

**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



201803090559 7 PCS
03/09/2018 2 23pm \$80.00
SNOHOMISH COUNTY, WASHINGTON

WATER LINE EASEMENT

CHICAGO
500068916-3
7/180-

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 PTID of SEA SW1/4 and SW1/4 SEA 11-31N-5E,
Snohomish County, WA*
ASSESSOR'S TAX #: 31051100304100
REFERENCE #:

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 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 utilities and the right, privilege and authority to construct, alter, improve, repair, operate and maintain a water lines, pipes, and appurtenances, over, under and across 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 constructing, reconstructing, repairing, renewing, altering, changing, patrolling, and operating the said lines and appurtenances, and the right at any time to remove said lines and appurtenances from said lands

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

EXHIBIT A

EASEMENT AREA

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, 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 10 00 FEET IN WIDTH, CENTERED ON THE FOLLOWING DESCRIBED CENTERLINE

COMMENCING AT THE MOST SOUTHWESTERLY CORNER OF TRACT C CITY OF ARLINGTON NO 2013-58, AS RECORDED UNDER AUDITOR'S FILE NO 201402215006 AND A POINT ALONG THE NORTHERLY RIGHT-OF-WAY OF 204TH STREET NE, THENCE N 89° 06' 06" E ALONG THE SOUTHERLY LOT LINE FOR A DISTANCE OF 148 40 FEET TO THE POINT OF BEGINNING,

THENCE N 39° 06' 06" E A DISTANCE OF 44 93 FEET,

THENCE N 89° 06' 06" E A DISTANCE OF 30 00 FEET,

ADDITIONALLY, A STRIP OF LAND LYING 10 00 FEET IN WIDTH, CENTERED ON THE FOLLOWING DESCRIBED CENTERLINE

COMMENCING AT THE MOST SOUTHWESTERLY CORNER OF TRACT C CITY OF ARLINGTON NO 2013-58, AS RECORDED UNDER AUDITOR'S FILE NO 201402215006 AND A POINT ALONG THE NORTHERLY RIGHT-OF-WAY OF 204TH STREET NE, THENCE N 89° 06' 06" E ALONG THE SOUTHERLY LOT LINE FOR A DISTANCE OF 207 28 FEET TO THE POINT OF BEGINNING,

THENCE N 00° 53' 54" W A DISTANCE OF 198 25 FEET,

THENCE N 03° 21' 04" E A DISTANCE OF 33 92 FEET,

ADDITIONALLY, A STRIP OF LAND LYING 10 00 FEET IN WIDTH, CENTERED ON THE FOLLOWING DESCRIBED CENTERLINE

COMMENCING AT THE 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 SAID LINE A DISTANCE OF 34 10 FEET, THENCE N 89° 06' 06" E AT DISTANCE OF 5 00 FEET TO THE POINT OF BEGINNING,

THENCE N 00° 53' 54" W FOR A DISTANCE OF 13 60 FEET,

THENCE N 89° 06' 06" E FOR A DISTANCE OF 226 64 FEET,

COMMENCING AT THE MOST SOUTHWESTERLY CORNER OF TRACT C CITY OF ARLINGTON NO 2013-58, AS RECORDED UNDER AUDITOR'S FILE NO 201402215006 AND A POINT ALONG THE NORTHERLY RIGHT-OF-WAY OF 204TH STREET NE, THENCE N 89° 06' 06" E ALONG THE SOUTHERLY LOT LINE FOR A DISTANCE OF 22 11 FEET TO THE POINT OF BEGINNING,

THENCE N 00° 53' 54" W A DISTANCE OF 13 00 FEET,

SITUATE IN THE CITY OF ARLINGTON, COUNTY OF SNOHOMISH, STATE OF WASHINGTON EASEMENT AREA TOTALS 5,902 00 SQUARE FEET

