



200810200264 2 PGS  
 10/20/2008 10:35am \$43.00  
 SNOHOMISH COUNTY, WASHINGTON

When Recorded Please Return To:

BAILEY, DUSKIN, PEIFFLE, & CANFIELD P.S.  
 P.O. BOX 188  
 ARLINGTON, WA 98223

Our File No: 27-103

**NO EXCISE TAX  
 REQUIRED**

**OCT 17 2008**

KIRKE SIEVERS, Snohomish County Treasurer

By KIRKE SIEVERS

<p><b>Document Title(s)</b> (or transactions contained therein):          ACKNOWLEDGEMENT OF PRESCRIPTIVE EASEMENT</p>
<p><b>Grantor(s)</b> (Last name first, then first name and initials)          HCI STEEL PRODUCTS, INC.</p>
<p><b>Grantee(s)</b> (Last name first, then first name and initials)          CITY OF ARLINGTON</p>
<p><b>Legal Description</b> (abbreviated i.e. lot, block, plat or section, township, range, qtr./qtr.)          SEC 22 TWP 31 RGE 05 RT-IC(S 400 FT OF NE 1/4 NE-1/4 LY E OF NP, R/W EXC CO RDS,          EXCEPT that portion thereof conveyed to the County of Snohomish by QCD rec under AFN 784177,          EXCEPT 67th Ave NE,          EXCEPT easement recorded under Snohomish County AFN 7911010274</p>
<p><b>Reference Number(s)</b> of Documents assigned or released:</p>
<p><b>Assessor's Property Tax Parcel/Account Number</b>          31052200102000</p>
<p>The Auditor/Recorder will rely on the information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information</p>

ACKNOWLEDGEMENT OF PRESCRIPTIVE EASEMENT

COMES NOW HCI STEEL PRODUCTS, INC., (hereinafter referred to as "HCI") and makes the following acknowledgements:

1. HCI owns real property located at 18520 67th Avenue Northeast, Arlington, Washington 98223, Snohomish County Auditor's Tax Id. No. 223105-1-02-008.

2. There is an existing culvert running under the above-described real property from 67th Avenue Northeast to the Burlington Northern Rail Road right-of-way which culvert has been in existence for in excess of 10 years and has drained surface water naturally flowing to the property prior to any change in topography and drainage of uphill property.

3. Because the above-described culvert in its current location would lie under the foundation of a new proposed building on the above-described property, HCI has agreed to relocate the culvert to another location on the same property and to replace the pipe with a new corrugated steel pipe of the same dimensions.

4. To the extent there exists a prescriptive right to drain surface water which naturally flows to the HCI property through the existing culvert on the HCI property, said right shall be preserved through the relocated culvert to the same extent as if the culvert had not been relocated.

5. Further, HCI hereby grants the City of Arlington, its agents, successors and/or assigns the right, and the City of Arlington accepts the responsibility to maintain the relocated culvert on HCI's property and for that purpose, HCI grants the City of Arlington a right of access to maintain said culvert, said rights and responsibilities being subject to the responsibility of the City of Arlington to refrain from damaging HCI's property and the responsibility to restore HCI's property to the condition it was in prior to the City undertaking any maintenance work on said drainage culvert.

DATE: 9-26-95

HCI STEEL PRODUCTS, INC.

By [Signature]  
Its Vice President

DATE: 9/22/95

CITY OF ARLINGTON

By [Signature]  
Its Mayor