

WHEN RECORDED RETURN TO:

RCO/SRFB
Natural Resources Building
PO Box 40917
Olympia, WA 98504-0917



200905200134
Skagit County Auditor

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SKAGIT COUNTY
Contract # C20090336
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**DEED OF RIGHT TO USE LAND FOR
SALMON RECOVERY AND CONSERVATION PURPOSES**

Grantor: Skagit County
Grantee: State of Washington

Legal Description on Page 2 and 3.

Assessor's tax Parcel Numbers: P46175, and a portion of P124415

Ptn Gov Lt 418-35-11

The Grantor, Skagit County Parks and Recreation, a Skagit County Government Entity, for and in consideration of monies coming in whole or in part from the Salmon Recovery Funding Board 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 the people of the State, the right to use the real property described below forever for salmon recovery and conservation purposes.

Those purposes are described in the Project Agreement entered into between the Grantor and the State of Washington through the Salmon Recovery Funding Board, titled Skagit Floodplain Acquisition, Project Number 07-1783P signed by the Grantor on May 29, 2008 and by the State of Washington on behalf of the Salmon Recovery Funding Board on April 17, 2008 and the application and supporting materials which are on file with the Grantor and the State in connection with the Project Agreement.

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 salmon recovery and conservation purposes herein granted unless the State, through the Salmon Recovery Funding Board or its successors, consents to the inconsistent use. This consent shall be granted only upon the following conditions, which will ensure other land will be substituted:

The conditions are that the substituted salmon recovery and conservation land must be 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 salmon recovery and conservation purposes for which state assistance was originally granted.

The real property covered by this notice is described as follows:

All that certain real estate situated in Skagit County, Washington, more particularly described as follows:

PARCEL "A" (P46175):

That portion of Government Lot 4 of Section 18, Township 35 North, Range 11 East, W.M., described as follows:

Beginning at the Northwest corner of Section 18;
thence 1,940 feet East along the said North line of said Section 18 to the true point of beginning;
thence South 3 1/2° West 400 feet; thence South 26 1/2° West 225 feet; thence East to the West bank of the Skagit River; thence Northerly along the West bank of the Skagit River to the North line of Section 18, thence West along said Section line to the true point of beginning,

EXCEPT the North 50 feet thereof for highway purposes.

PARCEL "B" (portion on P124415):

Government Lot 4 of Section 18, Township 35 North, Range 11 East, W.M., EXCEPT State Highway, AND EXCEPT the following described tracts:

- 1.) Beginning at the Northwest corner of said Government Lot 4; thence South 230 feet; thence East 230 feet; thence North 230 feet; thence West 230 feet to the point of beginning, EXCEPT State Highway No. 17A.
- 2.) Beginning at a point on the North line of Government Lot 4, 1,618 feet East of the Northwest corner of Government Lot 5, said Section 18, which is the true point of beginning; thence East along said North line 85 feet; thence South at right angles 120 feet; thence West 85 feet; thence North 120 feet to the true point of beginning, EXCEPT the North 50 feet thereof for State Highway purposes.
- 3.) That portion thereof, conveyed to Everett Pulp & Paper Company by instrument recorded December 5, 1921, under Auditor's File No. 153353, more particularly described as follows:

Beginning at a point 1,963 feet East of the Northwest corner of Government Lot 5, Section 18, Township 35 North, Range 11 East, W.M.; thence South 20° East 400 feet; thence South 9° West 300 feet; thence South 16° West to the intersection of the 16th line between Government Lots 4 and 5; thence South along said line to the South line of Government Lot 4; thence East along the South line of Government Lot 4 to the West bank of the Skagit River; thence North along the West bank of said river to the intersection of the North line of Section 18; thence West along said Section line to the point of beginning,



ALSO EXCEPT portion to Nature Conservancy,

AND ALSO EXCEPT that portion, if any, conveyed to The Nature Conservancy lying Southeasterly of the over-flow channel of the Skagit River by Deed dated September 21, 1977 and recorded under Auditor's File No. 866627, records of Skagit County, Washington.

4.) Beginning at the Northwest corner of Government Lot 4 of Section 18; thence 230.00 feet North 89°13'21" East along the said North line of said Section 18; thence South 00°48'17" East, 30.00 feet to the true point of beginning, the Northwest corner of the adjusted boundary line Parcel; thence South 00°48'17" East, 289.09 feet; thence North 89°32'46" East, 176.95 feet; thence North 00°47'00" West, 200.00 feet to the Southeast corner of Parcel D, Auditor's File No. 200504270110, a Record of Survey for Marshall Cooper; thence South 89°12'10" West, 85.00 feet along the South line of said Parcel D to the Southwest corner of said Parcel D; thence North 00°46'58" West, 90.12 feet; thence South 89°13'21" West, 92.06 feet to the true point of beginning.

5.) That portion described in AF#200809260070 as:

Beginning at the southwest corner of the north 230.00 feet of Government Lot 4, Section 18, Township 35 North, Range 11 East, W.M.; thence S 1°38'45"E along the west line of said Government Lot 4, a distance of 392.14 feet; thence N 46°00'15"E, a distance of 423.56 feet to a point on the south line of Sakshaug parcel as adjusted by deed filed in AF#200804170049; thence N 88°00'12"W along the south line of said Sakshaug parcel, a distance of 66.13 feet to the southwest corner thereof; thence N 1°38'45"E along the west line of said Sakshaug parcel, a distance of 89.09 feet to a point on the south line of the north 230.00 feet of said Government Lot 4; thence N 88°24'09"W, a distance of 230.00 feet to the point of beginning.

Situate in the County of Skagit, State of Washington.

SUBJECT TO matters of record.

This deed shall in no way modify or extinguish the functions of the Grantor under the Project Agreement, including the Grantor's functions to operate and maintain the land as set out in the Project Agreement.

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

MAY 20 2009

Amount Paid \$
Skagit Co. Treasurer
By *MF* Deputy

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Dated this 18 day of May, 2009

APPROVED:

BOARD OF COUNTY
COMMISSIONERS
SKAGIT COUNTY, WASHINGTON

Kenneth A. Dahlstedt
Kenneth A. Dahlstedt, Chairman

Sharon D. Dillon
Sharon D. Dillon, Commissioner

Ron Wesen
Ron Wesen, Commissioner

For Contracts under \$5,000.00

County Administrator
(Authorization per Resolution #R20030146)

Approved:

By: [Signature]
Department Head

By: Trisha Logue
Trisha Logue, Budget/Finance Director

By: Billie Kadrmas
Billie Kadrmas, Risk Manager

Approved as to form only:

By: [Signature]
Civil Deputy
Prosecuting Attorney's Office

Attest:

Linda Himmert, Deputy
Clerk of the Board
Skagit County Board of Commissioners

