OF THE NORTH 130 FEET OF THE SOUTH 510 FEET OF THAT PARCEL AS DESCRIBED IN PARCEL "A" LYING WITHIN THE WEST 10 FEET OF THE EAST 50 OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF TOWNSHIP 31 NORTH, RANGE 5 EAST, W M, IN SNOHOMISH COUNTY, WASHINGTON

PARCEL "A"

THE NORTH 743 FEET OF THAT PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, LYING EAST OF THE NORTHERN PACIFIC RIGHT OF WAY AND WEST OF THE WEST LINE OF THE COUNTY ROAD, ALL IN SECTION 22, TOWNSHIP 31 NORTH, RANGE 5 EAST, W M IN SNOHOMISH COUNTY, WASHINGTON, EXCEPT FROM THE ABOVE DESCRIBED TRACT, ANY PORTION THEREOF LYING WITHIN THE SOUTH 580 FEET OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 31 NORTH, RANGE 5 EAST, W M IN SNOHOMISH COUNTY, WASHINGTON

The easement rights granted herein include the right of ingress to and egress from said lands and across adjacent lands of the GRANTOR for the purpose of construction, reconstruction, repairing, renewing, altering, and changing slope and improvements

The GRANTOR and their heirs, successors and assigns, hereby covenant and agree not to obstruct or unreasonably restrict the GRANTEE's easement rights or the improvements constructed in or on said easement

The rights, title, privileges and authority hereby granted shall continue to be in full force until such time as the GRANTEE, its successors or assigns, shall permanently remove or abandon the slope and improvements

It is understood and agreed that, in the event the GRANTOR, its successors or assigns shall excavate and/or place an embankment upon the area covered by this slope easement to the level grade of the above road abutting thereon, all rights of the GRANTEE herein shall cease and terminate

The GRANTEE covenants to hold GRANTOR harmless from any damage caused by the construction, repair or maintenance of the slope installed on GRANTOR's property pursuant to this easement and, further, covenants to repair any damage that is done to GRANTOR's property by such installation, repair or maintenance

This easement shall touch, concern and run with the land and insure to be the benefits of the successors and assigns of the GRANTEE, as well as being binding upon the successors and assigns of the GRANTOR

It is understood and agreed that the delivery of this Easement is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Arlington, State of Washington, unless and until accepted and approved hereon in writing by the City of Arlington Director of Public Works or City Engineer

The covenants shall run with the land and bind the GRANTOR and GRANTOR's heirs, successors and assigns

DATED this 17 day of May, 2001

D. O. Miller
NORTH AMERICAN PIPE AND STEEL, INC (GRANTOR)
By D. O. Miller
It's Controller

Parcel No 2231051001
Easement
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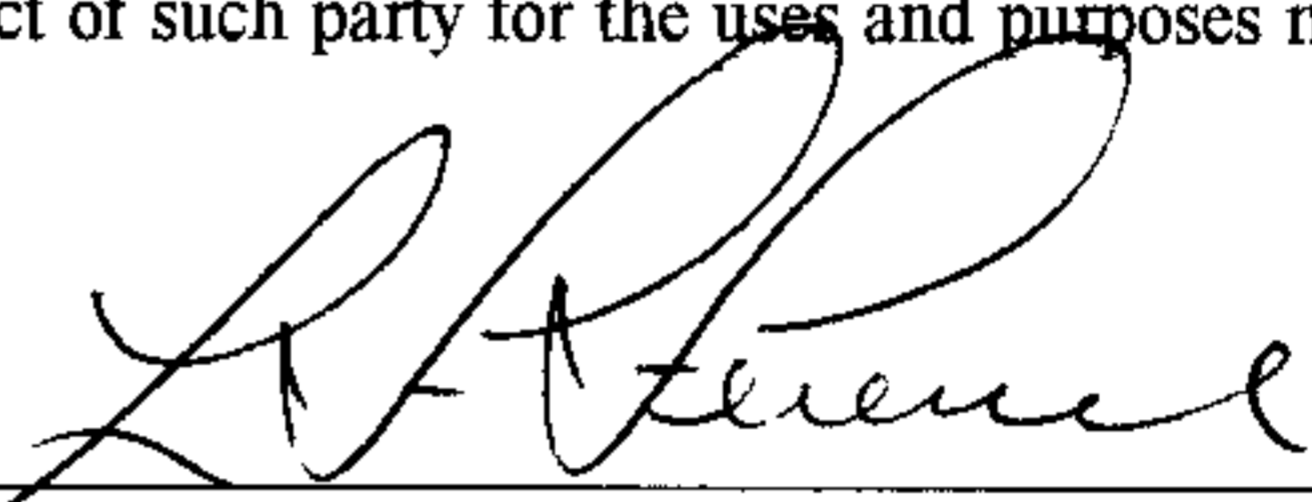
CANADA
PROVINCE OF B.C.
CITY OF BURNABY

SS

I certify that I know or have satisfactory evidence that DWAINE ODINSON is/are the person(s) who appeared before me, and said person(s) acknowledged that he/she/they signed this instrument, on oath stated that he is/she is/they are authorized to execute the instrument and acknowledged it as the CONTROLLER of NORTH AMERICAN PIPE AND STEEL INC to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument

DATED

MAY 17/07



Name (typed or printed)

NOTARY PUBLIC in and for the Province B.C. of Canada
Residing at LARRY FERENCE

Notary Public

My appointment expires 140 - 3365 North Road, Burnaby,

B.C. V3J 7T9 444-4566

Permanent Commission



Parcel No. 2231051001

Easement

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UNAPPROVED

EASEMENT
FROM

Nestor L. Lopez & Sons

TO
CITY OF ARLINGTON

Dated May 17, 2001

FILE FOR RECORD AT REQUEST OF
Department of public works

Dir of PUBLIC WORKS APPROVAL

Approval Rec'd

[Signature]
City Engineer

Checked by

[Signature]