



201008030057

Skagit County Auditor

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Prepared by: Tammy Herndon
BNSF Railway Co.
P.O. Box 961050
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(817) 352-6463

Return to:

COVER SHEET

Document Title: Partial Release

Reference Number(s) of Document assigned or released: Recorded March 3, 1970, Book 43, Page 112, document No. 736513

Grantor(s) (Last name first, then first name and initials): U. S. Bank Trust National Association.
Additional names on page 1 of document(s)

Grantee(s) (Last name first, then first name and initials): BNSF Railway Company
Additional names on page 1 of document(s)

Legal Description (abbreviated: i.e., lot, block, plat or section, township, range):
Additional legal on page 6 of document(s)
BNSF Railway ROW in Amended Plat of Burlington, Pm Block 8

Assessor's Property Tax Parcel/Account Number(s): 4076-008-006-0107 / P71324

PARTIAL RELEASE

THIS PARTIAL RELEASE made on July 19, 2010, by and among U. S. BANK TRUST NATIONAL ASSOCIATION a national banking association organized and existing under the laws of the United States of America, as Corporate Trustee (the "Corporate Trustee"), (successor to Morgan Guaranty Trust Company of New York), and Laura Roberson, successor to W.A. Johnson, successor individual trustee (together with the Corporate Trustee, the "Trustees"), under the Consolidated Mortgage dated March 2, 1970, as supplemented (the "Mortgage"), and THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY, now BNSF RAILWAY COMPANY, a corporation organized under the laws of the State of Delaware (the "Company") WITNESSETH:

WHEREAS, the Company's interest in the property described in Exhibit "A" hereto attached and by this reference made a part hereof (the "Property") is subject to the lien of the Mortgage; and

WHEREAS, said Consolidated Mortgage was deposited in the office of the Auditor, County of **Skagit**, State of **Washington**, as a real estate mortgage, on March 3, 1970, in Book 43, on Page 112, as Document No. 736513; and

WHEREAS, the Company has requested release of the Property from the lien of the Mortgage pursuant to Article Five thereof and has furnished to the Corporate Trustee certificates and opinions which comply with the provisions thereof;

NOW, THEREFORE, THIS PARTIAL RELEASE WITNESSETH that the Corporate Trustee, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, does hereby forever release and discharge from the lien of the Mortgage, and all supplements thereto, all right, title and interest in and to the Property described in said Exhibit "A" hereto attached.



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TO HAVE AND TO HOLD said Property unto the Company, its successors and assigns, free and clear and discharged of and from all liens and claims under said Mortgage.

The recitals made herein are recitals by the Company and not by the Trustees. The reservations and exceptions, if any, set forth in said Exhibit "A" are intended to be for the benefit of the Trustees and the lien of the Mortgage on any rights and interests so reserved and excepted, if any, are not released, quitclaimed or disclaimed. Nothing herein contained shall affect, alter or diminish the lien or encumbrance of the Mortgage on the Company's interest in any of the properties covered by it other than the Property. This release is executed by the Corporate Trustee without covenants or warranties, either expressed or implied, and without recourse against the Trustees.

IN WITNESS WHEREOF, the Corporate Trustee has caused this Partial Release to be signed and witnessed and its corporate seal to be hereunto affixed and attested by the signature of its Trust Officer, all as of the day and year first above written.

Signed, sealed and delivered on behalf of U. S. Bank Trust National Association as Corporate Trustee, in presence of:

U. S. BANK TRUST NATIONAL ASSOCIATION as Corporate Trustee

Elvis S. Wood
Elvis S. Wood

By: Beverly A. Freney
Beverly A. Freney
Vice President

Edward J. Just
Edward J. Just

ATTEST:
(Seal)

Geraldo Cruz
Geraldo Cruz
Trust Officer



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STATE OF NEW YORK)
) ss.
COUNTY OF NEW YORK)

On July 19, 2010, before me the undersigned, a notary public, personally appeared Beverly A. Freney, to me known to be a Vice President and Geraldo Cruz, a Trust Officer, respectively, of U. S. Bank Trust National Association, the corporation which executed the foregoing instrument as Corporate Trustee, and who being duly sworn did say, that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and acknowledged said instrument to be the free act and deed of said corporation. Given under my hand and official seal on July 19, 2010.

Carolyn R. Sinclair
Notary Public, City, County and State of New York

My commission expires: December 20, 2013

Carolyn R. Sinclair
Notary Public, State of New York
No. 01SI6034957
Qualified in Queens County
Commission Expires Dec 20, 2013



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BNSF 08052

Burlington, Skagit County, Washington - Former Burlington Northern Railroad Company property conveyed to Skagit Synergy LLC.

Exhibit "A"

Two strips of land lying in Block 8, "Amended Plat of Burlington, Skagit County, Wash." As per plat recorded in Volume 3 of Plats, Page 17, records of Skagit County, Washington, described as follows:

Strip No. 1

That portion of that certain 25 foot wide strip of land described in deed dated July 23, 1892 from Geo. D. McLean and Ella R. McLean to Seattle and Northern Railway Company (predecessor in interest to BNSF Railway Company) recorded October 28, 1892 in Volume 23, Page 123, records of said Skagit County, Washington, described in said deed as lying in Lots 2, 3, 4, 5 and 6 of said Block 8.

Strip No. 2

That portion of that certain 20 foot wide strip of land described in deed dated July 22, 1892 from Geo. D. McLean and Ella R. McLean to Seattle & Montana Railway Company (predecessor in interest to BNSF Railway Company) recorded November 1, 1892 in Volume 23 of Deeds, Page 704, records of said Skagit County, Washington, described in said deed as lying in Lots 4, 5 and 6 of said Block 8.



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