

WHEN RECORDED RETURN TO:

Department of Natural Resources
Asset management & Protection Division
Special Lands Acquisition
PO Box 47014
Olympia, WA 98504-7014



200606090164

Skagit County Auditor

6/9/2006 Page 1 of 6 3:47PM

Chicago Title Insurance Company

425 Commercial Street - Mount Vernon, Washington 98273 IC29617/IMV1326

DOCUMENT TITLE(s):

1. DEED OF RIGHT TO USE LAND FOR NATURAL RESOURCES
CONSERVATION AREA PURPOSES

REFERENCE NUMBER(s) OF DOCUMENTS ASSIGNED OR RELEASED:

Additional numbers on page _____ of the document

GRANTOR(s):

1. STATE OF WASHINGTON, ACTING BY AND THROUGH THE
DEPARTMENT OF NATURAL RESOURCES

Additional names on page _____ of the document

GRANTEE(s):

1. STATE OF WASHINGTON

Additional names on page _____ of the document

ABBREVIATED LEGAL DESCRIPTION:

PTN. SEC. 4, T35N, R01E, W.M., SKAGIT COUNTY

Complete legal description is on pages 4 & 5 of the document

ASSESSOR'S PROPERTY TAX PARCEL ACCOUNT NUMBER(s):

P112808, P31231, P31228, P31208, Ptn. P31225

2875
SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax

JUN 09 2006

Amount Paid to
Skagit County Treasurer
by: Deputy

This cover sheet is for the County Recorder's indexing purposes only.
The Recorder will rely on the information provided on the form and will not read the document to
verify the accuracy or completeness of the indexing information provided herein.

Upon Recording Return To:

Department of Natural Resources
Asset Management & Protection Division
Special Lands Acquisition
PO Box 47014
Olympia, WA 98504-7014

**DEED OF RIGHT TO USE LAND FOR
NATURAL RESOURCES CONSERVATION AREA PURPOSES**

Cypress Island Natural Resources Conservation Area – Secret Harbor #4 Phase 1 Acquisition

Grantor: State of Washington, acting by and through the Department of Natural Resources
Grantee: State of Washington
Legal Description: Ptn. Sec. 4, T35N, R01E, W.M., Skagit County
Parcel ID Numbers: P112808, P31231, P31228, P31208 and Ptn. of P31225

The Grantor, State of Washington, acting by and through the Department of Natural Resources, for and in consideration of monies coming in whole from the Habitat Conservation Account of the General Fund of the State of Washington and in fulfillment of terms of the Project Agreement identified below, conveys and grants to the State of Washington individually and as the representative of all the people of the State, the right to use the real property described below forever for the natural resources conservation area purposes described in RCW Chapter 79A.15 and managed in accordance with RCW Chapter 79.71. This dedication is in compliance with the Project Agreements entered into between the Grantor and the State of Washington through the Interagency Committee for Outdoor Recreation entitled Cypress Island Natural Area, Project Number 00-1419A, signed by the Grantor on the 6th day of August, 2001, and by the Interagency Committee for Outdoor Recreation on the 24th day of July, 2001, and Project Number 04-1330A, signed by the Grantor on the 27th day of July, 2005, and by the Interagency Committee for Outdoor Recreation on the 19th day of July, 2005, the application and supporting materials which are on file with the Grantor and the State in connection with these Project Agreements.

The Grantor will not make or permit to be made any use of the real property described in this deed, or any part of it, which is inconsistent with the right to use for natural resources conservation area purposes herein granted unless the State, through the Interagency Committee for Outdoor Recreation or its successors, consents to the inconsistent use, which consent shall be granted only upon conditions which will ensure that other natural resources conservation area land of at least equal fair market value at the time of change of use and of as nearly as feasible equivalent qualities, characteristics and location for natural resources conservation area purposes



**Deed of Right to Use Land For
Natural Resources Conservation Area Purposes**

for which State assistance was originally granted, will be substituted in the manner provided in RCW 79A.25.100 for marine recreation land, whether or not the real property covered by this deed is marine recreation land.

RCW 79A.25.100 reads as follows:

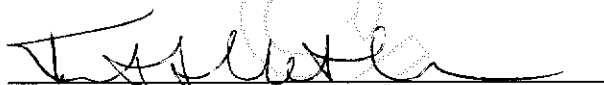
Marine recreation land with respect to which money has been expended under RCW 43.99.080 (recodified as RCW 79A.25.080) shall not, without the approval of the committee, be converted to uses other than those for which such expenditure was originally approved. The committee shall only approve any such conversion upon conditions which will assure the substitution of other marine recreation land of at least equal fair market value at the time of conversion and of as nearly as feasible equivalent usefulness and location.

The certain real property covered by this deed is located in Skagit County, Washington, the legal description of which is set forth on Exhibit A, attached hereto and incorporated by this reference herein.

This deed shall in no way modify or extinguish the functions of the Grantor under the Project Agreements, including the Grantor's functions to operate and maintain the land for natural resources conservation area purposes.

STATE OF WASHINGTON
DEPARTMENT OF NATURAL RESOURCES

Dated: 5 June, 2006



Kit A. Metlen, Manager
Asset Management and Protection Division

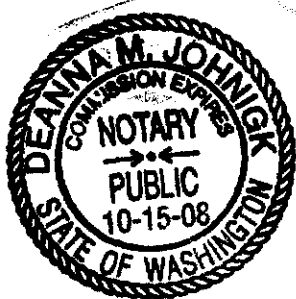
Standard Deed of Right
Approved as to Form in March, 2000
by the Interagency Committee for Outdoor Recreation
Acquisition Projects: Policies
IAC Manual #3



STATE OF WASHINGTON)
)ss
COUNTY OF THURSTON)

On this 5th day of June, 2006, personally appeared before me
KIT A. METLEN, to me known to be the Asset Management and Protection Division Manager
of the Department of Natural Resources, State of Washington, who executed the within and
instrument on behalf of the State of Washington, and acknowledged said instrument to be the
free and voluntary act and deed of the State of Washington for the uses and purposes therein
mentioned, and on oath stated that he was authorized to execute said instrument and that the seal
affixed is the official seal of a Washington State Notary.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above
written.



Deanna M. Johnick
Notary Public in and for the State of Washington,
residing at 70100, Lewis County.
My appointment expires 10-15-08.



**DEPARTMENT OF NATURAL RESOURCES
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NATURAL RESOURCES CONSERVATION AREA PURPOSES**

Cypress Island Natural Resources Conservation Area – Secret Harbor #4 Phase 1 Acquisition

EXHIBIT A

PARCEL A-1

The NW1/4 of the SW1/4, the W1/2 of the NE1/4 of the SW1/4, Government Lot 10, and the west 21.29 acres of Government Lot 9, said west 21.29 acres being as monumented and shown on that survey recorded June, 1997 in Book 19 of Surveys at Page 127 under Auditor's File No. 9706100063, Skagit County Records, all in Section 4, Township 35 North, Range 1 East, Willamette Meridian, Skagit County, Washington;

And all tidelands of the second class lying above the line of mean low tide situate in front of Government Lot 10 and in front of the west 21.29 acres of Government Lot 9, said west 21.29 acres being as monumented and shown on that survey recorded June 10, 1997 in book 19 of Surveys at Page 127 under Auditor's File No. 9706100063, Skagit County Records, the easterly side of said tidelands being the southerly prolongation of the easterly side of said west 21.29 acres, all fronting Section 4, Township 35 North, Range 1 East, Willamette Meridian, Skagit County, Washington.

PARCEL C:

The E 1/2 of the NE 1/4 of the SW 1/4 of Section 4, Township 35 North, Range 1 East, Willamette Meridian, Skagit County, Washington, according to U.S. Government subdivision procedures.

PARCEL D-1:

Tidelands of the second class as conveyed by the State of Washington by instruments recorded under Auditor's File Nos. 76080 and 87224, records of Skagit County, Washington, situated in front of, adjacent to or abutting upon that portion of Government Lot 1 of Section 4, Township 35 North, Range 1 East, Willamette Meridian, Skagit County, Washington, said portion as measured along the government meander line more particularly described as follows:

Beginning at the meander corner to said Section 4 and Section 33, being the Northeast corner of said Section 4;

Thence along the government meander line South 52 1/2° West a distance of 8.45 chains;

Thence along said meander line South 63° West a distance of 10 chains to the True Point of Beginning;

Thence Southwesterly to the line between Government Lots 1 and 2 of said Section 4;

TOGETHER WITH the second class tidelands situated in front of, adjacent to or abutting upon Government Lots 2 and 4 of said Section 4.

EXHIBIT 'A' continued:



**DEPARTMENT OF NATURAL RESOURCES
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Cypress Island Natural Resources Conservation Area – Secret Harbor #4 Phase 1 Acquisition

EXHIBIT A

Continued from Page 1

PARCEL E:

Tidelands of the second class, to the line of mean low tide, situated in front of, adjacent to or abutting upon that portion of Government Lot 1 of Section 4, Township 35 North, Range 1 East, Willamette Meridian, Skagit County, Washington, said portion being described along the government meander line as follows:

Beginning at the meander corner common to said Section 4 and Section 33, being the Northeast corner of said Section 4; thence along the government meander line South 52°30' West a distance of 8.45 chains; thence along said meander line South 63° West a distance of 10 chains.

PARCEL F:

Lots 1, 2 and 3 of Skagit County Short Plat No. 127-78, as recorded March 20, 1979 in Book 3 of Short Plats at page 83, under Auditor's File No. 7903200011, Records of Skagit County Washington, being situated within Government Lot 4 of Section 4, Township 35 North, Range 1 East, Willamette Meridian, Skagit County, Washington,

EXCEPT that portion of said Lot 1 described as follows:
Beginning at the Southwest corner of said Lot 1; thence North along the West line thereof a distance of 170 feet; thence East parallel with the South line of said Short Plat a distance of 80 feet; thence South parallel with the West line of said Lot 1 a distance of 170 feet to the South line of said Short plat; thence West along said South line a distance of 80 feet to the point of beginning.

- END OF EXHIBIT "A" -

