

200006300062  
Kathy Hill, Skagit County Auditor  
6/30/2000 Page 1 of 6 11:23:29AM

When recorded return to:  
Skagit County Farmland Legacy Program  
County Administration Building  
700 South Second Street, Rm. 202  
Mount Vernon, WA 98273

LAND TITLE COMPANY OF SKAGIT COUNTY

Grantor: Triple J Enterprises, a Washington General Partnership consisting of Larry R. Jensen, Michael L. Jensen and Catherine L. Jensen

Grantee: Skagit County, Washington

Legal Description  
Abbreviated form: a portion of Sections 13 & 24, Township 34 North, Range 2 East W.M. and Sections 18 & 19, Township 34 North, Range 3 East, W.M.  
Additional legal at Exhibit A.

Assessor's Tax Parcel Numbers: P20305, P20308, P20309, P20682, P20684, P20709, P20708, P20317, P20316, P20307, P22109, P22110, P22111, P22140, P22141, P22122, P22124

Reference number(s) of related/assigned/released documents: \_\_\_\_\_  
Reference(s) to document(s) appears on page(s) \_\_\_\_\_

**SUBORDINATION AGREEMENT**

NOTICE: THIS SUBORDINATION AGREEMENT RESULTS IN YOUR SECURITY INTEREST IN THE PROPERTY BECOMING SUBJECT TO AND OF LOWER PRIORITY THAN THE LIEN OF SOME OTHER OR LATER INSTRUMENT.

The undersigned subordinator agrees as follows:

1. Washington Mutual Bank ("Subordinator") is the owner and holder of a mortgage dated March 18, 1999, which was recorded under Auditor's File No. 9904140133, records of Skagit County; a security interest in goods under the provisions of RCW 62A dated July 26, 1996, which was recorded under Auditor's File No. 9607260124, records of Skagit County; a deed of trust dated May 10, 2000, which was recorded under Auditor's File No. 200005250067, records of Skagit County; and a deed of trust dated May 10, 2000, which was recorded under Auditor's File No. 200005250068, records of Skagit County
2. Skagit County ("Grantee") is the holder of a conservation easement dated June 27, 2000, executed by Grantor (as hereinafter defined) which will be recorded concurrently with this Subordination Agreement;  
Auditor's # 200006300061
3. Triple J Enterprises, a Washington General Partnership consisting of Larry R. Jensen, Michael L. Jensen and Catherine L. Jensen, ("Grantor"), are the owners of all the real property described in the conservation easement identified above in Paragraph 2.

4. In consideration of benefits to Subordinator from Owner, receipt and sufficiency of which is hereby acknowledged, and as required by Treasury Regulation § 170A-14(g)(2) for any conservation easement transaction with anticipated federal income, gift or estate tax benefits to the property owner, the Subordinator does hereby unconditionally subordinate the lien of the mortgage identified above in Paragraph 1 to the conservation easement identified above in Paragraph 2.
5. This Agreement shall be the whole and only agreement between the parties hereto with regard to the subordination of the lien or charge of the mortgage first above mentioned to the conservation easement in favor of Easement Holder above referred to and shall supersede and cancel any prior agreements as to such, or any subordination including, but not limited to, those provisions, if any, contained in the mortgage first above mentioned, which provided for the subordination of the lien or charge thereof to a mortgage to be thereafter executed.
6. The heirs, administrators, assigns and successors in interest of the Subordinator shall be bound by this agreement. Where the word mortgage appears herein it shall also be considered as deed of trust, and gender and number of pronouns considered to conform to undersigned.



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Executed this 27<sup>th</sup> day of June, 2000.

SUBORDINATOR

Bryan McDonald VP  
(Name)

SUBORDINATOR

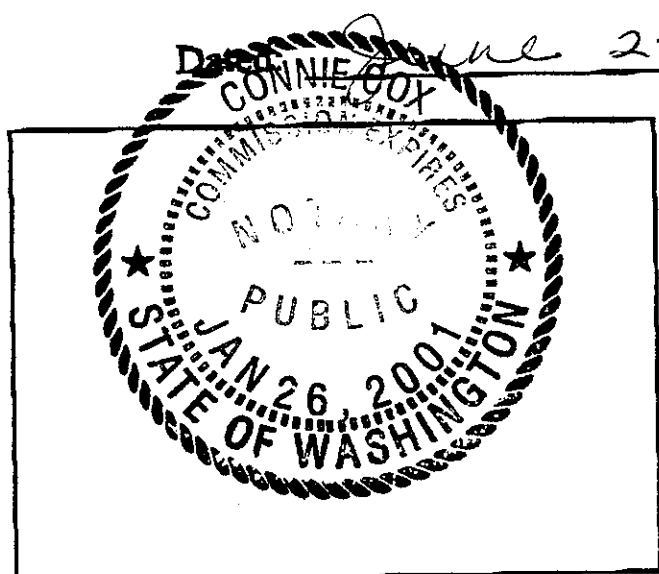
(Name)

STATE OF WASHINGTON )

) ss.

COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that Bryan McDonald is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as the Vice President of Western Bank to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.



(Use this space for notarial stamp/seal)

Notary Public

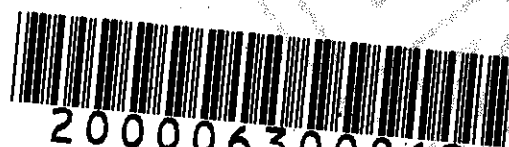
Print Name

My commission expires

Connie Cox

Connie Cox

1-26-2001



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## **EXHIBIT A**

### **Legal Description**

#### **PARCEL "A":**

a.) Government Lots 1, 2 and the East ½ of the Northeast ¼ of Section 24, Township 34 North, Range 2 East, W.M., EXCEPT road rights of way.

EXCEPT that portion thereof lying within Tracts "A" and "B" of Skagit County Short Plat No. 42-79, approved September 6, 1979 and recorded September 6, 1979 in Volume 3 of Short Plats, page 176, under Auditor's File No. 7909060026.

b.) Government Lots 4, 6, 7 and the East ½ of the Southeast ¼ of Section 13, Township 34 North, Range 2 East, W.M., EXCEPT the following described tracts of land:

That portion of Government Lots 4 and 6 of Section 13, T. 34 N., R. 2 East, W.M. described as follows: Beginning at the intersection of the East-West centerline of said Section 13 and the East line of Tract "A" as both are delineated upon the "PLAT OF SKAGIT BEACH No. 1" as per plat recorded in Volume 8 of Plats, Page 71, records of Skagit County, Washington; thence N 7°48' W along the East line of said Tract "A", a distance of 94.65 feet; thence N 82°12' E perpendicular to the aforesaid line, a distance of 220.00 feet; thence S 7°48' E along a line parallel to the East line of said Tract "A", a distance of 119.95 feet, more or less, to the intersection of the East-West centerline of said Section 13; thence continuing S 7°48' E, a distance of 719.04 feet, more or less, to its' intersection with the East line of said Tract "A"; thence Northerly along the East line of said Tract "A", on the following courses and distances: N 31°59' W, a distance of 537.03 feet; N 7°48' W, a distance of 254.44 feet to the Point Of Beginning, and containing 3.00 acres; AND

That portion of Government Lot 4 of Section 13, T. 34 N., R. 2 East, W.M. described as follows: Beginning at the intersection of the East-West centerline of said Section 13 and the East line of Tract "A" as both are delineated upon the "PLAT OF SKAGIT BEACH No. 1" as per plat recorded in Volume 8 of Plats, Page 71, records of Skagit County, Washington; thence N 7°48' W along the East line of said Tract "A", a distance of 124.65 feet to the TRUE POINT OF BEGINNING of this property description; thence continuing N 7°48' W, along the East line of said Tract "A", a distance of 32.15 feet to the PC of a curve to the right; thence continuing along the East line of said Tract "A" along said curve to the right having a radius of 441.68 feet and a central angle of 25°42', an arc length of 198.11 feet to the PT of said curve; thence S 73°08'05" E, a distance of 257.46 feet; thence S 17°54' W, a distance of 129.00 feet, more or less, to a point which bears N 82°12' E, a distance of 221.72 feet, from the True Point Of Beginning; thence S 82°12' W, a distance of 221.72 feet, to the True Point Of Beginning of this property description, and containing 1.00 acres.

SUBJECT TO that Easement for Septic Field, including the terms and provisions thereof, between Martin R. Lind, et. ux., Grantee and Hayton Farms Inc., Grantor to serve exclusively Lot 6-A of Skagit Beach No. 1 as per plat recorded in Volume 8 of Plats at page 71, by that instrument recorded June 5, 1992 under Auditor's File No. 9206050074, records of Skagit County, Washington.

c.) That portion of the Southeast ¼ of the Northwest ¼ of Section 18, Township 34 North, Range 3 East, W.M., lying South and West of Higgins Slough and Government Lots 3 and 4 of Section 18, Township 34 North, Range 3 East, W.M.

d.) Government Lot 2 of Section 18, Township 34 North, Range 3 East, W.M., and Government Lot 5 of Section 13, Township 34 North, Range 2 East, W.M., EXCEPT so much thereof as lies within the following described tract:



Beginning at the corner of Sections 7, 12, 13 and 18 on the Township line between Township 34 North, Range 2 East, W.M., and Township 34 North, Range 3 East, W.M., and thence running South following the said Township line a distance of 1,320 feet;  
 thence turning and running East a distance of 1,295.6 feet;  
 thence turning and running South a distance of 590.7 feet;  
 thence turning and running North 74°30' West a distance of 556.5 feet;  
 thence turning and running South 78°15' West a distance of 486 feet;  
 thence turning and running North 82°30' West a distance of 289.4 feet to an intersection with said Township line, which point of intersection is 1,822.8 feet South of said corner of Sections 7, 12, 13 and 18;  
 thence turning and running North 62° West a distance of 671 feet;  
 thence turning and running North 41°45' West a distance of 250 feet;  
 thence turning and running North 5° West a distance of 862 feet;  
 thence turning and running North 20°15' West a distance of 300 feet;  
 thence turning and running North 6°45' West a distance of 224 feet;  
 thence turning and running North 10°45' East a distance of 300 feet;  
 thence turning and running North 28°30' East a distance of 400 feet;  
 thence turning and running North 47°12' East a distance of 979.2 feet to an intersection with the aforesaid Township line;  
 thence turning and running South following the said Township line a distance of 1,350.9 feet to corner of Sections 7, 12, 13 and 18 on Township line between Township 34 North, Range 2 East, W.M., and Township 34 North, Range 3 East, W.M., the point of beginning.

e.) Government Lot 1 of Section 19, Township 34 North, Range 3 East, W.M.

EXCEPTING from the above descriptions, County road, dike and ditch rights of way and "PLAT OF SKAGIT BEACH NO. 1", as per plat recorded in Volume 8 of Plats, page 71, records of Skagit County, Washington, portions of which have been replatted as "PLAT OF SKAGIT BEACH NO. 2", as per plat recorded in Volume 9 of Plats, page 25, records of Skagit County, Washington; "PLAT OF SKAGIT BEACH NO. 3", as per plat recorded in Volume 9 of Plats, page 26, records of Skagit County, Washington; "PLAT OF SKAGIT BEACH NO. 4", as per plat recorded in Volume 11 of Plats, page 45, records of Skagit County, Washington; and "PLAT OF SKAGIT BEACH NO. 5", as per plat recorded in Volume 10 of Plats, page 27, records of Skagit County, Washington.

Situate in the County of Skagit, State of Washington.

PARCEL "B":

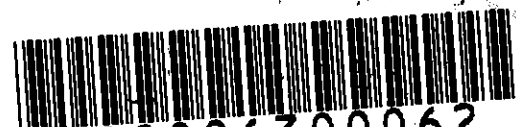
That portion of the Northeast ¼ of the Southwest ¼ of Section 18, Township 34 North, Range 3 East, W.M., lying West of Higgins Slough, EXCEPT road, dike and ditch rights of way.

Situate in the County of Skagit, State of Washington.

PARCEL "C":

Government Lot 2, Section 19, Township 34 North, Range 3 East, W.M., EXCEPT road, ditch and dike rights of way, AND EXCEPT the following described tracts:

1.) That portion of Government Lot 2 of Section 19, Township 34 North, Range 3 East, W.M., described as follows:



**PARCEL "C" continued:**

Beginning at a point on the North line of the County road running along the South line of said subdivision, a distance of 1,036 feet West of the East line of said Government Lot 2;  
thence North parallel with said East line a distance of 208.7 feet;  
thence West parallel with the North line of said County road a distance of 208.7 feet;  
thence South parallel with the East line of said Government Lot 2 a distance of 208.7 feet to the North line of said County road;  
thence East along the North line of said County road a distance of 208.7 feet to the point of beginning.

2.) The East 230 feet of the South 226 feet of Government Lot 2, Section 19, Township 34 North, Range 3 East, W.M.,  
EXCEPT the East 30 feet thereof.

Situate in the County of Skagit, State of Washington.

