



Puget Sound Energy
6522 Kitsap Way
Bremerton, WA 98312
PSE.com

January 8, 2018

Team 4 Engineering
Attn: Berni Kenworthy
5819 NE Minder Road
Poulsbo, WA 98370
berni@team4eng.com

Easement on Parcels 102601-4-022-2009 & 112601-3-021-2001 – Vetter Road
Our File No. RW-100891

Dear Berni:

I believe that I have this one figured out and have attached an easement on the above parcels that will cover Vetter road when the City of Poulsbo vacates the road and it attaches to the adjoining parcels. The easement will cover the current overhead facilities and the future underground facilities.

If this easement is acceptable to you, please have the person who has signing authority sign the easement form before a notary public and return the completed easement form to my office: **Puget Sound Energy, Attn: Kitty Ogg, ROW, 6522 Kitsap Way, Bremerton, WA 98312.**

If you have any questions concerning this easement, please contact me at 360-475-7068 or cell 360-908-6006 or email kitty.ogg@pse.com.

Sincerely,

A handwritten signature in blue ink that reads "Kitty J. Ogg". The signature is stylized with a large, looping "K" and a cursive "Ogg".

Kitty J. Ogg, SR/WA
Sr. Real Estate Representative

Enclosure

RETURN ADDRESS:

Puget Sound Energy, Inc.
Attn: ROW Department
6522 Kitsap Way
Bremerton, WA 98312
KO



EASEMENT

REFERENCE #:

GRANTOR (Owner): **EDWARD ROSE MILLENNIAL DEVELOPMENT LLC**
GRANTEE (PSE): **PUGET SOUND ENERGY, INC.**
SHORT LEGAL: **NE-SE-10-26N-01E & NW-SW-11-26N-01E**
ASSESSOR'S PROPERTY TAX PARCEL: **102601-4-022-2009 & 112601-3-021-2001**

For and in consideration of one dollar (\$1.00) and other valuable consideration in hand paid, the receipt and sufficiency of which are acknowledged, **EDWARD ROSE MILLENNIAL DEVELOPMENT LLC**, a Michigan limited liability company, ("Owner" herein), hereby grants and conveys to **PUGET SOUND ENERGY, INC.**, a Washington corporation ("PSE" herein), insofar as owner has rights or title, or any hereafter acquired rights or title, for the purposes described below, a nonexclusive perpetual easement over, under, along, across and through the following described real property (the "Property" herein) in **KITSAP** County, Washington:

PARCEL I – 102601-4-022-2009 – THAT PORTION OF THE FOLLOWING DESCRIBED TRACT LYING NORTHEASTERLY OF SECONDARY STATE HIGHWAY NO. 21-A (POULSBO VICINITY), SAID TRACT BEING PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SECTION 10, TOWNSHIP 26 NORTH, RANGE 1 EAST, W.M., IN KITSAP COUNTY, WASHINGTON; THENCE WEST ALONG THE SECTION LINE 379.50 FEET; THENCE NORTH 237.0 FEET; THENCE NORTH 28*16' EAST 105.6 FEET; THENCE NORTH 933.7 FEET; THENCE EAST 150.00 FEET; THENCE NORTH 641.3 FEET; THENCE EAST 180.00 FEET, MORE OR LESS, TO THE SECTION LINE COMMON TO SECTIONS 10 AND 11; THENCE SOUTH ALONG SECTION LINE A DISTANCE OF 1905.00 FEET TO POINT OF BEGINNING; EXCEPT PORTION THEREOF, IF ANY, CONVEYED TO JOHN ANDERSON AND EDITH ANDERSON BY DEED RECORDED UNDER AUDITOR'S FILE NO. 422440, RECORDS OF KITSAP COUNTY. AND THAT PORTION OF THE FOLLOWING DESCRIBED TRACT LYING NORTHEASTERLY OF SECONDARY STATE HIGHWAY NO. 21-A (POULSBO VICINITY), SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SECTION 11, TOWNSHIP 26 NORTH, RANGE 1 EAST, W.M., IN KITSAP COUNTY, WASHINGTON; THENCE EAST ALONG SECTION LINE A DISTANCE OF 168.5 FEET; THENCE NORTH 5*09' WEST 93.7 FEET; THENCE NORTH 76*11' EAST 160.00 FEET; THENCE NORTH 23*35' WEST 341.9 FEET; THENCE NORTH 68*26 1/2' EAST 182.6 FEET TO THE WEST MARGIN OF VETTER ROAD, THENCE NORTH 7*19' WEST ALONG THE WEST MARGIN OF VETTER ROAD A DISTANCE OF 1404.5 FEET; THENCE WEST 170.0 FEET, MORE OR LESS, TO THE SECTION LINE COMMON TO SECTIONS 10 AND 11; THENCE SOUTH ALONG SECTION LINE 1905.0 FEET TO POINT OF BEGINNING.

PARCEL II – 112601-3-021-2001 – A PORTION OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 26 NORTH, RANGE 1 EAST, W.M., IN KITSAP COUNTY,

WASHINGTON, DEWScribed AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF THE SOUTHWEST QUARTER 556.8 FEET, EAST OF THE SOUTHWEST CORNER THEREOF; THENCE NORTH 23*10' WEST 556.8 FEET; THENCE NORTH 7*19' WEST AO A POINT 360 FEET SOUTH OF THE NORTH LINE OF SAID SOUTHWEST QUARTER; THENCE EAST TO THE EAST LINE OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE SOUTH 960 FEET; THENCE EAST 165 FEET; THENCE SOUTH 1320 FEET TO THE SOUTH LINE OF THE SOUTHWEST QUARTER; THENCE WEST ALONG THE SOUTH LINE TO POINT OF BEGINNING; EXCEPT VETTER ROAD; EXCEPT STATE HIGHWAY 21-A; AND EXCEPT THAT PORTION OF THE ABOVE DESCRIBED PROPERTY LYING SOUTHER OF STATE HIGHWAY 21-A.

Except as may be otherwise set forth herein PSE's rights shall be exercised upon that portion of the Property ("Easement Area" herein) described as follows:

AN EASEMENT AREA TEN (10) FEET IN WIDTH HAVING FIVE (5) FEET OF SUCH WIDTH ON EACH SIDE OF A CENTERLINE DESCRIBED AS FOLLOWS:

THE CENTERLINE OF PSE'S FACILITIES AS NOW CONSTRUCTED, TO BE CONSTRUCTED, EXTENDED OR RELOCATED LYING WITHIN THE ABOVE DESCRIBED PROPERTY.

1. Purpose. PSE shall have the right to use the Easement Area to construct, operate, maintain, repair, replace, improve, remove, upgrade and extend one or more utility systems for purposes of distribution and sale of electricity. Such systems may include, but are not limited to:

a. Overhead facilities. Poles and other support structures with crossarms, braces, guys and anchors; electric distribution lines; fiber optic cable and other lines, cables and facilities for communications; transformers, street lights, meters, fixtures, attachments and any and all other facilities or appurtenances necessary or convenient to any or all of the foregoing; and

b. Underground facilities. Conduits, lines, cables, vaults, switches and transformers for electricity; fiber optic cable and other lines, cables and facilities for communications; semi-buried or ground-mounted facilities and pads, manholes, meters, fixtures, attachments and any and all other facilities or appurtenances necessary or convenient to any or all of the foregoing.

Following the initial construction of all or a portion of its systems, PSE may, from time to time, construct such additional facilities as it may require for such systems. PSE shall have the right of access to the Easement Area over and across the Property to enable PSE to exercise its rights granted in this easement.

2. Easement Area Clearing and Maintenance. PSE shall have the right, but not the obligation to cut, remove and dispose of any and all brush, trees or other vegetation in the Easement Area. PSE shall also have the right, but not the obligation, to control, on a continuing basis and by any prudent and reasonable means, the establishment and growth of brush, trees or other vegetation in the Easement Area.

3. Trees Outside Easement Area. PSE shall have the right to cut, trim remove and dispose of any trees located on the Property outside the Easement Area that could, in PSE's sole judgment, interfere with or create a hazard to PSE's systems. PSE shall, except in the event of an emergency, prior to the exercise of such right, identify such trees and make a reasonable effort to give Owner prior notice that such trees will be cut, trimmed, removed or disposed. Owner shall be entitled to compensation for the actual market value of merchantable timber (if any) cut and removed from the Property by PSE.

4. Restoration. Following initial installation, repair or extension of its facilities, PSE shall, to the extent reasonably practicable, restore landscaping and surfaces and portions of the Property affected by PSE's work to the condition existing immediately prior to such work. PSE shall use good faith efforts to perform its restoration obligations under this paragraph as soon as reasonably possible after the completion of PSE's work.

5. Owner's Use of Easement Area. Owner reserves the right to use the Easement Area for any purpose not inconsistent with the rights herein granted, provided, however, Owner shall not excavate within or otherwise change the grade of the Easement Area or construct or maintain any buildings or structures on the Easement Area and Owner shall do no blasting within 300 feet of PSE's facilities without PSE's prior written consent.

RW-100891 EDWARD ROSE MILLENNIAL DEVELOPMENT LLC

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When Recorded Return To:

City of Poulsbo
200 NE Moe Street
Poulsbo, WA 98370

WARRANTY DEED
(Mutual Benefits Right-of-Way Deed)

Reference Numbers of Documents Assigned or Released: N/A
Grantor(s): (1) Edward Rose Millennial Development, L.L.C.
Grantee(s): (1) City of Poulsbo
Legal Description (abbreviated): A portion of Section 11, T 26North, Range 1 E
additional legal(s) on page: 3
Assessor's Tax Parcel ID#: 102601-4-022-2009

RIGHT OF WAY DEED-STREET known as Vetter Road

KNOW ALL PERSONS BY THESE PRESENTS that the grantors, Edward Rose Millennial Development, L.L.C., for and in consideration of the mutual benefits to be derived and other valuable consideration, the receipt and adequacy of which are acknowledged, conveys and warrants to the City of Poulsbo the following described real estate situated in the County of Kitsap, State of Washington:

AS LEGALLY DESCRIBED ON PAGE 3

The Grantors hereby agree and consent to the establishment of said street as surveyed and of record in the Poulsbo City Engineer's Office and to the perpetual maintenance of the same as a City Street and waive all claim for damages of whatever kind which may be occasioned to adjacent land by the location, establishment, construction, drainage and maintenance of said street; and agree and consent to the right of the City to make all necessary slopes for cuts and fills whenever they extend beyond the right-of-way line, upon the above-mentioned street, all in conformity with standard practices of highway construction, and to the same extent and purpose as if the rights herein granted had been acquired by condemnation proceedings under Eminent Domain Statutes of the State of Washington.

These covenants shall run with the land and be binding upon the grantor the grantor's successors or assigns.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 20_____.

Grantor (Printed Name)

ACKNOWLEDGMENT

STATE OF WASHINGTON)
) ss.
COUNTY OF _____)

I, _____, a Notary Public in and for the State of
Washington, do hereby certify that on this _____ day of _____
20_____, personally appeared before me _____

to me known to be the individual(s) described in and who executed the within instrument and acknowledged that they signed the same as their free and voluntary act and deed for the purpose therein mentioned.

Dated: _____

Signature

Print Name _____

NOTARY PUBLIC, in and for
the State of: _____

Residing at:

My appointment expires:

NOTARY SEAL WITH INK STAMP ONLY

City Acceptance By: _____
(Signature / Print Name)

(Title / Date)

LEGAL DESCRIPTION
RIGHT-OF-WAY DEED

That portion of the west half of the southwest quarter of Section 11, Township 26 North, Range 1 East, W.M., in Kitsap County, Washington, lying northerly of the State Route 305 right-of-way described as follows:

Commencing at the southwest corner of said section, thence with the line common to sections 10 and 11, North 2°07'33" East 1903.91 feet, thence South 88°39'57" East 217.15 feet, more or less, to the east margin of Vetter Road; thence South 7°22'25" East along said margin 16.21 feet; thence leaving said easterly margin South 82°37'35" West a distance of 60 feet to the westerly margin of Vetter Road and the Point of Beginning, thence, leaving said westerly margin, along a 470.00 foot radius curve to the right, the center of which bears South 82°37'35" West, having a central angle of 8°22'38" and an arc length of 68.72 feet to a point of tangency; thence South 1°00'13" West a distance of 189.74 feet to a point of curve; thence along a 530.00 foot radius curve to the left, having a central angle of 4°02'01" and an arc length of 37.31 feet; thence South 3°01'47" East 233.24 feet; to a point of curve; thence along a 170.00 foot radius curve to the right, having a central angle of 54°55'41" and an arc length of 162.98 feet; thence South 51°53'54" West 65.60 feet; to a point of curve; thence along a 50.00 foot radius curve to the right, having a central angle of 88°28'16" and an arc length of 77.21 feet more or less to the northerly margin of State Route 305; thence with said northerly margin South 39°37'49" East 160.06 feet to a point of curvature; thence leaving said northerly margin, along a 50.00 foot radius curve to the right, the center of which bears North 50°22'11" East, having a central angle of 91°31'44" and an arc length of 79.87 feet; thence North 51°53'54" East 61.33 feet; to a point of curve; thence along a 230.00 foot radius curve to the left, having a central angle of 46°07'18" and an arc length of 185.14 feet to the westerly margin of Vetter road; thence with said westerly margin North 7°22'25" West 565.28 feet to the point of beginning.



7/31/17

