

SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax

8906300008

Finney Cumberland Road No. 17, et al

JUN 30 1989

18⁰⁰

FRTA

JERRY MCINTLREFF
SKAGIT COUNTY CLERK

Amount Paid \$ 00
By JP Skagit Co. Treasurer Deputy

FOREST ROAD EASEMENT

'89 JUN 30 10:09

THIS EASEMENT, dated this 14th day of June, 1989, from the UNITED STATES OF AMERICA, acting by and through the Forest Service, Department of Agriculture, hereinafter called Grantor, to GEORGIA-PACIFIC CORPORATION a corporation of the State of Georgia, hereinafter called Grantee.

WITNESSETH:

WHEREAS, Grantee has applied for a grant of an easement under the Act of October 13, 1964, (78 Stat. 1089: 16 U.S.C. 532-538) for a road over certain lands or assignable easements owned by the United States in the County of Skagit, State of Washington, and administered by the Forest Service, Department of Agriculture.

NOW THEREFORE, Grantor, for and in consideration of grant of reciprocal easements received by Grantor, does hereby grant to Grantee, subject to existing easements and valid rights, an easement for use of a road, whether existing or as constructed or reconstructed, over and across the lands in the County of Skagit, State of Washington, as described on Exhibit B attached hereto.

The location of the road is shown approximately on Exhibit A attached hereto.

Said easement shall be 33 feet on each side of the centerline with such additional width as required for accommodation and protection of cuts and fills. If the road is located substantially as described herein, the centerline of said road as constructed is hereby deemed accepted by Grantor and Grantee as the true centerline of the easement granted.

The grant is made subject to the following terms, provisions, and conditions applicable to Grantee, its permittees, contractors, successors in interest and assigns:

A. Except as hereinafter limited, Grantee shall have the right to use the road for all purposes deemed necessary or desirable by Grantee in connection with the protection, administration, management, and utilization of Grantee's lands and resources served by this road, now or hereafter owned or controlled, subject to such traffic control regulations and rules as Grantor may reasonably impose upon or require of other users of the road without unreasonably reducing the rights herein granted.

B. Grantee shall comply with all applicable State and Federal laws, and existing Executive orders, and Federal rules and regulations.

C. Grantee shall pay the Grantor for its share of maintenance cost or perform maintenance, as determined by the Grantor. The maintenance obligation of the Grantee shall be proportionate to total use, and the Grantee shall not

Page 1 of 3

8906300008

VOL 826 PAGE 58

Return
Ted Deer
Georgia-Pacific Corp
P.O. Box 1077
Bellingham, WA 98227

Certified Correct in all Respects:

Samuel R. Negele
Samuel R. Negele
Authorized Specialist
Date: 5-25-89

be required to perform or bear the costs of maintenance other than that commensurate with its use. Any maintenance performed by the Grantee will be authorized by and shall be performed in accordance with an approved maintenance plan. In the event the road requires maintenance, restoration, or reconstruction work to accommodate the Grantee's needs, the Grantor will authorize the work required in the same manner as provided herein for maintenance or in clause F for reconstruction. Such work will be performed at the expense of the Grantee.

D. Upon change of ownership of any of the Grantee's land or resources served by this road, the rights granted under this easement can be transferred or assigned to the new owner, upon written notification to the Regional Forester.

E. The exercise of the rights granted shall be subordinate to any easement on said road subsequently granted by the United States to a public road agency for operation as a public highway.

F. Any construction or reconstruction of the road to be used shall be in accordance with plans, specifications, and written stipulations approved by the Forest Supervisor prior to beginning such construction or reconstruction.

G. The rights herein conveyed do not include the right to use the road for access to developments used for short or long term residential purposes, unless and until traffic control regulations, rules, and other provisions to accommodate such use of the road are agreed upon by the Grantor and Grantee.

This easement is granted subject to the following reservations by Grantor, for itself, its permittees, contractors, and assignees:

1. The right to use the road for all purposes deemed necessary or desirable by Grantor in connection with the protection, administration, management, and utilization of Grantor's lands or resources, now or hereafter owned or controlled.

2. The right alone to extend rights and privileges for use of the premises to other Government departments and agencies, States, and local subdivisions thereof, and to other users including members of the public; provided, that the grantor shall control such use so as not unreasonably to interfere with Grantee's use of the road.

3. The right to all timber now or hereafter growing on the right-of-way for the road, provided the Grantee shall have the right to cut timber to the extent necessary in accordance with construction stipulations or the approved maintenance plan.

4. The right to relocate the road constructed on this easement to the extent necessary to accommodate the management needs of the National Forests. It is agreed that the centerline of this easement shall shift to follow the centerline of the relocated road and shall be accepted as the true centerline of the easement granted.

The grant of a right to use the road described in this easement does not create an obligation on the Grantor to maintain the road in a usable condition.

The Chief, Forest Service, may terminate this easement, or any segment thereof, (1) by consent of the Grantee, (2) by condemnation, or (3) by a determination to cancel after a five (5) year period of nonuse, after notification and opportunity for hearing as prescribed by law: Provided, That the easement, or any segment thereof, shall not be terminated for nonuse so long as the road, or segment thereof is being preserved for prospective future use.

IN WITNESS WHEREOF, the Grantor, by its Director of Lands, Pacific Northwest Region, Forest Service, has executed this easement pursuant to the Delegation of Authority to the Chief, Forest Service, 7 CFR 2.60, and the Delegation of Authority by the Chief, Forest Service, dated August 22, 1984 (49 FR 34283), on the day and year first above written.

UNITED STATES OF AMERICA

By Carl B. Jackson
CARLIN B. JACKSON
Director of Lands and Minerals
Pacific Northwest Region
Forest Service
Department of Agriculture

ACKNOWLEDGMENT

State of OREGON)
County of MULTNOMAH) ss.

On this 14th day of June, 1989, before me a Notary Public within and for said State, personally appeared CARLIN B. JACKSON, Director of Lands, Pacific Northwest Region, Forest Service, Department of Agriculture, and the same person who executed the within and foregoing instrument, who, being by me duly sworn according to law, did say that said instrument was signed in behalf of the United States of America by its authority duly given and by him delivered as and for its act and deed. And he did further acknowledge that he executed said instrument as the free act and deed of the United States of America, for the purposes and consideration herein mentioned and set forth, and I do hereby so certify.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.



Theresa A. Bowar
Notary Public for the State of Oregon
Residing at Portland
My Commission expires 8/3/91

EXHIBIT B
Page 1 of 3

FRTA Forest Road Easement
Georgia-Pacific Corporation

1. FINNEY CUMBERLAND ROAD NO. 17

T. 34 N., R. 7 E., W.M.

sec. 6, lots 5, 6, and 7, and SE1/4SW1/4;
sec. 7, E1/2NW1/4, and SW1/4NE1/4;
sec. 18, E1/2NE1/4;
sec. 17, NE1/4NE1/4, NW1/4, and S1/2NE1/4;
sec. 16, W1/2NW1/4, SE1/4NW1/4, N1/2SW1/4, and SE1/4SE1/4;
sec. 21, NE1/4NE1/4;
sec. 22, W1/2NW1/4, SE1/4NW1/4, W1/2SE1/4, and SE1/4SE1/4;
sec. 23, SW1/4SW1/4;
sec. 26, W1/2NW1/4, N1/2SW1/4, SE1/4SW1/4, and SW1/4SE1/4.

T. 34 N., R. 8 E., W.M.

sec. 31, lots 1 and 2, SE1/4NW1/4, S1/2NE1/4, and NE1/4NE1/4;
sec. 32, N1/2NW1/4;
sec. 29, SE1/4SW1/4, S1/2SE1/4, NE1/4SE1/4, and E1/2NE1/4;
sec. 28, N1/2NW1/4.

2. Dave's Road No. 1749015

T. 34 N., R. 7 E., W.M.

sec. 22, SW1/4SE1/4.

3. Verrill Road No. 1749

T. 34 N., R. 7 E., W.M.

sec. 22, S1/2SE1/4;
sec. 23, SW1/4SW1/4.

4. Deforest Creek Road No. 1750

T. 34 N., R. 7 E., W.M.

sec. 22, SE1/4SE1/4;
sec. 23, S1/2SW1/4, and SE1/4;
sec. 26, N1/2NW1/4, SE1/4NW1/4, N1/2SE1/4, and NE1/4;
sec. 25, NW1/4, NE1/4SW1/4, and NW1/4SE1/4.

5. Forest Point Road No. 1750016

T. 34 N., R. 7 E., W.M.

sec. 26, W1/2SE1/4, and SE1/4SE1/4.

6. Little Deer Peak Road No. 1755

T. 34 N., R. 7 E., W.M.

sec. 17, SW1/4NE1/4, SE1/4NW1/4, E1/2SW1/4, and S1/2SE1/4;
sec. 20, E1/2E1/2;
sec. 21, W1/2W1/2, SE1/4SW1/4, and SW1/4SE1/4;
sec. 28, N1/2NW1/4.

7. G-P Pit Road No. 1755014

T. 34 N., R. 7 E., W.M.

sec. 21, SE1/4SW1/4, and SW1/4SE1/4;
sec. 28, N1/2NE1/4.

8906300008

VOL 826 PAGE 61

Exhibit B
Page 2 of 3

FRTA Forest Road Easement
Georgia-Pacific Corporation

8. Finney Pit Road No. 1740

T. 34 N., R. 8 E., W.M.
sec. 30, lot 4;
sec. 31, lot 1.

9. Finney G.S. Road No. 1740011

T. 34 N., R. 8 E., W.M.
sec. 29, SW1/4SW1/4;
sec. 30, lot 4, SE1/4SW1/4, and SE1/4;
sec. 31, lot 1, NE1/4NW1/4, and NW1/4NE1/4.

10. Gee Point Road No. 1720

T. 34 N., R. 8 E., W.M.
sec. 21, S1/2SW1/4;
sec. 28, N1/2NW1/4;
sec. 29, N1/2NE1/4, and NE1/4NW1/4;
sec. 30, SE1/4NE1/4.

11. G.S. Spur No. 1740300

T. 34 N., R. 8 E., W.M.
sec. 30, SE1/4SW1/4.

Assignable Easements

12. The Grantor does also grant and convey an easement over, along and across that certain easement acquired from F. E. Foss & Sons, 66 feet in width, by deed date September 3, 1965, and recorded September 20, 1965, under Auditor's File No. 671951, Book 349, Page 115 in records of Skagit County, Washington, over and across the following described lands: (As shown approximately on Exhibit "A", Sheet 1 of 8.)

Finney Cumberland Road No. 17

T. 34 N., R. 6 E., W.M.
sec. 1, lot 1.

13. The Grantor does also grant and convey an easement over, along and across that certain easement acquired from State of Washington, Department of Natural Resources, 66 feet width, by deed dated April 4, 1966, and recorded March 3, 1967, under Auditor's File No. 695535, Volume 362, Page 198 in records of Skagit County, Washington over and across the following described lands: (As shown approximately on Exhibit "A", Sheet 1 of 8.)

Finney Cumberland Road No 17

T. 35 N., R. 6 E., W.M.
sec. 36, E1/2E1/2.

8906300008

VOL 826 PAGE 62

14. The Grantor does also grant and convey an easement over, along and across that certain easement acquired from Port Blakely Mill Company, 66 feet in width, by deed dated November 30, 1967, and recorded December 7, 1967, under Auditor's File No. 707745, Volume 9, Page 608, in records of Skagit County, Washington over and across the following described lands: (As shown approximately on Exhibit "A", Sheet 2 of 8.)

Finney Cumberland Road No. 17

T. 34 N., R. 7 E., W.M.
sec. 7, N1/2SE1/4, and SE1/4SE1/4.

15. The Grantor does also grant and convey an easement over, along and across that certain easement acquired from Port Blakely Mill Company, 66 feet in width, by deed dated May 1, 1961, and recorded May 10, 1961, under Auditor's File No. 607437, Volume 316, Page 193 in records of Skagit County, Washington over and across the following described lands: (As shown approximately on Exhibit "A", Sheet 3 of 8.)

Finney Cumberland Road No. 17

T. 34 N., R. 7 E., W.M.
sec. 22, NE1/4SW1/4.

16. The Grantor does also grant and convey an easement over, along and across that certain easement acquired from Port Blakely Mill Company, 66 feet in width, by deed dated May 1, 1961, and recorded May 1, 1961, under Auditor's File No. 607438, Volume 316, Page 198, in records of Skagit County, Washington over and across the following described lands: (As shown approximately on Exhibit "A", Sheet 3 of 8.)

Finney Cumberland Road No. 17

T. 34 N., R. 7 E., W.M.
sec. 16, W1/2SE1/4.

17. The Grantor does also grant and convey an easement over, along and across that certain easement acquired from the State of Washington, Department of Natural Resources, 66 feet in width, by deed dated August 15, 1958, and recorded February 27, 1959, under auditor's File No. 577124, Volume 300, Page 379, in records of Skagit County, Washington over and across the following described lands: (As shown approximately on Exhibit "A", Sheet 7 of 8.)

Finney Cumberland Road No. 17

T. 34 N., R. 7 E., W.M.
sec. 36, N1/2NW1/4.

Centerline of existing road determined from an orthophoto published by the State of Washington, the location being digitized and rescaled for this drawing. Orthophoto made from aerial photos taken in 1974. Ortho photo maps on file at Department of Natural Resources, Olympia, Washington.

Right-of-way limits are 33 feet each side of centerline of existing road, except where additional width is allowed as required for protection of cuts and fills, as stated to deeds filed in records of Skagit County in Volume 349, pages 115-117, dated 9/20/05; Volume 302, page 198, dated 2/3/07.

Dashed portion of road represents Right of Way previously deeded per Volume 348, page 18, dated 8/11/1905, Skagit Co. All corner ties performed in field 4/04

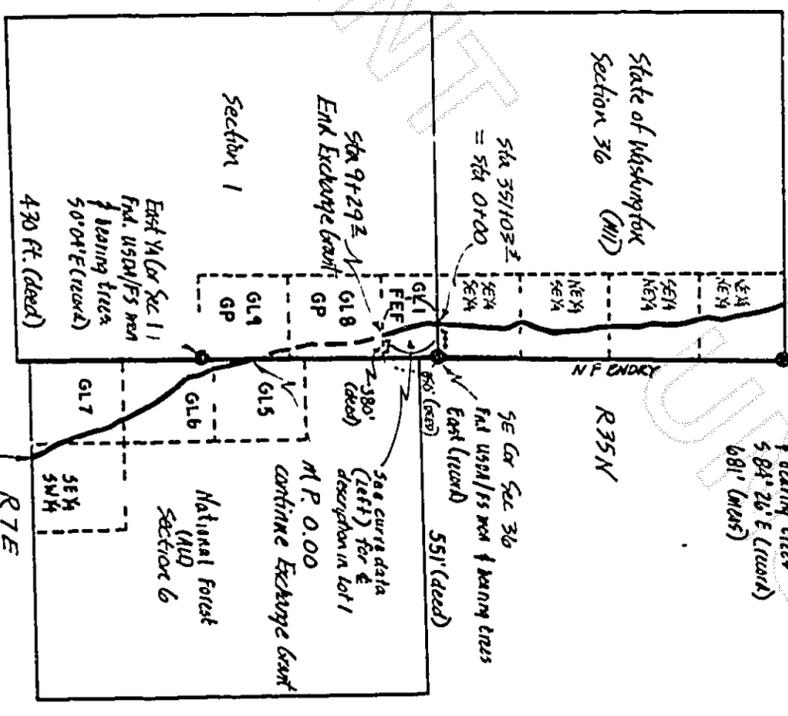
Sta 297+11.2 (road)
Begin Exchange Grant

NE Cor Sec 36
Find usm/ps mon
bearing trees
5.81' 20' E (road)
681' (road)

SE Cor Sec 36
Find usm/ps mon & bearing trees
5.81' 20' E (road)
551' (road)

CURVE DATA	
From R/W deed dated 20 Sept, 1965 Vol 349 P 115-117, Skagit Co	
Enter lot 1	0+00
54°30'E	Pc 2+11.8
Δ 910'	
D 7°10'	
L 125.69	
R 800	
T 62.97	Pt 3+67.4
54°30'W	Pc 4+11.8
Δ 44°0'	
D 28°39'	
L 153.63	
R 200	
T 80.8	Pt 5+71.2
539°30'E	Pc 7+73.9
Δ 89°0'	
D 57°17'	
L 155.34	
R 100	
T 98.28	Pt 9+29.2
549°30'W	
Leave lot 1	9+29.2

Exchange Grant
Total Acres Granted Road No 17
14.78



M.P. 0.65
See sheet 2 of 8
for continuation of Exchange Grant

2730 Right of Way Grant

- LEGEND
- FEF F.E. FOSS AND SONS
 - GP GEORGIA-PACIFIC CORPORATION
 - GL GOVERNMENT LOT
 - CORNER FOUND AND TIED
 - FOREST BOUNDARY
 - LANDLINE
 - EXISTING ROAD

ORIGIN OF BEARINGS - GL0

SCALE
0 1320' 2640'

Drafted C Campbell 4/04

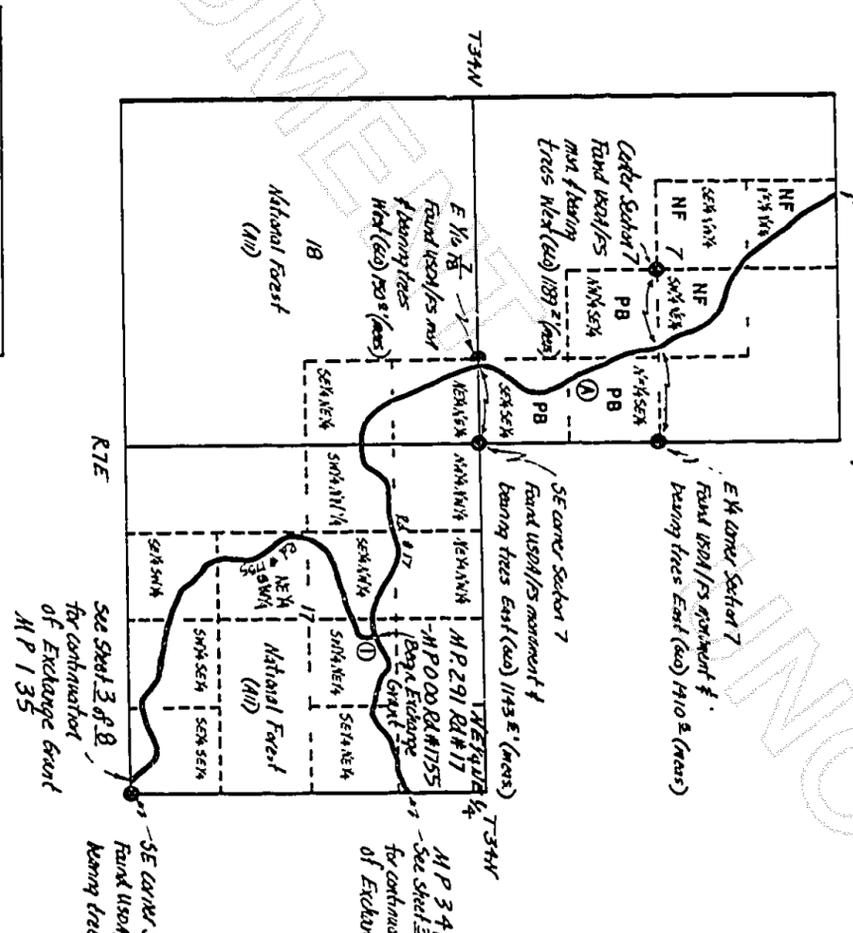
8906300008

VOL 826 PAGE 64

GRANTEE: Georgia-Pacific Corporation	FINNEY-CUMBERLAND ROAD NUMBER 17	RIGHT OF WAY PLAT USDA-FOREST SERVICE	SURVEY USFS CORNER TIES	DATE 4/04
GRANTOR: USDA/FOREST SERVICE		MT. BAKER-SNOQUALMIE NATIONAL FOREST SKAGIT COUNTY, WASHINGTON	REVIEWED [Signature]	DATE [Date]
		SEC 36, T35N, R6E, SEC 1, T34N, R6E; SEC 6, T34N, R7E. WILLMER	RECOMMENDED [Signature]	DATE 7/02
			APPROVED [Signature]	DATE 2/27/05

Notes:
 ① Right of Way over Port Blakely Company land granted to USFS/Forest Service in deed recorded 12/1/1967, Skagit County Records, Volume 9, page 608

Centerline of existing road determined from an orthophoto published by the State of Washington, the location being digitized and rescaled for this drawing. Orthophoto made from aerial photographs filed in 1974. Orthophoto maps or file of Department of Natural Resources, Olympia, WA
 R/W limits are 33' each side of centerline of existing road, subject to reservations & restrictions of record, if any
 All corners has performed in field 4/84



ACREAGE TABLE	
Road No	Exchange Grant
17	22.08 Acres
1755	10.80 Acres
TOTAL	32.88 Acres

2730 Right of Way Grant



ORIGIN OF BEARINGS: GLO



Drawn C Campbell 6/84

GRANTEE: GEORGIA-PACIFIC CORPORATION	FINNEY-CUMBERLAND ROAD NO. 17	RIGHT OF WAY PLAT USDA - FOREST SERVICE REGION 6 NATIONAL FOREST SKAGIT COUNTY, WASHINGTON SEC. 7, 17, 18, 1734N, R7E, W. M.	SURVEY USFS CORNER TIES DATE 4 84 REVIEWED <i>[Signature]</i> DATE 5/85 RECOMMENDED <i>[Signature]</i> DATE 7/85 APPROVED <i>[Signature]</i> DATE 3/86 APPROVED <i>[Signature]</i> DATE 2/78
GRANTOR: USDA/FOREST SERVICE	LITTE DEER PEAK ROAD NO. 1755		

8906300008

ALL CORNER TIES PERFORMED IN FIELD 6/84, 11/94

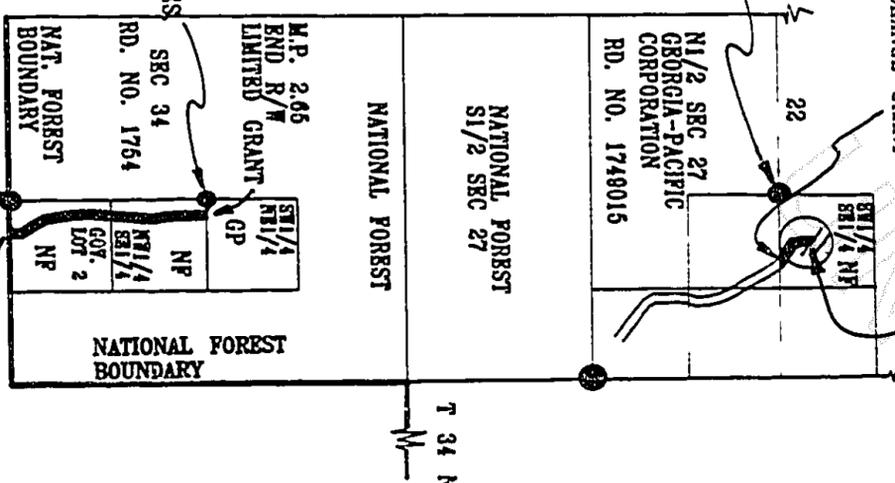
M.P. 0.00 RD. NO. 1749016 = STA. 22+88 RD. NO. 1749000 BEGIN EXCHANGE GRANT, SBB NOTE NO.1, SBB SHEET 4 OF 8 FOR SURVEY OF RD. NO. 1749000.

M.P. 0.08 RD. NO. 1749016 END R/W EXCHANGE GRANT

WC1/4 USDA/FS MONUMENT AND BEARING TREES. WEST 971.0 FT. (MEAS)

ACREAGE TABLE

ROAD NUMBER	EXCHANGE GRANT	LIMITED GRANT
1749016	0.04 ACRES	0.00
1764	0.00	4.24 ACRES
TOTAL	0.04 ACRES	4.24 ACRES



NOTES:

CENTERLINE OF EXISTING ROAD DETERMINED FROM AN ORTHOPHOTO PUBLISHED BY THE STATE OF WASHINGTON. THE LOCATION BEING DIGITISED AND RESCALED FOR THE LOCATION BEING DIGITISED AND RESCALED FOR THIS DRAWING. ORTHOPHOTO MADE FROM AERIAL PHOTOGRAPHS TAKEN IN 1974. ORTHOPHOTO MAPS ON FILE AT THE DEPARTMENT OF NATURAL RESOURCES, OLYMPIA, WASHINGTON.

RIGHT-OF-WAY IS 33 FEET EACH SIDE OF CENTERLINE OF EXISTING ROAD.

NOTE:
1. FROM STA. 22+88 RD. NO. 1749000 TO S1/4 SEC. 22 BEARS S55° 21' 30" W 840.33 FEET. (MEAS)

LEGEND

- NF NATIONAL FOREST
- GP GEORGIA-PACIFIC CORP.
- CORNER POUND AND TIED
- FOREST BOUNDARY
- LANDLINE
- EXISTING ROAD
- RIGHT-OF-WAY (EXISTING ROAD)



ORIGIN OF BEARING: GLO

8906300008

EXHIBIT A
SHEET 5 OF 8

VOL 826 PAGE 68

GRANTEE:

GEORGIA-PACIFIC CORPORATION

GRANTOR:

USDA/FOREST SERVICE

DAVERS ROAD NO. 1749016

CB ROAD NO. 1764

RIGHT OF WAY PLAT

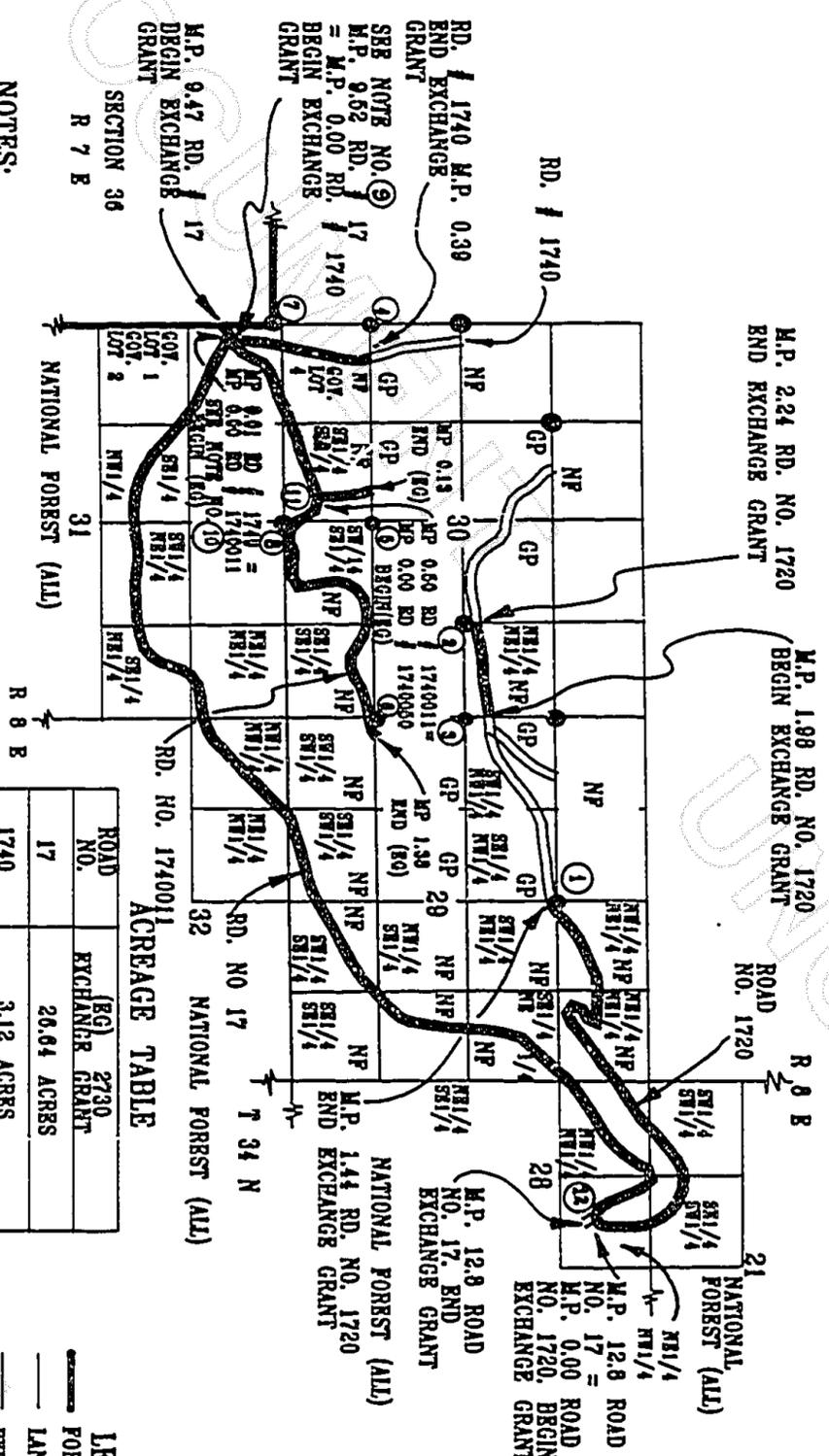
USDA-FOREST SERVICE

MT. BAKER-SNOQUALMIE NATIONAL FOREST REGION 6

SKAGIT COUNTY, WASHINGTON

SURVEY	USFS	CORNER	TIES	DATE	DATE
REVIEWED	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	1/8/84	1/8/84
RECOMMENDED	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	1/8/84	1/8/84
APPROVED	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	1/8/84	1/8/84

- CORNER TIES**
- ① FROM INTERSECTION OF RD. NO. 17 AND RD. NO. 1740 TO NE COR SEC 36 BEARS N22 30'W, 660 FEET (SCALD).
 - ② FROM INTERSECTION OF RD. NO. 1740 AND RD. NO. 1740011 TO NE COR SEC 36 BEARS N31 30'W, 694 FEET (SCALD).
 - ③ FROM INTERSECTION OF RD. NO. 1740011 AND RD. NO. 1740050 TO S1/4 COR SEC 30 BEARS S38E, 660 FEET (SCALD).
 - ④ FROM INTERSECTION OF RD. NO. 17 AND ROAD NO. 1720 TO CN 1/16 COR SEC 29 BEARS S84 30'W, 4686 FT (SCALD).



ACREAGE TABLE

ROAD NO.	(BG) EXCHANGER GRANT
17	26.64 ACRES
1740	3.12 ACRES
1740011	11.04 ACRES
1740050	1.04 ACRES
1720	13.60 ACRES
TOTAL	65.44 ACRES

- NOTES:**
- ① RIGHT-OF-WAY LIMITS ARE 33 FEET EACH SIDE OF CENTERLINE OF EXISTING ROAD.
 - ② MAP RESCALD AND DIGITISED FROM USGS QUAD: OSO, 1972.
 - ③ ALL CORNERS FOUND ARE USDA/FS MONUMENTS AND BEARING TREES.

2730 RIGHT-OF-WAY GRANT

GRANTEE:

GEORGIA-PACIFIC CORPORATION

GRANTOR:

USDA/FOREST SERVICE

RIGHT OF WAY PLAT

USDA-FOREST SERVICE

MT. BAKER-SNOQUALMIE NATIONAL FOREST REGION 6

SKAGIT COUNTY, WASHINGTON

ORIGIN OF BEARING: GLO



SURVEY USES CORNER TIES DATE 1984

REVIEWED *[Signature]* DATE 5/82

RECOMMENDED *[Signature]* DATE 3/87

APPROVED *[Signature]* DATE 4/87

DATE

- CORNER TIES**
- ① CN 1/16 CORNER SECTION 29 NORTH 120.0 FT OF RD. NO. 1720, M.P. 1.44
 - ② CE 1/16 CORNER SECTION 30 SOUTH 186.0 FT OF RD. NO. 1720, M.P. 2.24
 - ③ S 1/4 CORNER SECTION 29 SOUTH 339.0 FT OF RD. NO. 1720, M.P. 1.98
 - ④ S 1/16 CORNER SECTION 30 WEST 696.2 FT OF RD. NO. 1740, M.P. 0.39
 - ⑤ CS 1/16 CORNER SECTION 30, EAST 606.0 FT RD. NO. 1740050, M.P. 0.13
 - ⑥ S 1/16 CORNER SECTION 29, WEST 264.45 FT OF RD. NO. 1740011 M.P. 1.38
 - ⑦ NE CORNER SECTION 36 NORTH 726.0 FT OF RD. NO. 17, M.P. 9.47
 - ⑧ S 1/4 CORNER SECTION 30, SOUTH 480.0 FT OF RD. NO. 1740011