

QUITCLAIM DEED 7<sup>00</sup>

8702180078

BURLINGTON NORTHERN RAILROAD COMPANY (formerly named Burlington Northern Inc.), a Delaware corporation, Grantor, for Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, conveys and quitclaims, without any covenants of warranty whatsoever and without recourse to the Grantor, its successors and assigns, to ALFRED N. CARLSON, Trustee for Lake McMurray Right-of-Way Association, of 2222 Highway 9, Mt. Vernon, Washington 98273, Grantee, all its right, title and interest, if any, in the following described real estate, situated in the County of Skagit, State of Washington, together with all after acquired title of grantor therein.

All that portion of Burlington Northern Railroad Company's 100-foot wide Arlington Junction to Clear Lake, Washington Branch Line right-of-way being 50 feet wide on each side of said main track centerline across Government Lot 1 (NE $\frac{1}{4}$  NW $\frac{1}{4}$ ) of Section 31, T 33 N, R 5 E, W.M. as conveyed to the former Seattle Lake Shore and Eastern Railway Company by Deed dated December 11, 1889 and recorded December 11, 1889 in Book 9 of Deeds, pages 31-33: ALSO,

All that portion of said Railroad Company's 100-foot wide Branch Line right-of-way being 50 feet wide on each side of said main track centerline across Government Lot 2 (NW $\frac{1}{4}$  NW $\frac{1}{4}$ ) of said Section 31, as conveyed to the said former Seattle Lake Shore and Eastern Railway Company by Deed dated December 10, 1889 and recorded December 13, 1889 in Book 9 of Deeds, page 51 & 52: ALSO,

All that portion of said Railroad Company's 150-foot wide Branch Line right-of-way being 50 feet wide on the Easterly side and 100 feet wide on the Westerly side of said main track centerline across Government Lots 4 & 5 (SE $\frac{1}{4}$ ) of Section 25, T 33 N, R 4 E, W.M., as conveyed to the said former Seattle Lake Shore and Eastern Railway Company by Deed dated December 6, 1890 and recorded December 26, 1890 in Book 13 of Deeds, page 566: ALSO,

All that portion of said Railroad Company's 100-foot wide Branch Line right-of-way being 50 feet wide on each side of said main track centerline as acquired for the original main track centerline location upon, over and across Government Lots 2 & 3, said Section 25, and conveyed to the former S.L. & E. Railway Company by Deed dated December 9, 1889 and recorded December 9, 1889 in Book 9 of Deeds, page 7: ALSO,

All those portions of said Railroad Company's Branch Line right-of-way varying widths as acquired for the revised main track centerline location upon, over and across said Government Lots 2 & 3, said Section 25, as conveyed to the former Northern Pacific Railway Company by Deed dated June 6, 1913 and recorded on June 19, 1913 in Book 92 of Deeds, page 266: ALSO,

All that portion of said Railroad Company's 100-foot wide Branch Line right-of-way being 50 feet wide on each side of said main track centerline upon, over and across Government Lot 2, Section 30, T 33 N, R 5 E, W.M. as acquired for the original main track centerline and as conveyed to the said former S.L.S. & E. Railway Company by Deed dated May 10, 1890 and recorded July 11, 1890 in Book 10 of Deeds, page 644: ALSO,

All that portion of said Railroad Company's 100-foot wide Branch Line right-of-way being 50 feet wide on each side of said main track centerline upon, over and across Government Lot 2, said Section 30 as acquired for the revised main track centerline and as conveyed to the said former N.P. Railway Company by Deed dated October 24, 1913 and recorded November 10, 1913 in Book 95 of Deeds, page 316:

EXCEPTING THEREFROM, a 150-foot wide parcel of land in said Government Lot 5, Section 25, being 50 feet wide Northeasterly and 100 feet wide Southwesterly, as measured at right angles from the said main track centerline and lying between lines drawn at right angles to said main track centerline, 566.75 feet and 984.25 feet Northwesterly, as measured along said centerline, from the South line of said Section 25; being that same parcel conveyed to Skagit County by the former Burlington Northern Inc. in that certain Deed dated October 22, 1979:

M-3226  
FIRST AMERICAN TITLE CO.

JERRY MCINTIRE  
FEB 18 1987  
REQUEST

8702180078

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SKAGIT COUNTY WASHINGTON  
Real Estate Excise Tax  
PAID

FEB 18 1987

Amount Paid \$ 0-  
Ruth Wylie, Co. Treas.  
Dep'ty

ALSO EXCEPTING THEREFROM: a 150-foot wide parcel of land lying within said Government Lots 4 & 5, Section 25, particularly described as follows: Beginning at a point on the said main track centerline lying 1309.73 feet Northwesterly, as measured along said centerline, from the South line of said Section 25; thence 90° left, bearing S 58° 53' 29" W, 100 feet to the Southwesterly right-of-way line of said Railroad; thence right, bearing N 31° 06' 31" W, 99.12 feet along said Southwesterly right-of-way line to a point of spiral curve to the right: thence N 29° 49' 35" W along the chord for said spiral, 162.08 feet to a point simple curve; thence continuing along said Southwesterly right-of-way line, along a curve to the right, having a radius of 1532.69 feet, a distance of 375.75 feet, through a central angle of 14° 02' 56"; thence right, bearing N 76° 26' 25" E along the curve radius line, 75 feet to the centerline of said Railroad's 150-foot wide right-of-way; thence left (Northwesterly) along said right-of-way centerline on a curve to the right, having a radius of 1457.69 feet, a distance of 90.68 feet, through a central angle of 3° 33' 54"; thence right, bearing N 80° 00' 16" E along the curve radius line, 75 feet to the Northeasterly line of said Railroad's right-of-way; thence right, along said Northeasterly right-of-way line, on a curve to the left with a radius of 1382.69 feet, a distance of 424.95 feet, through a central angle of 17° 36' 46", to a point of spiral curve to the left, thence S 29° 51' 16" E, along the chord for said spiral curve, 152.92 feet to a point of tangency; thence continuing along said Northeasterly right-of-way line S 31° 06' 31" E, a distance of 99.12 feet; thence right, bearing S 58° 53' 29" W, 50 feet to the said main track centerline and Point of Beginning.

SUBJECT, however, to all existing interests, including but not limited to all reservations, rights-of-way and easements of record or otherwise.

EXCEPTING AND RESERVING, however, unto said Grantor, its successors and assigns, all of the coal, oil, gas, casinghead gas and all ores and minerals of every kind and nature underlying the surface of the premises herein conveyed, together with the full right, privilege and license at any and all times to explore, or drill for and to protect, conserve, mine, take, remove and market any and all such products in any manner which will not damage structures on the surface of the premises herein conveyed, together with the right of access at all times to exercise said rights.

TO HAVE AND TO HOLD THE SAME, together with all the appurtenances thereunto belonging, to the said Grantee, his heirs and assigns, forever.

IN WITNESS WHEREOF, said Burlington Northern Railroad Company has caused its corporate seal to be hereunto affixed and these presents to be executed by its duly authorized officers, this 9th day of February, 1987.

BURLINGTON NORTHERN RAILROAD COMPANY <sup>157 AB</sup>

BY H. O. Shaw  
DIRECTOR - PROPERTY MANAGEMENT

ATTEST:

BY J. L. Hawks  
Assistant Secretary

ACCEPTED:

Alfred N. Carlson  
ALFRED N. CARLSON

STATE OF WASHINGTON )  
COUNTY OF Skagit ) ss.

On this 5<sup>th</sup> day of February, 1987, before me personally appeared Alfred N. Carlson, to me known to be the person that executed the foregoing instrument and acknowledged said instrument to be his and voluntary act and deed for the uses and purposes therein mentioned.

Witness my hand and official seal hereto affixed the day and year first above written.

Gale A. Hubok  
Notary Public in and for the State of Washington

STATE OF TEXAS )  
COUNTY OF TARRANT ) ss.

On this 9<sup>th</sup> day of February, 1987, before me, the undersigned, a Notary Public in and for the State of Texas duly commissioned and sworn, personally appeared J. D. Shane and J. J. Hank, to me known to be the DIRECTOR - PROPERTY MANAGEMENT and Assistant Secretary, respectively, of Burlington Northern Railroad Company, the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and an oath stated that they are authorized to execute the said instrument and that the seal affixed is the corporate seal of said corporation.

Witness my hand and official seal hereto affixed the day and year first above written.

Madylene Andrews  
Notary Public in and for the State of Texas



Madylene Andrews  
Notary Public State of Texas  
Commission Expires 1-04-89