

KATHY HILL  
SKAGIT COUNTY AUDITOR

99 FEB 22 AM 11:46

RETURN ADDRESS:

Island Title Company  
819 South Burlington Blvd.  
Burlington

9902220142

RECORDED \_\_\_\_\_ FILED \_\_\_\_\_  
REQUEST OF \_\_\_\_\_

ISLAND TITLE CO. SB-12745

DOCUMENT TITLE(S) (OR TRANSACTIONS CONTAINED THEREIN:

SUBORDINATION AGREEMENT AND LIMITED LIEN WAIVER

GRANTOR(S):

U.S. BANK

GRANTEE(S):

UNITED STATE OF AMERICA

ABBREVIATED LEGAL DESCRIPTION:

Portion Government Lot 3, Section 21, Township 36N, Range 3E, W.M.

ASSESSOR'S PROPERTY TAX PARCEL OR ACCOUNT NUMBER:

360321-0-030-0008/P47970, 360321-0-029-0007/P47969

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BK 1946 PG 0590

U.S. DEPARTMENT OF AGRICULTURE  
COMMODITY CREDIT CORPORATION

0013

CCC-1256  
10-96  
OMB No. 0578-

## SUBORDINATION AGREEMENT AND LIMITED LIEN WAIVER

### OMB DISCLOSURE STATEMENT

Public reporting burden for this collection of information is approximately (15) minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture Clearance Officer OIRM, AG Box 7630, Washington, D.C. 20250; and to the Office of Management and Budget, Paperwork Reduction Project (OMB No. 0578-0013), Washington, D.C. 20503.

Island Title SB-12745  
Escrow BE-2188

WETLANDS RESERVE PROGRAM  
AGREEMENT NO. 66-0546-9-05

This Subordination Agreement and Limited Lien Waiver, effective 2/16/99, is signed by Valerie A. Curtis for US Bank (indicate person or persons signing this document or party on whose behalf the document is signed) ("Subordinating Party") who hereby grants, to the extent specified in Part II of this document, the following subordination and limited lien waiver to the United States of America (United States) by and through the Commodity Credit Corporation (CCC). The property described below is encumbered with either a Wetlands Reserve Program (WRP) easement as described in the attached Warranty Easement Deed.

The easement area is located in the County (Borough or Parish) of Skagit and State of Washington and is identified as follows:

Easement Area. The property encumbered by the WRP easement is described as follows: (Provide a legal description of the land comprising the easement area or recordable plat.)

\*Mortgage filed under Auditor File No. 9902080199 to Warranty Easement Deed recorded under Auditor File No. 9902100065.

### PART I - GENERAL TERMS

A. Authority. This Subordination Agreement and Limited Lien Waiver is acquired by the United States under the authority of Title XII of the Food Security Act of 1985, as amended (16 U.S.C. 3837 *et seq.*).

B. Purposes. This Subordination Agreement and Limited Lien Waiver is required by the United States in connection with its acquisition of an easement over the property described above to ensure that the easement area is maintained to promote wetland functions and values.

C. Duration of Easement and this Subordination Agreement and Limited Lien Waiver.  
The easement and subordination and limited lien waiver shall continue for the period specified in the easement deed.

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**PART II - SUBORDINATION AGREEMENT AND LIMITED LIEN WAIVER**

The Subordinating Party: (1) subordinates its interest in the property described herein to the easement of the United States for the same property which is conveyed to the United States in the WRP easement; (2) acknowledges that the property which contains the easement area is burdened by the right of access granted to the United States in the easement and agrees that this right of access shall be superior to any rights of the Subordinating Party; (3) subordinates its interest in the property to the purposes of the WRP and any easement practices adopted pursuant to such purposes; and (4) agrees that the United States may make payments in connection with the WRP easement deed without regard to any lien or claim that the Subordinating Party may have with respect to any person with an interest in the easement area, unless an assignment of such payment has been made to the Subordinating Party on a form approved by the United States.

This Subordination Agreement and Limited Lien Waiver: (1) binds the Subordinating Party and its heirs, agents, assigns, and successors with respect to the interests that the Subordinating Party and such other persons have, or may have, in the property or against any person having an interest in the property; and (2) inures in favor of the United States and its agents, successors, or assigns of any kind.

Valerie A. Cortes  
Signature of Authorized Rep. of Sub. Party

2/16/99  
Date

SA Relationship Mgr.  
Title

\_\_\_\_\_  
Signature of Authorized Rep. of Sub. Party

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

(INSERT ACKNOWLEDGMENT STATEMENT BY NOTARY IN ACCORDANCE WITH STATE OR LOCAL PRACTICE)

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**INDIVIDUAL ACKNOWLEDGEMENT**

STATE OF WASHINGTON

COUNTY OF SKAGIT

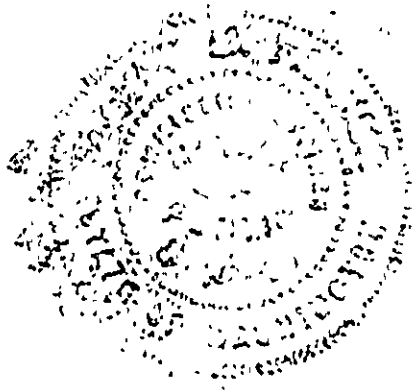
On this day before me, the undersigned Notary Public, personally appeared Valerie Curtis personally known to me or proved to me on the basis of satisfactory evidence, and acknowledged that he or she signed as his or her free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 16<sup>th</sup> day of February, 1999.

By Jane M. Parker Residing at Adrian Stacey

Notary Public in and for the State of Washington.

My commission expires 3-15-2001



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**A Wetland Reserve Program (WRP) Conservation Easement, over, under and across a portion of Government Lot 3, Section 21, Township 36 North, Range 3 East, W.M., as depicted on the attached map identified as Exhibit "B" and being more particularly described as follows:**

Commencing at the Southeast corner of said Section 21, Township 36 North, Range 3 East, W.M.; thence North 0° 00' 00" East 1329.68 feet along the East line of said Section 21 to the Southeast corner of said Government Lot 3; thence South 89° 54' 30" West 908.26 feet along the South line of said Government Lot 3; thence North 1° 39' 08" West 20.01 feet to the North line of the South 20.00 feet of said Government Lot 3, and the **TRUE POINT OF BEGINNING**; thence South 89° 54' 30" West 903.73 feet along said North line to an intersection with the Easterly line of a 40 foot wide ditch right of way to Drainage District No.18 described in document recorded under Skagit County Auditor's File Number 390772; thence along the Easterly and Southerly margin of said ditch right of way as follows:

North 22° 05' 52" West 85.19 feet, thence North 15° 24' 08" East 517.39 feet, thence North 6° 54' 08" East 233.12 feet, thence North 47° 39' 08" East 10.09 feet, thence North 88° 59' 23" East 739.13 feet to a point bearing North 1° 39' 08" West from the **TRUE POINT OF BEGINNING**; thence leaving said margin of the ditch right of way South 1° 39' 08" East 827.90 feet to the **TRUE POINT OF BEGINNING**.

**TOGETHER WITH** an easement for ingress and egress over, under and across the North 20.00 feet of the South 40.00 feet of said Government Lot 3, Section 21, Township 36 North, Range 3, East, W.M. lying Easterly of the East line of the above described parcel; **EXCEPT** road right of way for S.R. 11, Chuckanut Drive, along the East side of said Government Lot 3.

**AND ALSO SUBJECT TO** and **TOGETHER WITH** easements, reservations, restrictions, covenants, liens, leases and other instruments of record.

Situate in the County of Skagit, State of Washington

Note: the bearings of the lines described in document referred to as Auditor's File Number 390772 were rotated to the right 0° 09' 08". The South line of Government Lot 3 was calculated to be South 89° 54' 30" West and the easement description called "due West" along the North line of the SE 1/4 of SE 1/4 (South line of Government Lot 3).

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