

200204100005



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04/10/2002 09:28 AM Snohomish
P.0004 RECORDED County

NO EXCISE TAX
REQUIRED

APR 09 2002

BOB DANTINI, Snohomish County Treasurer

By BOB DANTINI

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

EASEMENT

IN THE MATTER OF Project Name: 67TH AVE NE IMPROVEMENTS SR 531 TO 204TH ST NE
Project No 36651-01
Parcel No TRACT L, M, N and O
Section/Township/Range: SEC 23; TWP 31 N, RNG 5 E, W M

Grantor HIGHLAND VIEW ESTATES HOMEOWNERS' ASSOCIATION
Grantee CITY OF ARLINGTON, a municipal corporation
Abbreviated Legal Description W 1/2 SW 1/4 23-31-05
Assessor's Tax Parcel ID No N/A

KNOW ALL MEN BY THESE PRESENTS, that the HIGHLAND VIEW ESTATES HOMEOWNERS' ASSOCIATION, a Washington Non Profit corporation, for good and valuable consideration and under threat of condemnation, hereby grant unto the CITY OF ARLINGTON, a Municipal Corporation of the State of Washington, referred to herein as the City, an easement over, along and across the full width and length of the premises described as follows

TRACTS L, M, N, AND TRACT O, OF THE PLAT OF THE HIGHLAND VIEW ESTATES, AS RECORDED UNDER RECORDING NUMBER 9707175004 THAT PLAT BEING A PORTION OF THE EAST 1/2 OF THE SE 1/4 OF SECTION 22, TWP 31 N, RNG 5 E, AND A PORTION OF THE WEST 1/2 OF THE SW 1/4 OF SECTION 23, TWP 31 N, RNG 5 E, W M OF SNOHOMISH COUNTY, WASHINGTON

With right, privilege and authority, to said City, to construct, or cause to construct, maintain, replace, reconstruct, and remove all cut and fill slopes, with all appurtenances incident thereto or necessary therewith, in and across the said premises, for the purpose of constructing or cause to construct, and removal of all utilities, including, but not limited to street and sidewalk facilities, sanitary sewage facilities, storm drainage facilities, power transmission facilities, telephone communication facilities, cable television facilities, and any other utilities without limitation, with all appurtenances incident thereto and necessary therewith, in the City right-of-way; and the right of ingress and egress to and over said premises at any and all times for the purpose of doing anything necessary of useful or convenient for the enjoyment of the easement hereby granted, and the right of conveyance of said easement and privileges.

THERE IS RESERVED TO THE GRANTOR, his heirs and assigns, the right and privilege to use the above described land of the grantor, at any time, in any manner and for any purpose not inconsistent with the full use and enjoyment by the city, its successors and assigns, of the rights and privileges herein granted. The city is responsible for operating and maintaining the above-described works of improvement.

THE GRANTOR SHALL refrain from constructing or placing any building or improvements, including paving material, and fencing upon the above-described premises. The city shall under no circumstances be held responsible for the restoration of any existing buildings or improvements upon the above-described premises, if said improvements are in any way disturbed during the exercise of the above-described easements privileges.

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 22 of March 2002

Grantor HIGHLAND VIEW ESTATES HOMEOWNERS' ASSOCIATION

By: Dennis M. Jackson
It's President

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DUPLICATE

Richard Friedberg
By RICHARD FRIEDBERG
It's Vice-President
Leslie Rivers
By Leslie Rivers
It's Secretary
Leslie Rivers
By Leslie Rivers
It's Treasurer



STATE OF WASHINGTON }
County of Snohomish } SS

I certify that I know or have satisfactory evidence that Dennis Jackson 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 President of Highlandview H.O.A. to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument

DATED March 22, 2002

Linda Friddle
(Signature)
Name (typed or printed) Linda Friddle
NOTARY PUBLIC in and for the State of Washington
Residing at Darrington
My appointment expires 12/7/03



STATE OF WASHINGTON }
County of Snohomish } SS

I certify that I know or have satisfactory evidence that Richard Friedberg 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 Vice Pres of Highview H.O.A. to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument

DATED March 22, 2002

Linda Friddle
(Signature)

200204100005

DUPLICATE

Name (typed or printed) Linda Fridde
NOTARY PUBLIC in and for the State of Washington
Residing at Darrington
My appointment expires 12/7/03

STATE OF WASHINGTON }
County of Snohomish } SS

I certify that I know or have satisfactory evidence that Leslie Rivers 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 Sec/Treas of Highlandview H.O.A. to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument

DATED March 22, 2002



Linda Fridde
(Signature)
Name (typed or printed) Linda Fridde
NOTARY PUBLIC in and for the State of Washington
Residing at Darrington
My appointment expires 12/7/03

STATE OF WASHINGTON }
County of Snohomish } SS

I certify that I know or have satisfactory evidence that _____ 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 _____ of _____ to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument

DATED _____

(Signature)
Name (typed or printed) _____
NOTARY PUBLIC in and for the State of Washington
Residing at _____
My appointment expires _____

Approved as to Form

Paul Richart
Paul Richart, City Engineer
3/22/02
Date

200204100005