

After recording return document to:

State of Washington
Department of Transportation
Real Estate Services Office
P O Box 47338
Olympia WA 98504-7338

REVIEWED BY
SKAGIT COUNTY TREASURER
DEPUTY Lena Thompson
DATE 11/01/2022

Document Title: Temporary Easement

Reference Number of Related Document: N/A

Grantors: Christopher H. Miller; Lorena E. Miller

Grantee: State of Washington, Department of Transportation

Legal Description: Ptn of Gov't Lot 1 and the SE¼ of the SE¼ of Section 12, T35N, R10E, WM, Skagit County

Additional Legal Description is on Pages 4 through 6 of Document

Assessor's Tax Parcel Number: Ptn 35101200010002 (P45097)

TEMPORARY EASEMENT

State Route 20, Olson Creek and Unnamed Tributary to Skagit River – Fish Passage, Parcel 1-25208, Temporary Easement Exhibit

The Grantors, CHRISTOPHER H. MILLER and LORENA E. MILLER, a married couple, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable consideration, convey and grant unto the **State of Washington, acting by and through its Department of Transportation**, and its assigns, Grantee, under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and easement over, upon, and across the hereinafter described lands for the purposes of placing personnel, machinery and equipment on said lands and providing a work area for performing all work necessary for the construction of a new fish passable structure, appurtenances, and habitat enhancements including, but not limited to, environmental exploration, subsurface investigation, collection of stream pebble counts, surface water and soil samples, relocating utilities as needed, clearing trees and vegetation as needed, constructing and operating a temporary stream bypass, possible modifications to the course and profile of the waterway, placement of large woody material and other such enhancements ("Construction"), and post-construction establishment of native type vegetation including, but not limited to, planting, seeding, inspecting, monitoring, watering and weed control, together with rights of ongoing ingress and egress to accomplish said

RES-325
10/2019

Page 1 of 6 pages

FA No. F-020 ()
Project No. A02094A
Parcel No. 1-25208

TEMPORARY EASEMENT

purposes ("Plant Establishment").

Said lands being situated in Skagit County, State of Washington, as described in Exhibit A, attached hereto and made a part hereof.

The term of this Temporary Easement shall commence on the date of acceptance of this Temporary Easement by Grantee and shall terminate on October 31, 2028 ("Termination"). Construction will be completed on or before October 31, 2025, followed by a thirty-six (36) month Plant Establishment period ending on or before Termination. Grantee shall provide Grantor written notice no less than thirty (30) days in advance of commencement of Construction.

The State shall, upon the exercise of such rights specified herein and completion of construction of said project described herein, remove all debris and restore the surface of this Temporary Easement to a condition as close as practicable to its condition existing immediately prior to the exercise of such rights, excepting any modifications or improvements made as part of the construction project.

It is understood and agreed that delivery of this temporary easement is hereby tendered and that the terms and obligations hereof shall not become binding upon the State of Washington unless and until accepted and approved hereon in writing for the State of Washington, by and through its Department of Transportation, by its authorized agent.

Dated 10-10-2022, 2022


CHRISTOPHER H. MILLER


LORENA E. MILLER

Accepted and Approved
STATE OF WASHINGTON
Department of Transportation

By: _____
Synthia Armstrong, Northwest Region
Real Estate Services Manager,
Authorized Agent

Date: _____

TEMPORARY EASEMENT

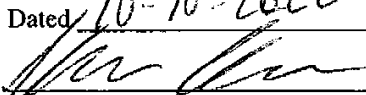
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Dated 10-10-2022, 2022

CHRISTOPHER H. MILLER


LORENA E. MILLER

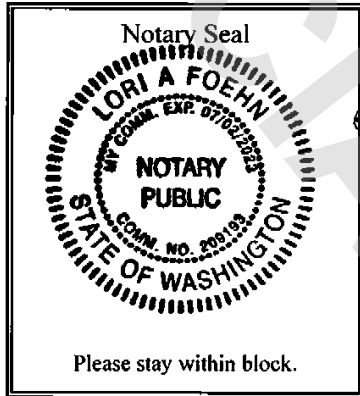
Accepted and Approved
STATE OF WASHINGTON
Department of Transportation
By: Synthia Armstrong
Synthia Armstrong (Oct 18, 2022 11:51 PDT)
Synthia Armstrong, Northwest Region
Real Estate Services Manager,
Authorized Agent
Date: Oct 18, 2022

TEMPORARY EASEMENT

STATE OF WASHINGTON)
County of: SKAGIT) : §

On this day personally appeared before me CHRISTOPHER H. MILLER and LORENA E. MILLER, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed 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 10 day of Oct., 2022



Lori A. Foehn
Notary (print name) LORI A. FOEHN
Notary Public in and for the State of Washington,
residing at Shoreline, WA
My commission expires 7/2/2023

TEMPORARY EASEMENT**EXHIBIT A**

All that portion of the hereinafter described TRACT "X" lying within a tract of land beginning at a point opposite Highway Engineer's Station (hereinafter referred to as HES) 162+86± on the SR 20 line survey of SR 20, Olson Creek and Unnamed Tributary to Skagit River – Fish Passage, Parcel 1-25208, Temporary Easement Exhibit and 251 feet northeasterly therefrom, said point being on the westerly line of said TRACT "X"; thence northerly along said westerly line to a point opposite HES 162+77.5 on said line survey and 316.3 feet northeasterly therefrom; thence easterly to a point opposite HES 163+69.8 on said line survey and 318.2 feet northeasterly therefrom; thence southerly to a point opposite HES 163+84.6 on said line survey and 249.5 feet northeasterly therefrom; thence westerly to the point of beginning.

TRACT "X"**Parcel A:**

That portion of the East Half of Government Lot 1 in Section 12, Township 35 North, Range 10 East, W.M., lying Northerly of the State Highway.

EXCEPT road and the West 210 feet thereof.

AND EXCEPT the following described tract:

Beginning at the intersection of the East line of said Government Lot 1 and the North line of the State Highway;

Thence North 80 feet;

Thence West 40 feet;

Thence due South to the North line of said highway;

Thence East along said highway to the point of beginning.

AND ALSO EXCEPT that portion thereof described as follows:

Commencing at the Southeast corner of said Government Lot 1;

Thence North 1 degree 35'21" East along the East line of said Government Lot 1 a distance of 199.84 feet to the Northerly line of State Highway 20;

Thence North 78 degrees 04'00" West along the Northerly line of said State Highway 20 a distance of 223.61 feet to the true point of beginning;

Thence continue North 78 degrees 04'00" West along said Northerly line a distance of 198.20 feet to the East line of the West 210 feet of said East Half of Government Lot 1;

TEMPORARY EASEMENT**EXHIBIT A
(continued)**

Thence North 1 degree 26'47" East along the East line of the West 210 feet a distance of 223.51 feet;
Thence South 78 degrees 04'00" East parallel with State Highway 20 a distance of 198.20 feet to a point which bears North 1 degree 26'47" East from the true point of beginning;
Thence South 1 degree 26'47" West a distance of 223.51 feet to the true point of beginning.

Situated in Skagit County, Washington.

Parcel B:

That portion of the East Half of Government Lot 1, Section 12, Township 35 North, Range 10 East, W.M., described as follows:

Beginning at the intersection of the East line of said Lot 1 with the North line of the State Highway, as same existed on April 26, 1946;

Thence North 80 feet;

Thence West 40 feet;

Thence South to the North line of said Highway;

Thence Easterly along said North line to the point of beginning.

Situated in Skagit County, Washington.

Parcel C:

That portion of the Southeast Quarter of the Southeast Quarter of Section 12, Township 35 North, Range 10 East, W.M., described as follows:

Commencing at the Southwest corner of said subdivision;

Thence North 0 degree 35'54" East along the West line thereof, a distance of 198.22 feet to the North line of the 60 foot right-of-way of State Highway SR 20 and the point of beginning of this description;

Thence South 79 degrees 07'41" East along said North right-of-way line, a distance of 18.52 feet;

Thence Northerly, a distance of 525 feet, more or less to the Northwest corner of that certain tract conveyed to the Concrete School District #102 by Deed filed in Volume 202 of Deeds at page 448 as Auditor's File No. 382247, which point is on the West line of the above described subdivision;

TEMPORARY EASEMENT

**EXHIBIT A
(continued)**

Thence South 0 degree 35'54" West along said West line, a distance of 521.66 feet to the point of beginning of this description.

Situated in Skagit County, Washington.

The lands herein described contain an area of 7,160 square feet, more or less, the specific details concerning all of which are to be found on sheets 1 through 3 of that certain Exhibit Map entitled SR 20, Olson Creek and Unnamed Tributary to Skagit River – Fish Passage, Parcel 1-25208, Temporary Easement Exhibit, now of record and bearing date of approval December 7, 2021.

Grantors' Initials
