

Return Name and Address:

Upper Skagit Indian Tribe  
5984 Darrk Lane  
Bow, WA 98232



200703210123  
Skagit County Auditor

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Document Title: WETLAND MITIGATION AREA COVENANT

Grantor: UPPER SKAGIT INDIAN TRIBE

Grantee: UNITED STATES ARMY CORPS OF ENGINEERS

Abbreviated Legal Description: Portions of the SE ¼ and SW ¼ of Section 31, Township 36 North, Range 04 East of W.M., and portions of the NE ¼ and NW ¼ of Section 6, Township 35 North, Range 04 East of W.M., Skagit County.

Additional legal description on pages 3-5 of document.

Property I.D. #: P50414, P50416, P50412, P35837, P35840, P35838, and P123309

### WETLAND MITIGATION AREA COVENANT

The wetland mitigation area, legally described and depicted on the attachments hereto, was established as mitigation for work authorized under U.S. Department of the Army, Corps of Engineers Permit No. 200600146, dated January 10, 2007.

Per the terms of the above-referenced Army Corps Permit, the wetland mitigation area thus created shall not be made the subject of a future Individual or General Department of the Army Permit for fill or other development, except for the purposes of enhancing or restoring that mitigation.

This restrictive Covenant shall run with the described land in perpetuity.





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**EXHIBIT 'A'**

**WETLAND MITIGATION AREA COVENANT DESCRIPTION  
FOR UPPER SKAGIT INDIAN TRIBE-  
2007 PARKING LOT EXPANSION PROJECT**

**MITIGATION AREA 'A'**

COMMENCING AT THE SOUTH ONE-QUARTER CORNER OF SECTION 31, TOWNSHIP 36 NORTH, RANGE 4 EAST, W.M., SKAGIT COUNTY, WASHINGTON; THENCE ALONG THE NORTH-SOUTH CENTER LINE OF SAID SECTION 31 NORTH 01°22'36" EAST, 362.07 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 01°22'36" EAST, 194.14 FEET TO A POINT OF CURVATURE FROM WHICH THE RADIUS BEARS NORTH 88°27'34" WEST A DISTANCE OF 81.50 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 76°00'00" A DISTANCE OF 108.11 FEET TO THE END OF CURVE; THENCE NORTH 74°37'24" WEST, 112.99 FEET; THENCE NORTH 15°22'36" EAST, 22.00 FEET; THENCE SOUTH 74°37'24" EAST, 67.00 FEET; THENCE NORTH 55°36'22" EAST, 63.00 FEET; THENCE SOUTH 86°28'44" EAST, 50.00 FEET TO SAID NORTH-SOUTH CENTERLINE OF SECTION 31; THENCE ALONG SAID NORTH-SOUTH CENTER OF SECTION LINE NORTH 01°22'36" EAST, 288.00 FEET; THENCE DEPARTING FROM SAID CENTER OF SECTION LINE NORTH 86°40'04" EAST, 180.00 FEET; THENCE NORTH 61°21'23" EAST, 320.00 FEET; THENCE NORTH 43°30'15" EAST, 364.00 FEET; THENCE NORTH 27°57'37" WEST, 480.00 FEET; THENCE SOUTH 66°37'20" WEST, 355.00 FEET; THENCE NORTH 51°16'01" WEST, 180.00 FEET TO SAID CENTER OF SECTION LINE; THENCE ALONG SAID CENTER OF SECTION LINE NORTH 01°22'36" EAST, 255.00 FEET; THENCE DEPARTING FROM SAID CENTER OF SECTION LINE NORTH 56°18'19" EAST, 220.00 FEET; THENCE NORTH 12°15'37" EAST, 305.00 FEET; THENCE PARALLEL WITH AND 30.00 FEET SOUTH OF THE NORTH LINE OF THE EAST-WEST CENTERLINE OF SAID SECTION 31 SOUTH 86°26'13" EAST, 125.00 FEET, THENCE SOUTH 13°13'20" WEST, 315.00 FEET; THENCE SOUTH 19°38'30" EAST, 215.00 FEET; THENCE SOUTH 68°19'19" EAST, 260.00 FEET; THENCE SOUTH 78°14'21" EAST, 290.00 FEET; THENCE NORTH 73°23'23" EAST, 180.00 FEET; THENCE NORTH 12°08'51" EAST, 160.00 FEET; THENCE NORTH 11°40'43" WEST, 425.00 FEET; THENCE PARALLEL WITH AND 30.00 FEET SOUTH OF SAID EAST-WEST CENTER OF SECTION LINE SOUTH 86°26'13" EAST, 175.00 FEET; THENCE SOUTH 06°38'19" EAST, 545.00 FEET; THENCE SOUTH 53°31'29" EAST, 120.00 FEET; THENCE 30.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 31, SOUTH 01°36'15" WEST, 90.00 FEET; THENCE NORTH 80°42'27" WEST, 295.00 FEET; THENCE SOUTH 22°31'00" WEST, 644.00 FEET; THENCE SOUTH 05°01'41" WEST, 233.00 FEET; THENCE SOUTH 47°20'34" WEST, 233.00 FEET; THENCE SOUTH 52°00'00"



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WEST, 700.00 FEET; THENCE NORTH 88°37'24" WEST, 110.00 FEET TO THE POINT OF BEGINNING.

**MITIGATION AREA 'B'**

COMMENCING AT THE SOUTH ONE-QUARTER CORNER OF SECTION 31, TOWNSHIP 36 NORTH, RANGE 4 EAST, W.M., SKAGIT COUNTY, WASHINGTON; THENCE ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 31 NORTH 01°22'36" EAST, 85.85 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 01°22'36" EAST, 246.92 FEET; THENCE SOUTH 88°37'24" EAST, 35.00 FEET; THENCE SOUTH 01°22'36" WEST, 246.92 FEET; THENCE NORTH 88°37'24" WEST, 35.00 FEET TO THE POINT OF BEGINNING.

**MITIGATION AREA 'C'**

BEGINNING AT THE NORTH ONE-QUARTER CORNER OF SECTION 6, TOWNSHIP 35 NORTH, RANGE 4 EAST, W.M., SKAGIT COUNTY, WASHINGTON; THENCE ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 6 SOUTH 03°10'32" WEST, 443.15 FEET TO THE NORTHEASTERLY MARGIN OF EAST DARRK LANE; THENCE ALONG SAID NORTH MARGIN SOUTH 52°52'21" EAST, 102.54 FEET; THENCE NORTH 03°10'25" EAST, 500.45 FEET, TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 6, THENCE ALONG SAID NORTH LINE, NORTH 86°50'30" WEST, 85.04 FEET TO THE POINT OF BEGINNING.

**MITIGATION AREA 'D'**

COMMENCING AT THE NORTH ONE-QUARTER CORNER OF SECTION 6, TOWNSHIP 35 NORTH, RANGE 4 EAST, W.M., SKAGIT COUNTY, WASHINGTON; THENCE ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 6, SOUTH 03°10'32" WEST, 443.15 FEET TO THE NORTHEASTERLY MARGIN OF EAST DARRK LANE; THENCE ALONG SAID NORTHEASTERLY MARGIN NORTH 52°52'21" WEST, 114.67 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 52°52'21" WEST, 93.98 FEET; THENCE DEPARTING FROM SAID NORTHEASTERLY MARGIN NORTH 50°38'36" EAST, 81.01 FEET; THENCE NORTH 12°03'02" EAST, 173.53 FEET; THENCE SOUTH 82°44'18" EAST, 22.93 FEET; THENCE SOUTH 09°38'21" WEST, 278.84 FEET TO THE POINT OF BEGINNING.

**MITIGATION AREA 'E'**

COMMENCING AT THE NORTH ONE-QUARTER CORNER OF SECTION 6, TOWNSHIP 35 NORTH, RANGE 4 EAST, W.M., SKAGIT COUNTY, WASHINGTON; THENCE ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 6 SOUTH 03°10'32" WEST, 515.48 FEET TO THE SOUTHWESTERLY MARGIN OF EAST DARRK LANE; THENCE ALONG SAID SOUTHWESTERLY MARGIN NORTH 52°52'21" WEST, 211.08 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 52°52'21" WEST, 135.11 FEET TO A POINT OF CURVATURE, FROM WHICH THE RADIUS BEARS SOUTH 37°07'39" WEST, 686.52 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 35°50'08" A DISTANCE OF 429.38 FEET TO THE EAST RIGHT OF WAY MARGIN OF INTERSTATE 5; THENCE ALONG SAID MARGIN SOUTH 10°10'49" EAST, 187.65 FEET; THENCE ALONG SAID MARGIN SOUTH



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15°22'39" WEST, 212.43 FEET TO THE NORTH MARGIN OF BOW HILL ROAD; THENCE ALONG SAID NORTH MARGIN THE FOLLOWING COURSES AND DISTANCES:

SOUTH 71°30'29" EAST, 261.02 FEET;  
THENCE NORTH 18°29'31" EAST, 30.00 FEET;  
THENCE SOUTH 71°29'05" EAST, 149.95 FEET;  
THENCE SOUTH 18°18'23" WEST, 19.93 FEET;  
THENCE SOUTH 71°30'21" EAST, 100.52 FEET;

THENCE DEPARTING FROM SAID NORTH MARGIN NORTH 18°23'27" EAST, 119.29 FEET; THENCE NORTH 01°03'21" EAST, 208.58 FEET TO THE POINT OF BEGINNING.

**MITIGATION AREA 'F'**

BEGINNING AT THE NORTHWEST CORNER OF LOT 10, PULLEY RIDGE BINDING SITE PLAN, ACCORDING TO THE MAP THEREOF, RECORDED UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 200508120104; THENCE ALONG THE WEST LINE THEREOF, ALSO BEING THE EAST MARGIN OF THE RIGHT OF WAY FOR INTERSTATE 5, SOUTH 15°23'30" WEST, 68.83 FEET; THENCE CONTINUING ALONG SAID WEST LINE AND MARGIN SOUTH 37°51'08" WEST, 516.10 FEET; THENCE CONTINUING ALONG SAID WEST LINE AND MARGIN SOUTH 08°24'28" WEST, 83.78 FEET; THENCE DEPARTING FROM SAID WEST LINE AND MARGIN SOUTH 66°57'59" EAST, 342.35 FEET; THENCE SOUTH 77°35'05" EAST, 265.11 FEET TO THE WEST LINE OF LOT 6 OF SAID PULLEY RIDGE BINDING SITE PLAN; THENCE ALONG THE WEST LINE OF LOTS 3 THROUGH 6 OF SAID BINDING SITE PLAN THE FOLLOWING COURSES AND DISTANCES:

NORTH 49°20'22" EAST, 51.59 FEET;  
THENCE NORTH 34°55'41" EAST, 90.99 FEET;  
THENCE NORTH 40°11'38" EAST, 58.20 FEET;  
THENCE NORTH 40°10'00" EAST, 86.20 FEET;  
THENCE NORTH 34°10'23" EAST, 85.33 FEET;  
THENCE NORTH 06°08'53" EAST, 74.23 FEET;  
THENCE NORTH 14°56'02" WEST, 62.10 FEET;  
THENCE NORTH 25°27'17" WEST, 89.09 FEET;  
THENCE NORTH 02°56'25" WEST, 19.29 FEET;  
THENCE NORTH 39°32'54" EAST, 78.04 FEET TO THE NORTHWEST CORNER OF SAID LOT 3, BEING ON THE SOUTH MARGIN OF BOW HILL ROAD;

THENCE ALONG SAID SOUTH MARGIN THE FOLLOWING COURSES AND DISTANCES:

NORTH 71°30'29" WEST, 82.74 FEET;  
THENCE SOUTH 18°29'31" WEST, 35.00 FEET;  
THENCE NORTH 71°30'29" WEST, 150.00 FEET;  
THENCE NORTH 18°29'31" EAST, 45.00 FEET;  
THENCE NORTH 71°30'29" WEST, 257.16 FEET TO THE POINT OF BEGINNING.

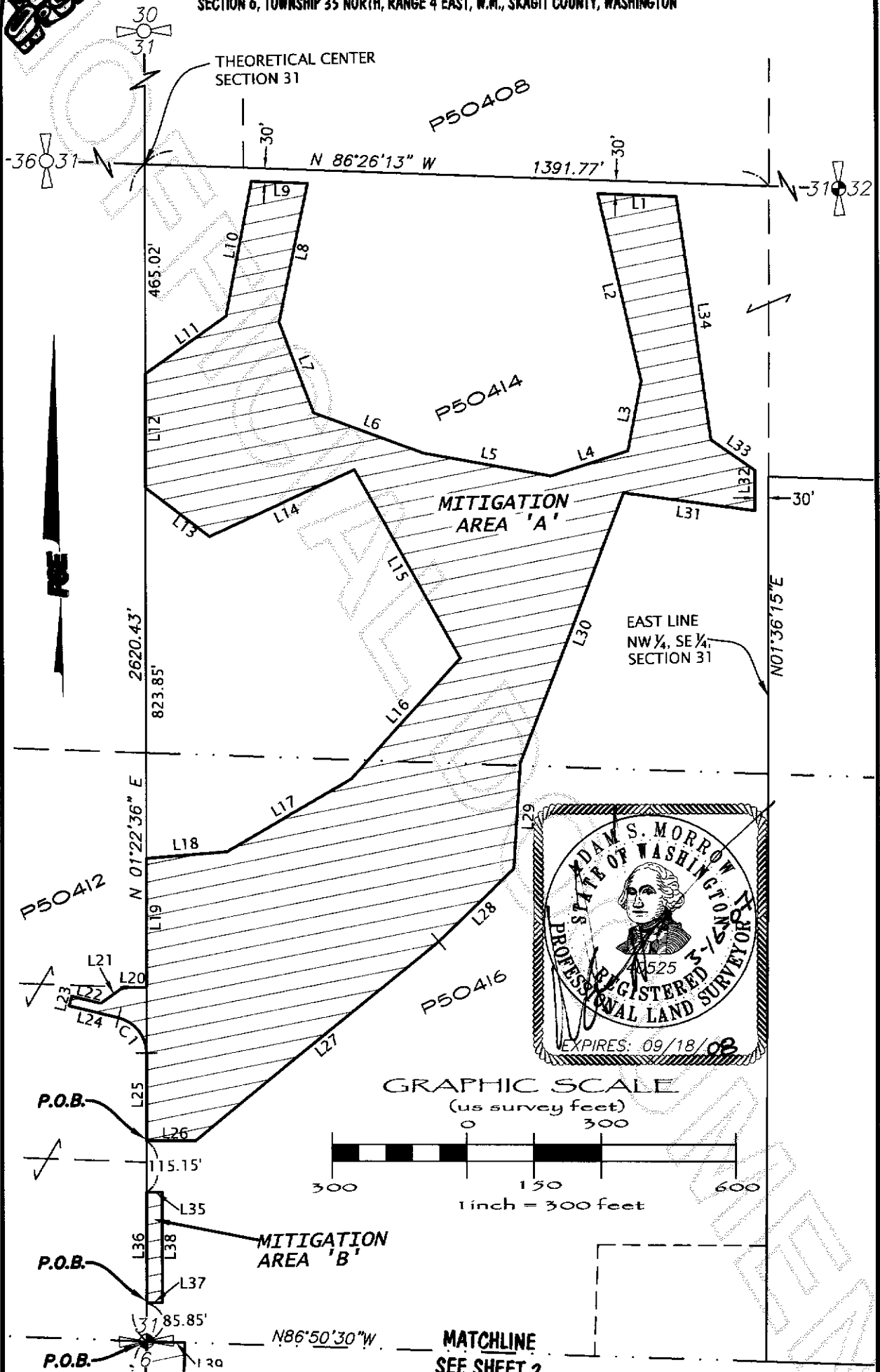


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**UPPER SKAGIT INDIAN TRIBE**

25944 COMMUNITY PLAZA WAY, SEDRO WOOLLEY, WA 98284, 360-854-7000, FAX: 360-854-7004

SITUATE IN A PORTION OF SECTION 31, TOWNSHIP 36 NORTH, RANGE 4 EAST &  
SECTION 6, TOWNSHIP 35 NORTH, RANGE 4 EAST, W.M., SKAGIT COUNTY, WASHINGTON



(SEE SHEET 2 FOR MITIGATION AREA LINE AND CURVE TABLES)



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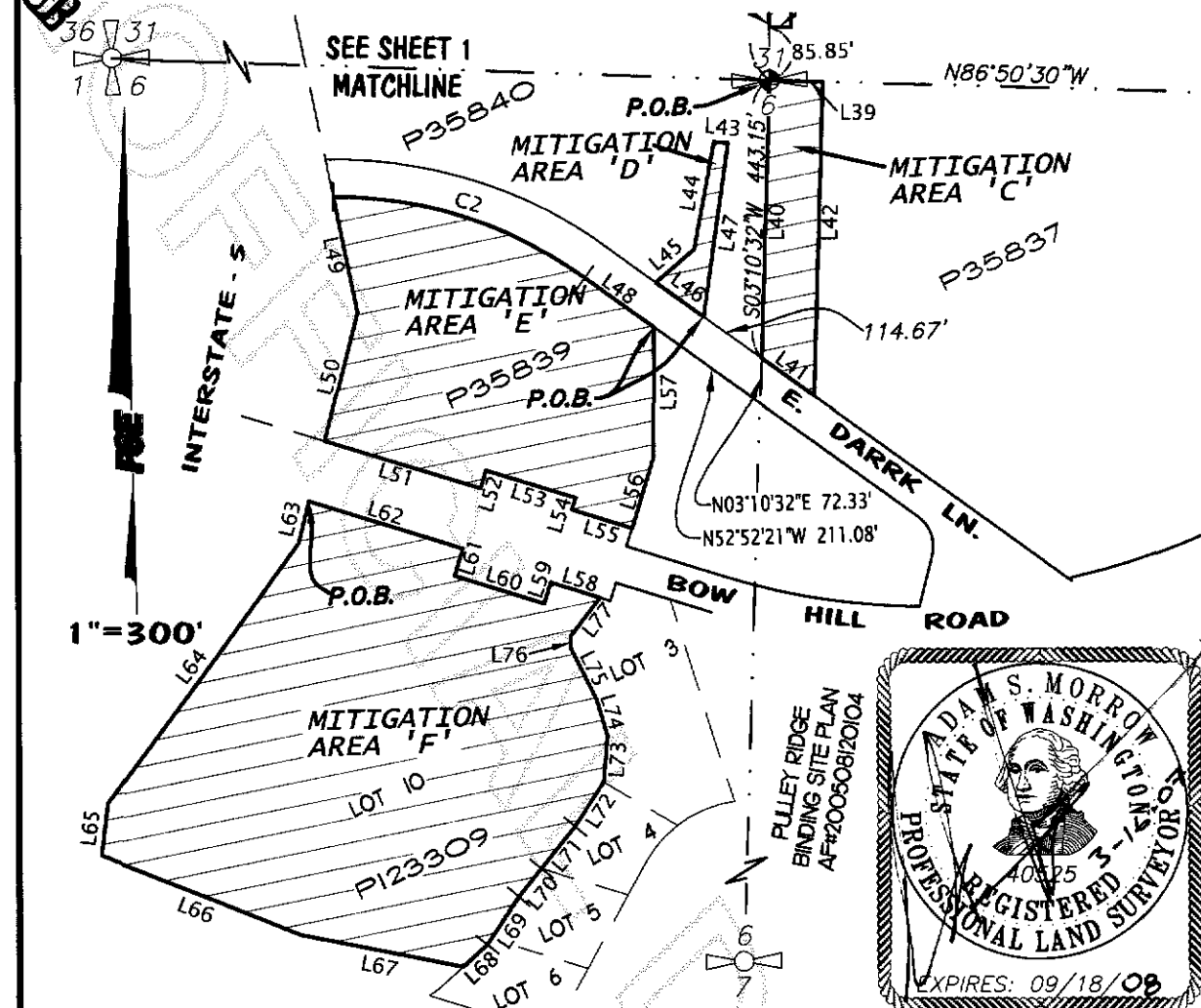
**MITIGATION AREA EXHIBIT 'B'**  
DATE: MARCH 0, 2007



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SITUATE IN A PORTION OF SECTION 31, TOWNSHIP 36 NORTH, RANGE 4 EAST &  
 SECTION 6, TOWNSHIP 35 NORTH, RANGE 4 EAST, W.M., SKAGIT COUNTY, WASHINGTON



**MITIGATION AREA LINE DATA**

LINE	LENGTH	BEARING	LINE	LENGTH	BEARING	LINE	LENGTH	BEARING
L1	175.00	N86°26'13"W	L29	233.00	N05°01'41"E	L57	208.58	N01°03'21"E
L2	425.00	N11°40'43"W	L30	644.00	N22°31'00"E	L58	82.74	N71°30'29"W
L3	160.00	N12°08'51"E	L31	295.00	N80°42'27"W	L59	35.00	N18°29'31"E
L4	180.00	N73°23'23"E	L32	90.00	N01°36'15"E	L60	150.00	N71°30'29"W
L5	290.00	N78°14'21"W	L33	120.00	N53°31'29"W	L61	45.00	N18°29'31"E
L6	260.00	N68°19'19"W	L34	545.00	N06°38'19"W	L62	257.16	N71°30'29"W
L7	215.00	N19°38'30"W	L35	35.00	N88°37'24"W	L63	68.83	N15°23'30"E
L8	315.00	N13°13'20"E	L36	246.92	N01°22'36"E	L64	516.10	N37°51'08"E
L9	125.00	N86°26'13"W	L37	35.00	N88°37'24"W	L65	83.78	N08°24'28"E
L10	305.00	N12°15'37"E	L38	246.92	N01°22'36"E	L66	342.35	N66°57'59"W
L11	220.00	N56°18'19"E	L39	85.04	N86°50'30"W	L67	265.11	N77°35'05"W
L12	255.00	N01°22'36"E	L40	443.15	N03°10'32"E	L68	51.59	N49°20'22"E
L13	180.00	N51°16'01"W	L41	102.54	N52°52'21"W	L69	90.99	N34°55'41"E
L14	355.00	N66°37'20"E	L42	500.45	N03°10'25"E	L70	58.20	N40°11'38"E
L15	480.00	N27°57'37"W	L43	22.93	N82°44'18"W	L71	86.20	N40°10'00"E
L16	364.00	N43°30'15"E	L44	173.53	N12°03'02"E	L72	85.33	N34°10'23"E
L17	320.00	N61°21'23"E	L45	81.01	N50°38'36"E	L73	74.23	N06°08'53"E
L18	180.00	N86°40'04"E	L46	93.98	N52°52'21"W	L74	62.10	N14°56'02"W
L19	288.00	N01°22'36"E	L47	278.84	N09°38'21"E	L75	89.09	N25°27'17"W
L20	50.00	N86°28'44"W	L48	135.11	N52°52'21"W	L76	19.29	N02°56'25"W
L21	63.00	N55°36'22"E	L49	187.65	N10°10'49"W	L77	78.04	N39°32'54"E
L22	67.00	N74°37'24"W	L50	212.43	N15°22'39"E			
L23	22.00	N15°22'36"E	L51	261.02	N71°30'29"W			
L24	112.99	N74°37'24"W	L52	30.00	N18°29'31"E			
L25	194.14	N01°22'36"E	L53	149.95	N71°29'05"W			
L26	110.00	N88°37'24"W	L54	19.93	N18°18'23"E			
L27	700.00	N52°00'00"E	L55	100.52	N71°30'21"W			
L28	233.00	N47°20'34"E	L56	119.29	N18°23'27"E			

**MITIGATION AREA CURVE DATA**

CURVE	DELTA	RADIUS	LENGTH
C1	76°00'00"	81.50	108.11
C2	35°50'08"	686.52	429.38

**MITIGATION AREA EXHIBIT 'B'**  
 DATE: MARCH 9, 2007  
 SHEET 2 OF 2

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