



201107080044

Skagit County Auditor

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After recording return document to:

Skagit County
Public Works Department
Attn: Jan Flagan
1800 Continental Place
Mount Vernon, WA 98273

SKAGIT COUNTY
Contract # C20110300
Page 1 of 7

Document Title: Release of Easement *101073-3*
GUARDIAN NORTHWEST TITLE CO.

Reference Number of Related Document: Auditor's File No. 421729, Volume 229, Pages 90 & 91

Grantor (Releasor): SKAGIT COUNTY, a political subdivision of the State of Washington

Grantee (Releasee): SWINOMISH INDIAN TRIBAL COMMUNITY, a federally recognized Indian Tribe

Assessor's Tax Parcel Number(s): P67814 (XrefID: 3966-001-006-0008)

Abbreviated Legal Description: (37.5000 ac) O/S #750175 1972: LT 1 S/P 19-88 AF#8810060030 BEING A PORTION OF PEAVEY'S AC PTN LTS 3 4 5 6 & 17. Situate in Skagit County, State of Washington

RELEASE OF EASEMENT

Grantor, SKAGIT COUNTY, a political subdivision of the State of Washington (herein "County" or "Grantor"), for good and valuable consideration, receipt and sufficiency of which is hereby acknowledged, hereby releases, waives, and relinquishes, to SWINOMISH INDIAN TRIBAL COMMUNITY, a federally recognized Indian Tribe (herein "Grantee"), all of the County's right, title and interest in that certain Easement for Right-of-Way to Hansen Creek Drainage District (herein the "Easement"), dated May 12, 1948 recorded under Skagit County Auditor's File No.: 421729, and as subsequently assigned and transferred to the Grantor via an unrecorded Assignment of Easement (herein the "Assignment of Easement") dated October 10, 1983, and Skagit County Resolution No. R20100097 (dated March 22, 2010). Copies of said Assignment of Easement and Easement are both attached hereto as Exhibit "A", and are hereby incorporated by reference. This Release of Easement shall only apply to the above-described Easement (dated May 12, 1948 recorded under Skagit County Auditor's File No.: 421729), and shall not apply to any other easement(s) or properties described in the

Assignment of Easement included at Exhibit "A" (attached hereto and incorporated by reference). This Release of Easement shall become effective upon recording.

DATED this 27 day of June, 2011.

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON

Ron Wesen
Ron Wesen, Chairman
Kenneth A. Dahlstedt
Kenneth A. Dahlstedt, Commissioner

Sharon D. Dillon
Sharon D. Dillon, Commissioner

Recommended by:

By: Henry Hast
Henry Hast, Public Works Director

Approved as to Form:

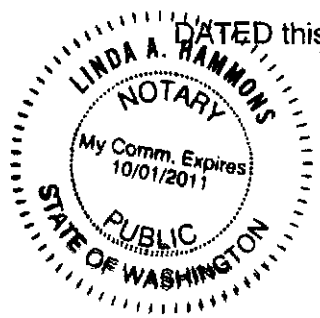
By: [Signature]
Deputy Prosecuting Attorney

ATTEST:

Linda Hammons
Linda Hammons, Clerk of the Board
Skagit County Board of Commissioners

STATE OF WASHINGTON }
COUNTY OF SKAGIT } ss.

I certify that I know or have satisfactory evidence that Ron Wesen, Kenneth A. Dahlstedt and/or Sharon D. Dillon is/are the person(s) who appeared before me, and said person(s) acknowledged that she/he/they signed this instrument, on oath stated that she/he/they was/were authorized execute the instrument and acknowledged it as Commissioner(s) of Skagit County, to be the free and voluntary act of such party for the uses and purposes herein mentioned.



DATED this 27 day of June, 2011.

(SEAL)

Linda Hammons
Notary Public
Print name: Linda Hammons
Residing at: Skagit County, WA
My commission expires: 10-01-2011



Exhibit "A"

Copies of Assignment of Easement and Easement

UNOFFICIAL DOCUMENT



201107080044

Skagit County Auditor

ASSIGNMENT OF EASEMENT

THIS ASSIGNMENT, executed by the STATE OF WASHINGTON, acting by and through the DEPARTMENT OF NATURAL RESOURCES, herein called "the State of Washington, Department of Natural Resources" in favor of HANSEN CREEK SUB FLOOD CONTROL ZONE of Skagit County, Washington, herein called "the Grantee".

WHEREAS, the STATE OF WASHINGTON, DEPARTMENT OF NATURAL RESOURCES, by quitclaim deed dated March 11, 1975, acquired certain lands in Sections 7, 8, 17 and 18, Township 35 North, Range 5 East, W.M. in Skagit County, from the DEPARTMENT OF SOCIAL AND HEALTH SERVICES, which said lands were previously under the jurisdiction of the DEPARTMENT OF PUBLIC INSTITUTIONS, and,

WHEREAS, the State of Washington, acting by and through the Division of Purchasing, Department of Public Institutions acquired certain permanent easements for the purposes of dredging, constructing, operating, maintaining, repairing, rebuilding and patrolling the channel of Hansen Creek for purposes of flood control, to wit:

The following easements each dated May 10, 1948, and recorded in the records of Skagit County as follows:

1. Auditors File No. 421723, Volume 229, Page 82
 2. Auditors File No. 421724, Volume 229, Page 83
 3. Auditors File No. 421725, Volume 229, Pages 84 & 85
 4. Auditors File No. 421726, Volume 229, Page 86
 5. Auditors File No. 421727, Volume 229, Pages 87 & 88
 6. Auditors File No. 421728, Volume 229, Page 89
 - 7.. Auditors File No. 421729, Volume 229, Pages 90 & 91
 8. Auditors File No. 421730, Volume 229, Page 92
 9. Auditors File No. 421731, Volume 229, Pages 93 & 94
 10. Auditors File No. 421732, Volume 229, Page 95
- and,

WHEREAS, the flood control activities are now conducted by Skagit County Public Works Department under Hansen Creek Sub-Flood Control Zone.

NOW, THEREFORE, the State of Washington, Department of Natural Resources, successor in interest to the Department of Public Institutions, for and in consideration of mutual benefits does hereby assign, set over and transfer all of its right, title and interest in and to the aforementioned easements to the grantee, and said grantee hereby binds and obligates itself to perform and fulfill all the conditions of said easements. The grantee further agrees to assume any and all liabilities, obligations, or duties incurred under said easements from the date of execution of said easements.

Executed as of the ^{10th} ~~4th~~ day of Oct-, 1983.

HANSEN CREEK SUB FLOOD CONTROL ZONE

Approved as to form:

John R. Meyer
Skagit County Prosecuting Attorney

by [Signature]
Attest [Signature]

STATE OF WASHINGTON
DEPARTMENT OF NATURAL RESOURCES

Approved as to Form
Victoria W. Sheldon
Asst. Atty. Gen'l
9-23-83

[Signature]
BRIAN J. BOYLE
Commissioner of Public Lands



STATE OF WASHINGTON,) ss.
County of Skagit

I, the undersigned, a Notary Public, do hereby certify that on this 10th day of May 1948, personally appeared before me R. L. Hawley and Ruby L. Hawley, his wife, to me known to be the individuals described in and who executed the within instrument, and acknowledged that they signed and sealed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 10th day of May, A.D., 1948.

Sam M. Shook
Notary Public in and for the State of Washington
Residing at Sedro Woolley



STATE OF WASHINGTON,) ss.
County of Thurston..)

I, the undersigned, a Notary Public, do hereby certify that on this 12 day of May 1948, personally appeared before me F. A. Fokswin, Supervisor of Purchasing, Department of Public Institutions, State of Washington, to me known to be the individual described in and who executed the within instrument, and acknowledged that he signed and sealed the same as his free and voluntary act and deed, for the purpose and uses therein mentioned, and on oath stated that he was duly authorized to execute the within instrument.

Nelson Wiseman
Notary Public in and for the State of Washington
Residing at Olympia



RECEIVED FOR RECORD AT

9:26:22 AM, May 18, 1948

at the office of the State of Washington

GOV. DANIELSON, Auditor
Supt. Co., Washington

421729

S-R & L I

EASEMENT FOR RIGHT OF WAY TO HANSEN
CREEK DRAINAGE DISTRICT

The Grantors, Herman Lohse and Alma Lohse, his wife, for and in consideration of the sum of one dollar (\$1.00) the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto the State of Washington, Grantee, its successors and assigns, a perpetual easement and right to enter upon, dredge, construct, operate, maintain, repair, rebuild and patrol the channel of Hansen Creek, embankments, and any and all flood control works and structures, in, upon, over and across the following parcels of land in County of Skagit, State of Washington, to-wit:

A strip of land 150 feet wide in the southeast quarter of the southwest quarter of Section 17, T35N, R5, E.W.M. with centerline described as follows:

Beginning at the center of Section 17, T35N, R5, E.W.M.; thence south 0°37' west for 1353.9 feet to the 1/16 corner pipe; thence north 88°45' west for 773.11 feet to the true point of beginning; thence south 0°15' east for 1094.0 feet; thence south 23°34' west for 145.1 feet; thence south 39°38' west for 174.0 feet to the south line of said Section 17.

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Containing an area of 4.8 acres.

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Also a tract of land 75' wide lying on the southwest side of the following described line:

Beginning at the center of Section 17, T35N, R5, E.W.M.; thence north 87°04' west for 754.3 feet to the southeast boundary of the Great Northern Railway right of way; thence south 56°19' west along said right of way for 444 feet to the center of Hansen Creek which point is the true point of beginning; thence south 22°34' east for 771.0 feet; thence south 10°0' east for 230.5 feet; thence south for 164 feet to the south boundary of the northeast quarter of the southwest quarter of section 17.

Containing an area of 2.0 acres.

together with the right to clear such right of way, and to enter and remove logs, debris, gravel and other material from channel and structures and to deposit the same upon any part of such right of way.

To have and to hold the said easement and right of way unto the said Grantee and its successors and assigns, forever.

Dated this 10th day of May 1948:

Therman Lohse
Husband
Alma Lohse
Wife

APPROVED AS TO FORM:

Date May 13, 1948
Lucile Lomen
Assistant Attorney General

STATE OF WASHINGTON, Acting by and through the Division of Purchasing, Department of Public Institutions.
by F. A. Polkwin
Supervisor of Purchasing

STATE OF WASHINGTON, } SS.
County of Skagit...

I, the undersigned, a Notary Public, do hereby certify that on this 10th day of May 1948, personally appeared before me Therman Lohse and Alma Lohse, his wife, to me known to be the individuals described in and who executed the within instrument, and acknowledged that they signed and sealed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 10th day of May, A.D., 1948.



Sedro M. Shank
Notary Public in and for the State of Washington
Residing at Sedro Woolley

STATE OF WASHINGTON, } SS.
County of Thurston..

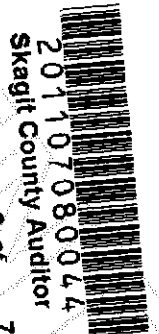
I, the undersigned, a Notary Public, do hereby certify that on this 12 day of May 1948, personally appeared before me F. A. Polkwin, Supervisor of Purchasing, Department of Public Institutions, State of Washington, to me known to be the individual described in and who executed the within instrument, and acknowledged that he signed and sealed the same as his free and voluntary act and deed, for the purpose and upon therein mentioned, and on oath stated that he was duly authorized to execute said easement.

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3:26PM





by hand and official seal this 12 day of May, A.D. 1948.

Walter H. Johnson
Notary Public in and for the State of Washington
Residing at Olympia

RECORDED FOR RECORD AT

9:26, 9 May 18, 1948
at request of Carl Sorenson,
NOT. SORENSON, Auditor
Skagit Co., Washington

**WARRANT FOR RIGHT OF WAY TO
HANSEN CREEK DRAINAGE DISTRICT
421730**

S-R & LIES

The Grantors, Carl Sorenson and Yvonne Sorenson, his wife, for and in consideration of the sum of one dollar (\$1.00) the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto the State of Washington, Grantee, its successors and assigns, a perpetual easement and right to enter upon, dredge, construct, operate, maintain, repair, rebuild and patrol the channel of Hansen Creek, embankments, and any and all flood control works and structures, in, upon, over and across the following parcels of land in County of Skagit, State of Washington, to-wit:

A tract of land 75' in width lying to the east and south of the following described centerline of Hansen Creek:

Beginning at the west quarter corner of Section 20, T35N, R5, E.W.M.; thence north 26°6' east for 1500.9 feet to the true point of beginning; thence north 32°08' east for 92.1 feet; thence north 3°18' west for 104.2 feet; thence north 28°54' west for 189.6 feet; thence north 24°10' east for 85.5 feet; thence north 75°42' east for 105.3 feet; thence south 77°19' east for 41 feet at which point the width continues 150' wide with centerline described as follows: South 78°16' east for 78.6 feet; thence south 84°32' east for 210 feet; thence north 80°28' east for 151.1 feet; thence north 67°20' east for 98.9' to the west boundary of the southwest quarter of the northeast quarter of the northwest quarter of Section 20.

Containing 28 acres.

together with the right to close back right of way, and to enter and remove logs, debris, gravel and other material from channel and structures and to deposit the same upon any part of such right of way.

To have and to hold the said easement and right of way unto the said Grantee and its successors and assigns, forever.

Dated this 12th day of May 1948:

Carl Sorenson
Husband

Yvonne Sorenson
Wife

APPROVED AS TO FORM:

Date May 13, 1948
L. H. Johnson
Assistant Attorney General

STATE OF WASHINGTON, Acting by and through the Division of Purchasing, Department of Public Institutions.

By J. H. Johnson
Supervisor of Purchasing

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