

52

When recorded return to:

Skagit Land Trust
P. O. Box 1017
Mt. Vernon, WA 98273



200007240107

Kathy Hill, Skagit County Auditor

7/24/2000 Page 1 of 52 2:32:14PM

Grantor: City of Anacortes
Grantee: Skagit Land Trust

Brief Legal Description: *(full legal description located in Exhibit 'A')*
(Approximately 65 acres in 13 separate tracts located in) portions of Sections 26 & 36, Township 35N, Range 1E; Sections 1 & 6, Township 34N, Range 2E; Section 2, Township 34N, Range 1E;

Assessor's Tax Identification / Parcel Numbers:

340206-0-001-0001	/P20027
350126-1-001-0005	/P32340
340102-4-001-0008	/P19058
340101-1-001-0005	/P18999
350136-2-001-0001	/P32676
350126-1-001-0005	/P32340

SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax

JUL 24 2000

Amount Paid \$
Skagit Co. Treasurer
By *[Signature]* Deputy

DEED OF CONSERVATION EASEMENT

THIS GRANT DEED OF CONSERVATION EASEMENT is made this 13th day of July, 2000 by The City of Anacortes, a Washington Municipal Corporation, having an address at P.O. Box 547, Anacortes, WA 98221. ("Grantor"), in favor of The Skagit Land Trust a non profit Washington corporation, having an address at P.O. Box 1017, Mount Vernon, WA 98273 ("Grantee").

WITNESSETH:

WHEREAS, Grantor is the sole owners in fee simple of certain real property in Skagit County, Washington, more particularly described in Exhibit A attached hereto and incorporated by this reference (the "Property"); and

WHEREAS, the property possesses natural, scenic and recreational values, in particular natural forest lands, all of which are hereafter know as "conservation values" of great importance to Grantor and the people of the City of Anacortes, and

WHEREAS, the specific conservation values of the Property are documented on file at the offices of Grantor and incorporated by this reference ("Baseline Documentation" Exhibit B), which consists of reports, maps, photographs, and other documentation that the parties agree provide, collectively, an accurate representation of the Property at the time of this grant and which is intended to serve as an objective information baseline for monitoring compliance with the terms of this grant; and

WHEREAS, Grantor intends that the conservation values of the Property be preserved and maintained by the continuation of land use patterns that do not significantly impair or interfere with the above "conservation values"; and

WHEREAS, Grantor further intends, as owners of the Property, to convey to Grantee the right to preserve and protect the conservation values of the Property in perpetuity; and

WHEREAS, Grantee is a publicly supported, tax-exempt nonprofit organization, qualified under Section 501(c)(3) and 170(h) of the Internal Revenue Code, whose primary purpose is the preservation, protection, and enhancement of land in its natural, scenic, forested condition; and

WHEREAS, Grantee agrees by accepting this grant to honor the intentions of Grantors stated herein and to preserve and protect in perpetuity the conservation values of the Property for the benefit of this generation and the generations to come; and

WHEREAS, Grantor recognizes that the preservation of conservation values within the property will provide substantial benefits to Grantor and the public in general and that such benefits together with monetary payment to be made are adequate consideration in exchange for the grant of easement contained herein;

NOW, THEREFORE, the following deed memorializes the agreement which has been reached between the parties. The Grantor, the City of Anacortes, a Washington municipal corporation, for consideration as set forth herein and subject to conditions, agreements and provisions set forth hereinafter, hereby voluntarily grants and conveys to Grantee, the Skagit Land Trust, a Washington not-for-profit corporation, a non-exclusive perpetual easement to run with the land upon the real property legally described in Exhibit A hereto. This easement is subject to the following terms and conditions:



Anacortes Community Forest Lands

Conservation Easement

1. **Purpose.** It is the purpose of this Easement to assure that the Property will be retained forever predominantly in its natural, scenic, forested condition and to prevent any use of the Property that will significantly impair or interfere with the conservation values of the Property. Grantor intends that this Easement will confine the use of the Property to such activities, (including, without limitation, those involving public recreation) as are consistent with the purpose of this Easement.

2. **Rights of Grantee.** To accomplish the purpose of this Easement the following rights are conveyed to Grantee by this Easement:

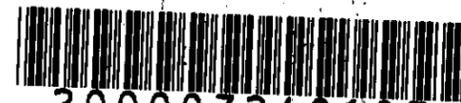
- a) To preserve and protect the conservation values of the Property,
- b) To enter upon the Property at reasonable times in order to monitor Grantors' compliance with and otherwise enforce the terms of this Easement; and
- c) To prevent any activity on or use of the Property that is inconsistent with the purpose of this Easement and to require the restoration of such areas or features of the Property that may be damaged by an inconsistent activity or use, pursuant to paragraph 6. Should complete restoration be impossible, Grantee shall require appropriate mitigation.

3. **Prohibited Uses.** Any activity on or use of the Property inconsistent with the purpose of this Easement is prohibited. Without limiting the foregoing, the following uses are expressly prohibited.

- a) Conversion or use of the property for timber harvesting, mining, or any commercial venture shall be prohibited.
- b) Sale, lease or other transfer of the protected property.

4. **Reserved Rights.** Grantors reserve to themselves, and to their personal representatives, heirs, successors, and assigns, all rights accruing from their ownership of the Property, including the right to engage in or permit or invite others to engage in all uses of the Property that are not expressly prohibited by Section 3 or otherwise herein and are not inconsistent with the purpose of this Easement. Without limiting the foregoing, the following rights are expressly reserved.

- a) Use of portions of the property for public utilities, such as water reservoirs, or service roads to those public utilities.
- b) In those areas where the City has previously operated pump stations, water storage facilities, and pipelines, those activities may continue and such facilities may be maintained as long as necessary for public utility purposes. Parcels of the ACFL to which this conservation easement is applied may include any of these recreational or utility facilities, and their maintenance and improvement shall not be hindered by such application. In addition, any paved street or road in use at the date of this program's adoption shall be exempt from any restrictions and adjacent property may be altered as necessary to maintain the safe operation of vehicles on such streets.



- c) Facilities which allow and support such recreational and educational uses, such as service roads, parking lots, trailheads, trails, bridges, signs, interpretive displays, interpretive buildings, viewing platforms, boardwalks, sanitary facilities and picnic sites may be developed, maintained and improved as needed.
- d) All uses as prescribed for by the ACFL Management Plan of 1991. The City Council, as elected representative of the people who are owners of the property, with recommendation from the ACFL Forest Board, will continue to manage the Anacortes Community Forest Lands in accord with its then current, adopted ACFL Management Plan. Special care will be taken to manage areas where easements are sold in accord with recorded Conservation Easements.
- e) To undertake other activities necessary to protect public health or safety on the Protected Property or adjacent property, or which are actively required by and subject to compulsion of any governmental agency with authority to require such activity, provided that any such activity shall be conducted in a manner that protects the Conservation Values of the Protected Property to the greatest practicable extent, taking into account all the surrounding circumstances.

5. **Dispute Resolution.** If a dispute arises between the parties concerning the consistency of any proposed use or activity with the purpose of this easement, the parties shall meet together to discuss the dispute and attempt resolution. Thereafter, either party may request a hearing before the Anacortes City Council. Upon receiving the request for a hearing, the City Council shall schedule a public hearing to be held not less than 20 (twenty) nor more than 60 (sixty) days from receipt by them of the request for the hearing. Notice of the hearing shall be provided by direct mailing to each of the parties as well as publication in the official city newspaper not less than 7 (seven) days prior to the hearing date. If the resultant decision of the Anacortes City Council is not satisfactory to the other party, such party may bring an action in Skagit County Superior Court which shall review the matter de novo and which shall have full jurisdiction to grant relief consistent with Section 6 hereof. The Superior Court shall award to the prevailing party its reasonable attorney fees and costs. Nothing herein contained shall prevent the parties from agreeing to submit this matter to mediation and/or arbitration.

6. **Grantee's Remedies.**

- (a) If Grantee determines that Grantors are in violation of the terms of this Easement or that a violation is threatened, Grantee shall give written notice to Grantors of such violation and demand corrective action sufficient to cure the violation and, where the violation involves injury to the Property resulting from any use or activity inconsistent with the purpose of this Easement, to restore the portion of the Property so injured.
- (b) If Grantors fail to cure the violation within sixty (60) days after receipt of notice thereof from Grantee, or under circumstances where the violation cannot reasonably be cured within a sixty (60) day period, fail to begin curing such violation within the sixty (60) day period, or fail to continue diligently to cure such violation until finally cured, Grantee may bring an action at law or in equity in a court of competent jurisdiction to enforce the terms of this Easement, to enjoin the violation, exparte as necessary, by temporary or permanent injunction, to recover any damages to which it may be entitled for violation of the terms of this Easement or injury to any conservation values protected by this Easement, including damages for the loss of scenic, aesthetic, or environmental values, and to require the restoration of the Property to the condition that existed prior to any such injury. Without



limiting Grantors' liability therefor, Grantee, in its sole discretion, may apply any damages recovered to the cost of undertaking any corrective action on the Property.

- (c) If Grantee, in its sole discretion, determines that circumstances require immediate action to prevent or mitigate significant damage to the conservation values of the Property, Grantee may pursue its remedies under this paragraph without prior notice to Grantors or without waiting for the period provided for cure to expire. Grantee's rights under this paragraph, both prohibitive and mandatory, are in addition to such other relief to which Grantee may be entitled, including specific performance of the terms of this Easement, without the necessity of proving either actual damages or the inadequacy of otherwise available legal remedies. Grantee's remedies described in this paragraph shall be cumulative and shall be in addition to all remedies now or hereafter existing at law or in equity.

6.1 **Costs of Enforcement.** Any cost incurred by Grantee in enforcing the terms of this Easement against Grantors, including, without limitation, costs of suit and attorneys' fees, and any costs of restoration necessitated by Grantors' violation of the terms of this Easement shall be borne by Grantors. If Grantors prevail in any action to enforce the terms of this Easement, Grantors' costs of suit, including, without limitation, attorneys' fees, shall be borne by Grantee.

6.2 **Grantee's Discretion.** Enforcement of the terms of this Easement shall be at the discretion of Grantee, and any forbearance by Grantee to exercise its rights under this Easement in the event of any breach of any term of this Easement by Grantors shall not be deemed or construed to be a waiver by Grantee of such term or of any subsequent breach of the same or any other term of this Easement or of any Grantee's rights under this Easement. No delay or omission by Grantee in the exercise of any right or remedy upon any breach by Grantors shall impair such right or remedy or be construed as a waiver.

6.3 **Acts Beyond Grantors' Control.** Nothing contained in this Easement shall be construed to entitle Grantee to bring any action against Grantors for any injury to or change in the Property resulting from causes beyond Grantors' control, including, without limitation, fire, flood, storm, and earth movement, or from any prudent action taken by Grantors under emergency conditions to prevent, abate, or mitigate significant injury to the Property resulting from such causes, or from injury caused by private parties in violation of Grantor's adopted management plan and codes. Grantor will diligently prosecute violators.

7. **Access.** No additional rights of access by the general public to any portion of the property are conveyed by this Easement nor is any new limit on the access implied.

8. **Costs and Liabilities.** Grantors retain all responsibilities and shall bear all costs and liabilities of any kind related to the ownership, operation, upkeep, and maintenance of the Property, including the maintenance of adequate comprehensive general liability insurance coverage. Grantors shall keep the Property free of any liens arising out of any work performed for, materials furnished to, or obligations incurred by Grantors.

9. **Extinguishment.** If circumstances arise in the future such as render the purpose of this Easement impossible to accomplish, this Easement can only be terminated or extinguished, whether in whole or in part, by judicial proceedings in a court of competent Jurisdiction. The Court shall award grantee the fair market value of the easement. Grantee shall use all such proceeds in a manner consistent with the conservation purposes of this grant.

9.1 **Condemnation.** If the Easement is taken, in whole or in part, by exercise of the power of eminent domain, grantee shall be entitled to compensation in accordance with applicable law.



9.2 **Amendment for Supplementary.** If circumstances arise under which an amendment to or modification of this Easement would be appropriate, Grantors and Grantee are free to jointly amend this Easement; provided that no amendment shall be allowed that will affect the qualification of this Easement or the status of Grantee under any applicable laws, including Section 170(h) of the Internal Revenue Code of 1954, as amended and any amendment shall be consistent with the purpose of this Easement, and shall not affect its perpetual duration. Any such amendment shall be recorded in the official records of Skagit County, Washington.

10. **Assignment.** This Easement is transferable (with the Grantors approval, which will not be unreasonably withheld), but Grantee may assign its rights and obligations under this Easement only to an organization that is a qualified organization at the time of transfer under Section 170(h) of the provision then applicable, and the applicable regulations promulgated thereunder and authorized to acquire and hold conservation easements under Washington State Law (or any successor provision then applicable). As a condition of such transfer, Grantee shall require that the conservation purposes that this grant is intended to advance continue to be carried out.

10.1 **Executory Limitation.** If Grantee shall cease to exist or to be a qualified organization under Section 170(h) of the Internal Revenue Code of 1954, as amended, or to be authorized to acquire and hold conservation easements under Washington Law, and a prior assignment is not made pursuant to paragraph 10, then Grantee's rights and obligations under this Easement shall become immediately vested in (designated back-up grantee). If (designated backup grantee) is no longer in existence at the time the Grantee ceases to exist or is no longer qualified, then the rights and obligations under this Easement shall vest in such organization as a court of competent jurisdiction shall direct pursuant to the applicable Washington law and with due regard to the requirements for an assignment pursuant to Paragraph 10.

11. **Notices.** Any notice, demand, request, consent approval, or communication that either party desires or is served personally or sent by first class mail, postage prepaid, addressed as follows-

To Grantor: City of Anacortes
P.O. Box 547
Anacortes, WA 98221

To Grantee: Skagit Land Trust
P.O. Box 1017
Mount Vernon, WA 98273

or to such other address as either party from time to time shall designate by written notice to the other.

12. **Recordation.** Grantee shall record this instrument in a timely fashion in the official records of Skagit County, Washington and may re-record it at any time as may be required to preserve its rights in the Easements.

13. **General Provision.**

a) **Controlling Law.** The interpretation and performance of this Easement shall be governed by the laws of the State of Washington.



- b) Severability. If any provision of the Easement, or the application thereof to any person or circumstance, is found to be invalid, the remainder of the provision of this Easement, or the application of such provision to persons or circumstances other than those as to which it is found to be invalid, as the case may be, shall not be affected thereby.
- c) Entire Agreement. This instrument sets for the entire agreement of the parties with respect to the Easement and supersedes all prior discussions, negotiations, understandings, or agreements relating to the Easement, all of which are merged herein. (No alteration or variation of this instrument shall be valid or binding unless contained in an amendment that complies with Paragraph 9.3)
- d) No Forfeiture. Nothing contained herein will result in a forfeiture or reversion of Grantor's title in any respect.
- e) Joint Obligation. The obligations imposed by this Easement upon Grantors shall be joint and several.
- f) Successors. The covenants, terms, conditions, and restrictions of this Easement shall be binding upon, and inure to the benefit of, the parties hereto and their respective personal representatives, heirs, successors, and assigns and shall continue as a servitude running in perpetuity with the Property.
- g) Termination of Rights and Obligations. A party's rights and obligations under this Easement terminate upon transfer of the party's interest in the Easement or Property, except that liability for acts or omissions occurring prior to transfer shall survive transfer
- h) Captions. The captions in this instrument have been inserted solely for convenience of reference and are not a part of this instrument and shall have no effect upon construction or interpretation.
- i) Counterparts. The parties may execute this instrument in two or more counterparts, which shall, in the aggregate, be signed by both parties, each counterpart shall be deemed an original instrument as against any party who has signed it. In the event of any disparity between the counterparts produced, the recorded counterpart shall be controlling.

SCHEDULE OF EXHIBITS

- A. Legal Descriptions of Property Subject to Easement.**
- B. Site Maps**
- C. Baseline Documentation**



TO HAVE AND TO HOLD unto Grantee, its successors, and assigns forever.

IN WITNESS WHEREOF Grantors and Grantee have set their hands on the day and year first above written.

City of Anacortes, Grantor

by A. Dean Maxwell

its MAYOR

State of Washington)
County of Skagit) ss.

On this day personally appeared before me, A. Dean Maxwell to me known to be the individual 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 13 day of July, 2000.

Lynette E. Smeby
Notary Public in and for said State of Washington

Lynette E. Smeby
Printed Name

Residing at:
2261 Fairway
Oak Harbor WA 98277

My commission expires: June 22, 2004



UNRECORDED

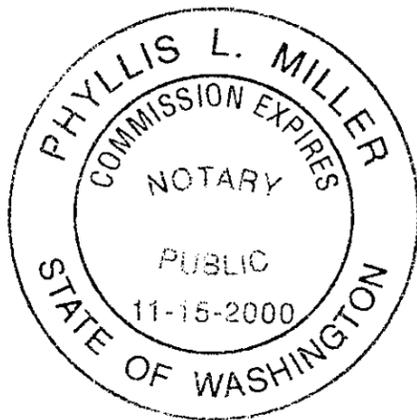
Skagit Land Trust
Skagit Land Trust, Grantee
by Jerald Robert Haegele
its President

State of Washington
County of Skagit

)
) ss. Jerald Robert Haegele

On this day personally appeared before me, _____ to me known to be the individual 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 26th day of June, 2000.



Phyllis L. Miller
Notary Public in and for said State of Washington

Phyllis L. Miller
Printed Name

Residing at:
3382 Bustos Cir. Rd
Sebo Wacley, WA 98284

My commission expires: 11/15/2000



EXHIBIT 'A'

LEGAL DESCRIPTION OF PROPERTY SUBJECT TO EASEMENT

(ACFL CE #4 / Approx. 65 acres in thirteen separate tracts of approx. 5 acres each)

Tract 6: The East Half of the Northwest Quarter of the Northeast Quarter of the Southwest Quarter, Section 6, Township 34 North, Range 2 East of the Willamette Meridian.

Tract 7: The East Half of the Northeast Quarter of the Southeast Quarter of the Northeast Quarter, Section 26, Township 35 North, Range 1 East of the Willamette Meridian.

Situate in Skagit County, Washington.

Tract 8: The East Half of the Southeast Quarter of the Northeast Quarter of the Northeast Quarter, Section 26, Township 35 North, Range 1 East of the Willamette Meridian.

Situate in Skagit County, Washington.

Tract 9: That portion of Government Lot 9 of Section 2, Township 34 North, Range 1 East, W.M. described as follows:

Begin at the Northeast corner of said Government Lot 9; thence West along the North line of said subdivision 660 feet; thence South parallel with the East line of said subdivision 660 feet to the True point of Beginning; thence continue South along said parallel line to the North line of those premises conveyed to Konrad Kurp by deed recorded July 1, 1981 as Auditor's File No. 8107100023; thence Southwesterly along the North line of said Kurp property to the Northeasterly shoreline of Lake Erie; thence Northwesterly along said Northeasterly shoreline to the West line of said Government Lot 9; thence North along said West line to a point that lies 660 feet South of the North line of said subdivision; thence Easterly to the True Point of Beginning.

Situate in Skagit County, Washington.

Tract 10: The West Half of the Southwest Quarter of the Southeast Quarter of the Northwest Quarter, Section 1, Township 34 North, Range 1 East of the Willamette Meridian EXCEPT that portion thereof lying within the road right-of-way commonly known as Mt. Erie Road.

Situate in Skagit County, Washington.

Tract 11: The East Half of the Northwest Quarter of Government Lot 1, Section 36, Township 35 North, Range 1 East of the Willamette Meridian.

Situate in Skagit County, Washington.



EXHIBIT 'A'

LEGAL DESCRIPTION OF PROPERTY SUBJECT TO EASEMENT
(ACFL CE #4 / Approx. 65 acres in thirteen separate tracts of approx. 5 acres each)

Tract 12: The West Half of the Northwest Quarter of Government Lot 1, Section 36, Township 35 North, Range 1 East of the Willamette Meridian.

Situate in Skagit County, Washington.

Tract 13: The West Half of the Southwest Quarter of Government Lot 1, Section 36, Township 35 North, Range 1 East of the Willamette Meridian.

Situate in Skagit County, Washington.

Tract 14: The West Half of the Southwest Quarter of the Northeast Quarter of the Northwest Quarter, Section 36, Township 35 North, Range 1 East of the Willamette Meridian.

Situate in Skagit County, Washington.

Tract 15: The East Half of the Southwest Quarter of the Southeast Quarter of the Northwest Quarter, Section 26, Township 35 North, Range 1 East of the Willamette Meridian.

Situate in Skagit County, Washington

Tract 16: The North Half of the Northeast Quarter of the Southwest Quarter of the Northwest Quarter, Section 26, Township 35 North, Range 1 East of the Willamette Meridian.

Situate in Skagit County, Washington.

Tract 17: The West Half of the Northwest Quarter of the Southwest Quarter of the Northwest Quarter, Section 26, Township 35 North, Range 1 East of the Willamette Meridian.

Situate in Skagit County, Washington.

Tract 18: The South Half of the Northwest Quarter of the Southeast Quarter of the Northeast Quarter, Section 26, Township 35 North, Range 1 East of the Willamette Meridian.

Situate in Skagit County, Washington



Exhibit 'B' (Page 1 of 6)

Site Map / Tract 6 (approximately 5 acres)
Section 6, Township 34N, Range 2E
Parcel # P20027

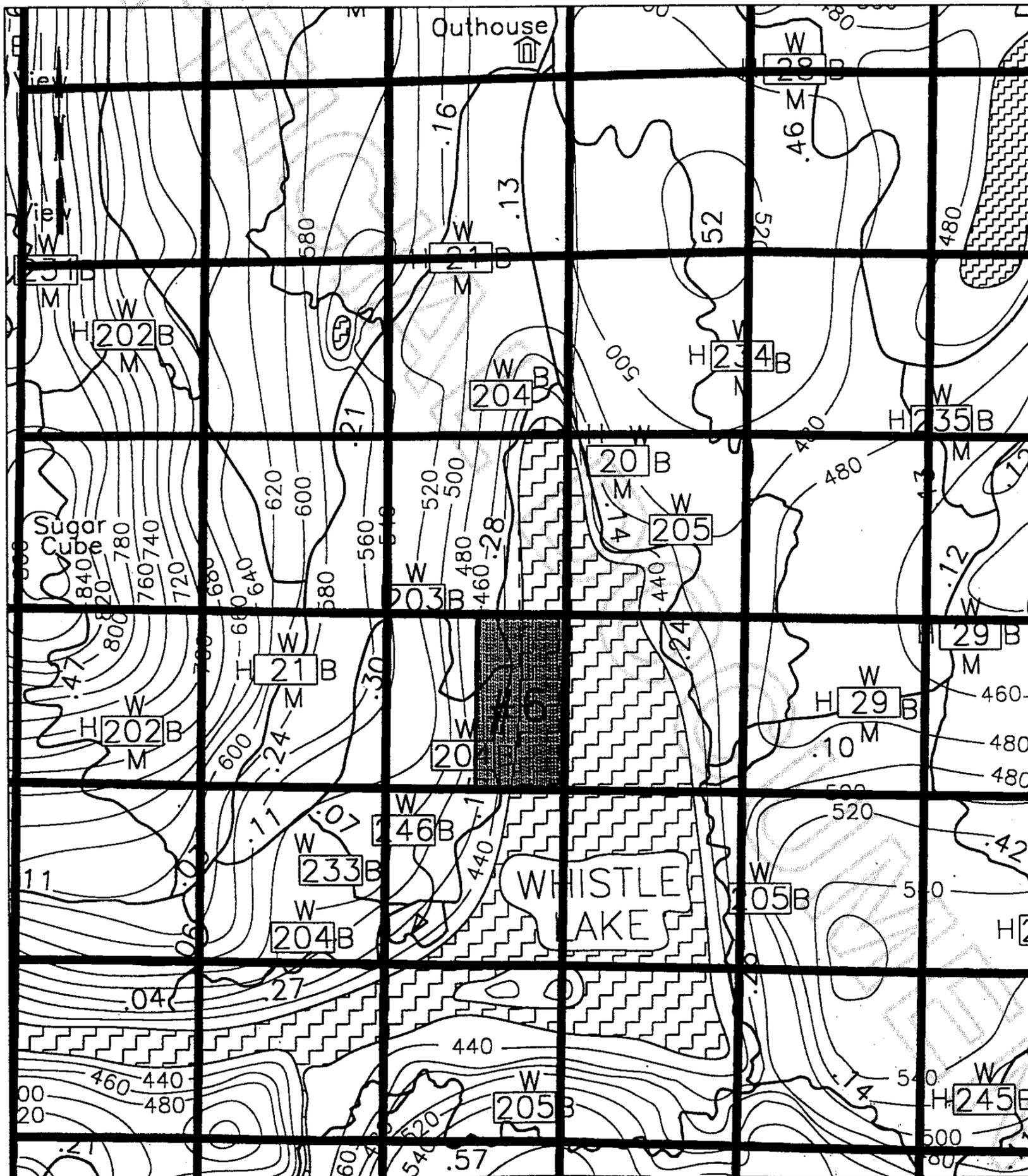
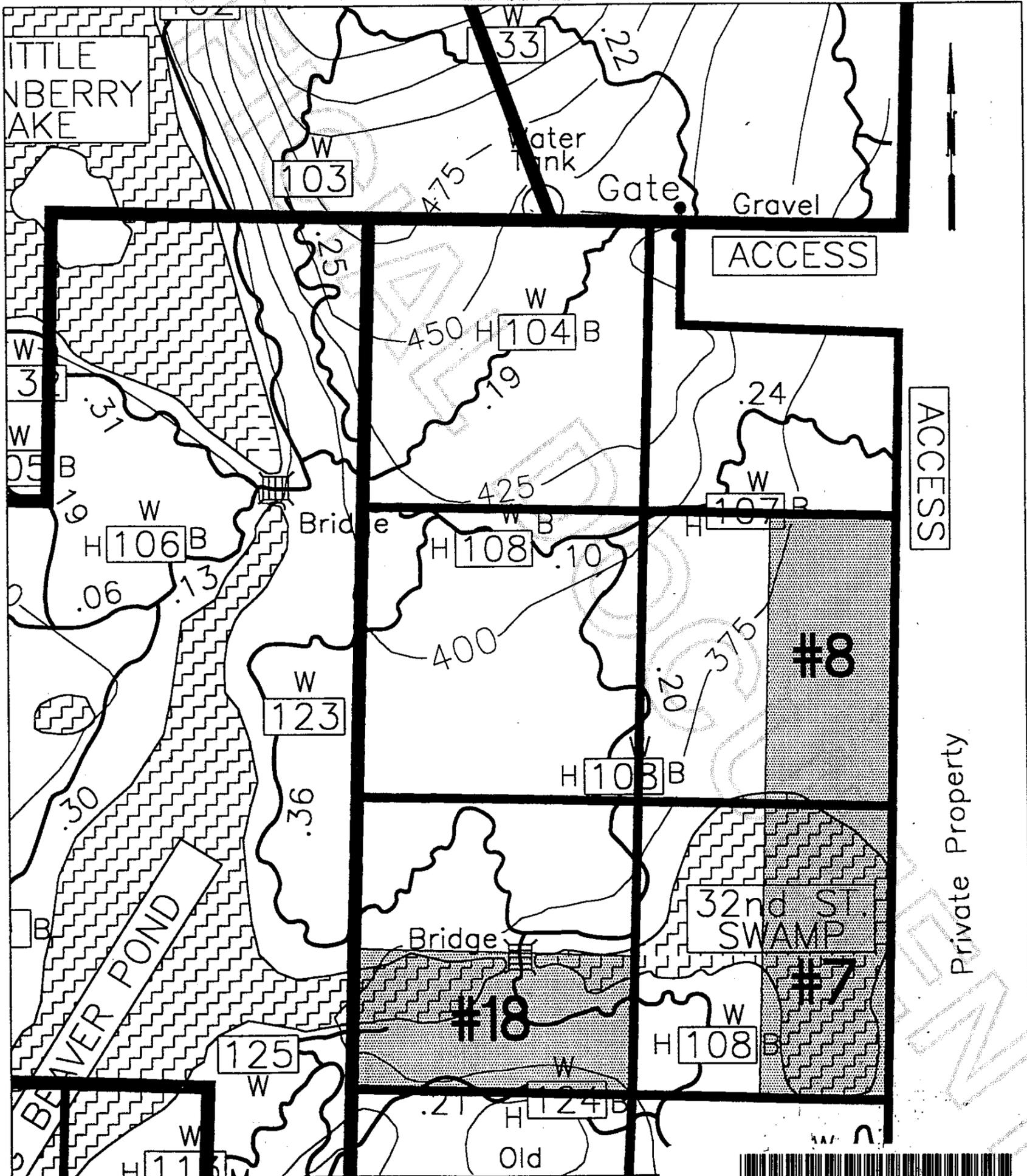


Exhibit 'B' (Page 2 of 6)

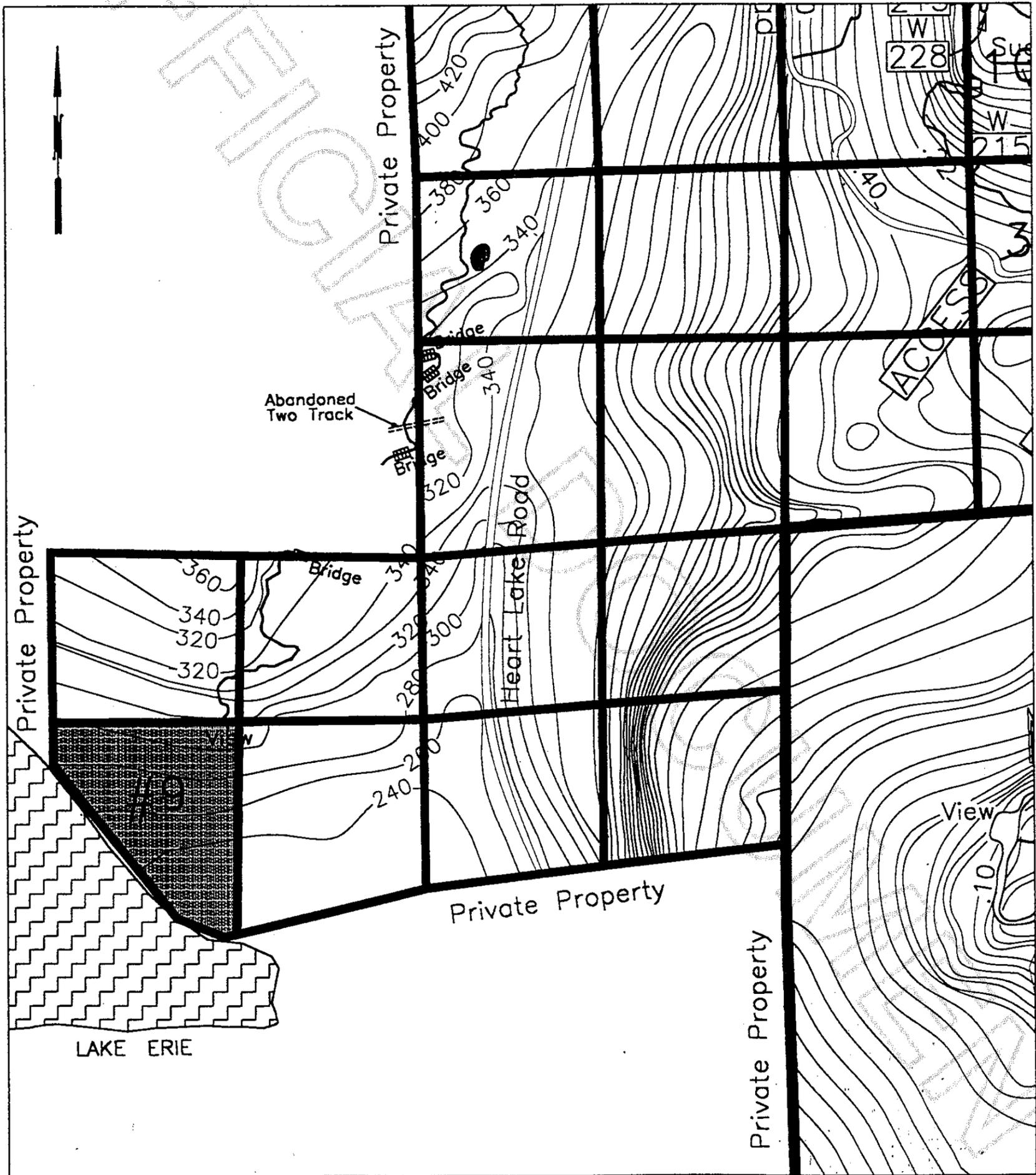
Site Map / Tracts 7, 8 & 18 (approximately 15 acres)
Section 26, Township 35N, Range 1E
Parcel # P32340



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Exhibit 'B' (Page 3 of 6)

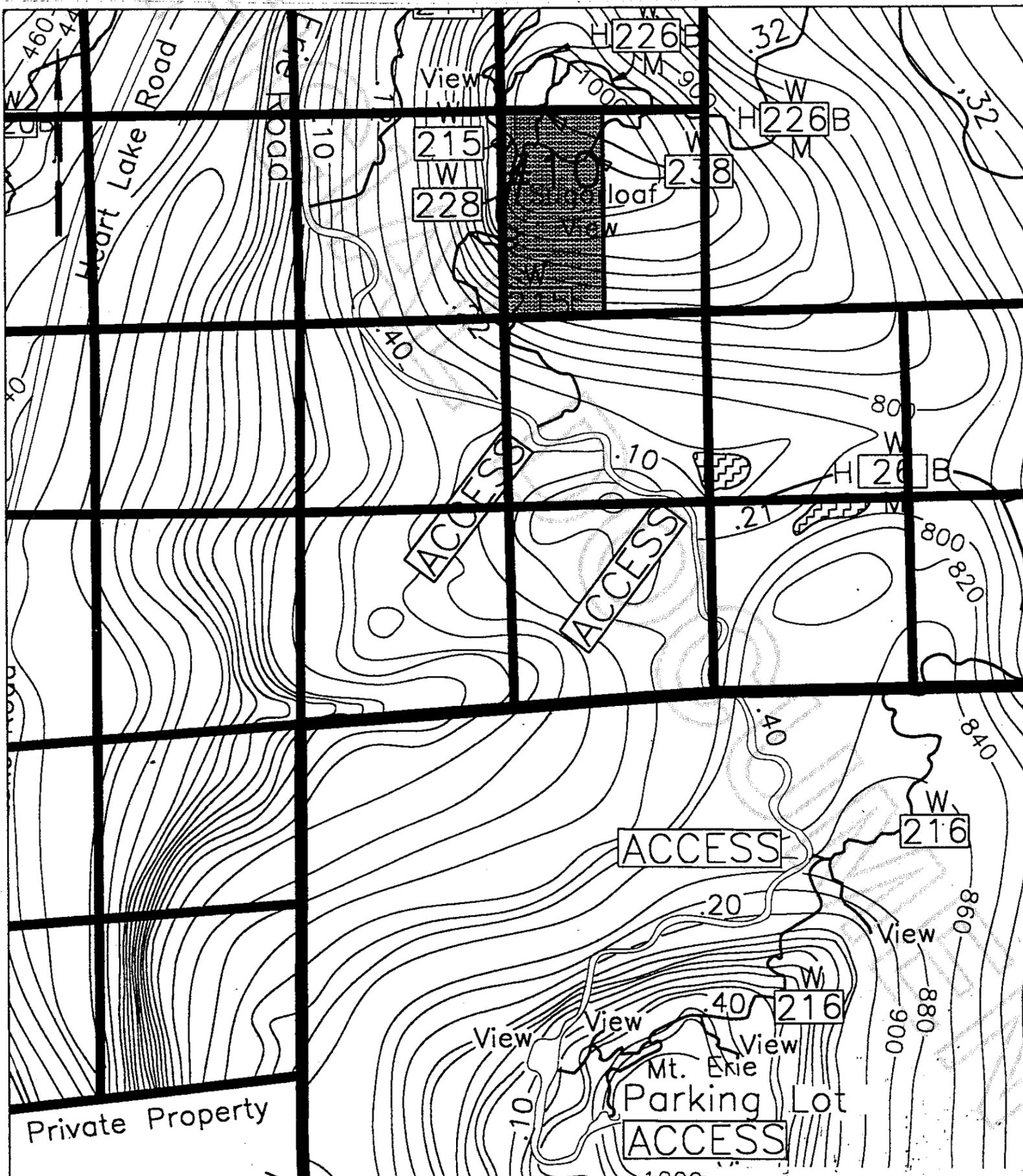
Site Map / Tract 9 (approximately 5 acres)
Section 2, Township 34N, Range 1E
Parcel # P19058



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Exhibit 'B' (Page 4 of 6)

Site Map / Tract 10 (approximately 5 acres)
Section 1, Township 34N, Range 1E
Parcel # P18999

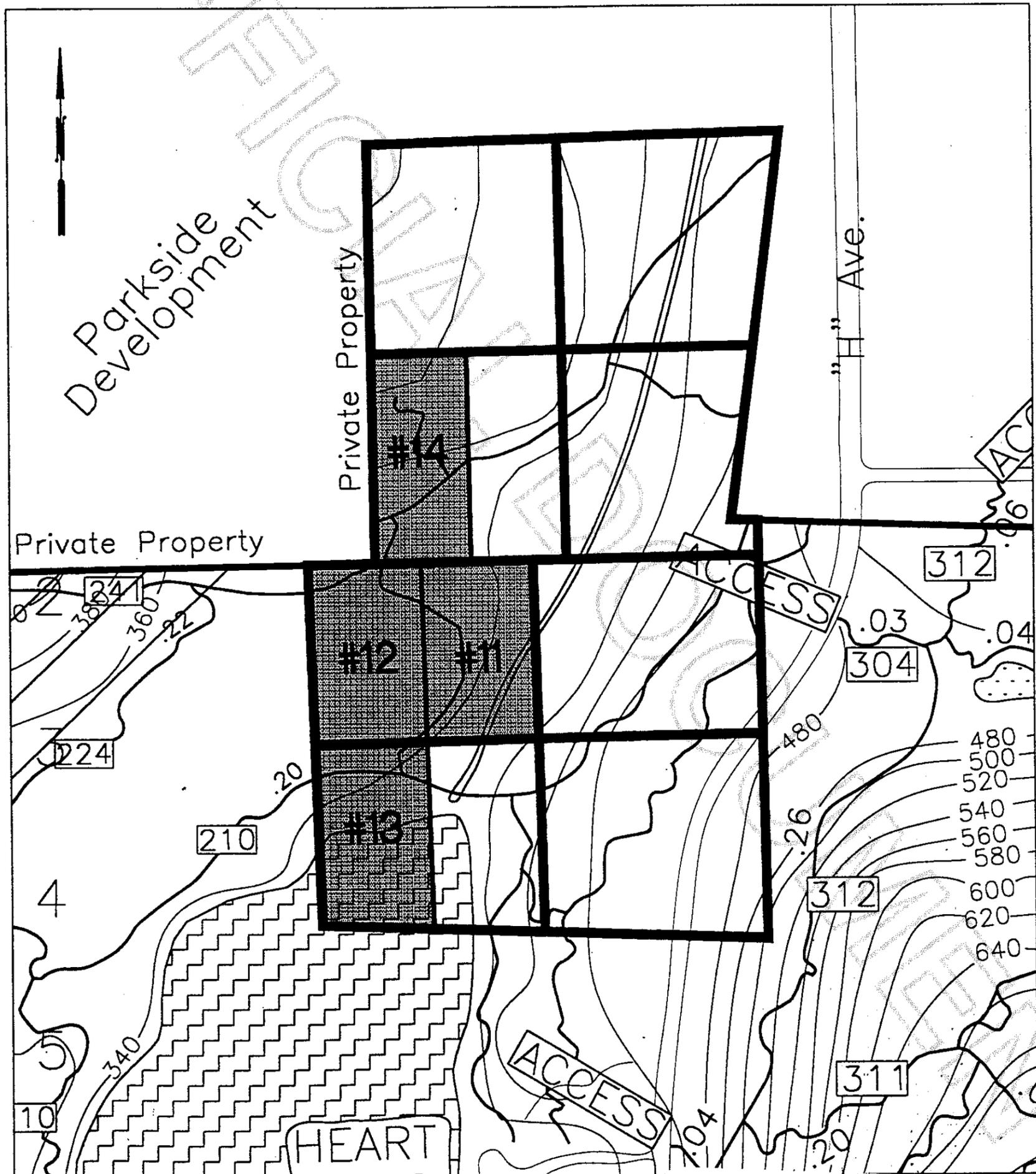


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Kathy Hill, Skagit County Auditor

Exhibit 'B' (Page 5 of 6)

Site Map / Tracts 11, 12, 13, & 14 (approximately 20 acres)
Section 36, Township 35N, Range 1E
Parcel # P32676



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Kathy Hill, Skagit County Auditor

EXHIBIT 'C'

BASELINE DOCUMENTATION FOR THIRTEEN SEPARATE 5 ACRE TRACTS
ACFL CE #4 / TRACTS 6-18

UNOFFICIAL DOCUMENT



200007240107

SKAGIT LAND TRUST
CONSERVATION EASEMENT BASELINE DATA DOCUMENT

Grantor Information:

Name:	City of Anacortes	Tract:	6
Address:	PO Box 547	Section:	6
City:	Anacortes, WA 98221	Township	34N
Phone (Day):	(360) 293-1900	Range:	2E
Contact:	Gary Robinson, Parks and Recreation Dept.		293-1918

Skagit Land Trust (Grantee) Contact:

Name(s): Gene Murphy or Martha Bray Phone: (360) 293-4153 / (360) 428-7878
Donor referred to Skagit Land Trust by: Friends of the Forest

Property Information:

Acres 5 Number of Buildings 0 Descriptions Attached Yes XX No
Percent Wetland 30 (lake) Percent Forest 70 Percent Farmland 0 Percent Other 0
Percent buildings and Grounds 0 County Zoning Public Use Property ID No. Portion of Parcel # P20027
Type of Ownership FEE Mortgage Yes X No Mtg. Holder _____

Soil types The soils on this property are Whistle-Fidalgo-Rock outcrop complex with slopes of 30-65%. These soils are deep, well drained and found on glacially modified hills such as those on Fidalgo Island. Native trees for this soil type are conifers, with an understory of shrubs.

County Critical Areas Freshwater shoreline, nesting osprey and priority habitat for listed species (peregrine falcon)
State Priority Habitats and Species Bald eagle, osprey, and marbled murrelet habitat. Peregrine habitat nearby (Mt. Erie).

Special Features of Property: This property is located along the west shore of Whistle Lake and includes approximately 660 feet of shoreline near the northern end of the lake. The property is accessed via Anacortes Community Forest trails 20 and 204. Trail 204 runs the north-south length of the easement property, parallel to the shore of Whistle Lake. The land slopes up from the lake rising steeply from 432 feet in elevation at the lake to 860 feet to the immediate west of the protected property. The forest on the property is a mixture of red alder and willows along the lakeshore and western red cedar and Douglas fir on the slope above the lake. The forest canopy is sufficient in some places that Pacific yew trees are thriving and reproducing. Most trees in the coniferous forest appear to be approximately 60 years old, although there are a few very large downed Douglas fir that are serving as nurse logs and creating moist microhabitats. There are also several prominent snags that may serve as roosting trees for birds of prey and nesting trees for cavity nesting songbirds. Osprey nest on nearby Heart and Erie lakes and may feed on fish from Whistle Lake. Ravens have been observed in the vicinity and may also utilize the protected property. Understory plant species on the property include salal, oceanspray, Indian plum, wild rose, Oregon grape, red huckleberry, salmonberry, sword, licorice, oak and bracken ferns. The property is less than 1.5 miles from salt



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water and from Lake Campbell and Mount Erie. These waters and the cliffs of Mount Erie make the area appropriate habitat for bald eagles, osprey, and peregrine falcons. The property also contains habitat for black-tailed deer, coyote, small mammals, songbirds, woodpeckers, and owls. The Anacortes Community Forest Lands are open to the public for recreation and educational purposes.

Condition of Property: The protected property is in one of the most popular areas of the Anacortes Community Forest trail system. Whistle Lake is very busy with visitors in the summer, especially on weekends. However, on weekdays the rest of the year it is not unusual to visit the lake without seeing anyone else. The summer visitors can be in large family groups and can create a lot of noise at the lakeshore. The protected property has approximately 660 feet of trail, running north-south parallel to the lakeshore. Despite the heavy use the trail is not overly wide, nor was any obvious erosion for it into the lake noticed on a site visit in late May 1999. Two-wheeled motorized traffic is allowed on trail 20 that provides the approach to the lake, but is not allowed on trail 204 or on the lakeshore south of trail 20 on the east side (see attached trail map).

History: On August 2, 1919 the city of Anacortes purchased the property from Douglas Allmond's Washington Power, Light and Water Company. Until the mid-1970s Whistle Lake was the municipal water source for Anacortes. A pump house was located on the protected property on the lakeshore. From the pump house pipes ran north and east to Anacortes.

In compliance with Section 1.170A-14(g)(5) of the federal tax regulations, this natural resources inventory is an accurate representation of the property at the time of conservation easement donation.

City of Anacortes, Grantor
by H. Dean Maxwell
its MAYOR
date: 7/13/00

Skagit Land Trust
Skagit Land Trust, Grantee
by Jessie R. Baesele
its President
date: June 26, 2000

Attachments: ___ Aerial Photos/Map X On-site Photographs ___ Appraisal
 ___ Assessor Printout ___ Title Search/Insurance X Vegetation Inventory

Baseline document prepared by Brenda Cunningham, June 1999. Site visit on May 20, 1999 with Richard Treston.



200007240107

Kathy Hill, Skagit County Auditor

Vegetation Inventory for the northwest end of Whistle Lake, ACFL

Conducted May 20, 1999 by Brenda Cunningham and Richard Treston for the Skagit Land Trust

Douglas fir	<i>Pseudotsuga menziesii</i>
Western red cedar	<i>Thuja plicata</i>
Red alder	<i>Alnus rubra</i>
Bitter cherry	<i>Prunus emarginata</i>
Willow	<i>Salix</i> sp.
Indian plum	<i>Oemleria cerasiformis</i>
Rose	<i>Rosa</i> sp.
Salal	<i>Gaultheria shallon</i>
Red huckleberry	<i>Vaccinium parvifolium</i>
Oceanspray	<i>Holodiscus discolor</i>
Honeysuckle	<i>Lonicera ciliosa</i>
Oregon grape	<i>Mahonia</i> sp.
Salmonberry	<i>Rubus spectabilis</i>
Twinflower	<i>Linnaea borealis</i>
Starflower	<i>Trientalis latifolia</i>
Sword fern	<i>Polystichum munitum</i>
Licorice fern	<i>Polypodium glycyrrhiza</i>
Bracken fern	<i>Pteridium aquilinum</i>

This inventory is not intended to be complete, but rather an overview of the dominant plant species.



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Kathy Hill, Skagit County Auditor

EXHIBIT 'C'
SKAGIT LAND TRUST
CONSERVATION EASEMENT BASELINE DATA DOCUMENT

Donor Information:

Name:	City of Anacortes	Parcel	Portion of #P32340
Address:	PO Box 547	Section:	26
City:	Anacortes, WA 98221	Township	35N
Phone (Day):	(360) 293-1900	Range:	1E
Contact:	Gary Robinson, Parks and Recreation Dept.	293-1918	

Skagit Land Trust (Grantee) Contact:

Name(s): Gene Murphy or Martha Bray Phone: (360) 293-4153 / (360) 428-7878

Donor referred to Skagit Land Trust by: Friends of the Forest

Property Information:

Acres 54 Number of Buildings 0 Descriptions Attached Yes XX No
Percent Wetland 25 Percent Forest 75 Percent Farmland 0 Percent Other 0
Percent buildings and Grounds 0 County Zoning Public Use
Type of Ownership FEE Mortgage Yes X No Mtg. Holder _____

Soil types Much of the easement area soils are in the Swinomish-Fidalgo-Rock outcrop complex. The Swinomish and Fidalgo soils are moderately well drained, moderately deep and vegetated with conifers. Approximately 5 acres of the easement area, in the southwest corner, are Swinomish gravelly loam with slopes between 0 and 8%. This soil is moderately deep and moderately well drained through the top layers of gravelly loam and gravelly fine sandy loam, but drains slowly through an underlying layer of glacial till (about 3 feet below the surface). It supports a dense forest of conifers and an understory of shrubs. The soil in the wetland (32nd Street Swamp) in the easement area is Bellingham mucky silt loam. This soil drains slowly and the resulting loam layer is very thick. The swamp encompasses approximately 13 acres of the 54-acre easement area.

County Critical Areas Wetland (hydric soils), DNR stream type 3 (32nd St. Swamp), freshwater shoreline

State Priority Habitats and Species Cavity nesting birds: Pileated Woodpecker, Wood Duck, Barrow's Goldeneye, Common Goldeneye, Bufflehead, and Hooded Merganser; Freshwater Wetland; Riparian; Snags and Logs; Urban Natural Open Space



**ACFL Easement Area – East half of Second 100 acre designated block
(54 acres at end of 32nd Street)
FOR ACFL CE # 4 – INCLUDES TRACTS 7,8 & 18**

page 2 of 4

Special Features of Property: The easement area is located in the Anacortes Community Forest Lands (ACFL) immediately west of the west end of 29th Street, south to almost the south end of 32nd Street Swamp in Anacortes. To the south, the easement area is bounded by the city dump and to the west by Morrison Park. The area includes the 32nd Street Swamp (approximately 13 acres) and the forested area north and west of the swamp (approximately 41 acres). The swamp has red alders, willows and hardhack along the perimeter, but the main body of the swamp is vegetated by emergent cattails, rushes and sedges. The swamp has numerous "islands" of terrestrial vegetation around standing dead Douglas fir trees. The swamp habitat is used by waterfowl, swallows and amphibians. Recent beaver activity is evident along the western shore. The easement area to the north and west of the swamp is vegetated by young (30-50 yr. old) western red cedar, Douglas-fir, western hemlock, grand fir and red alder. A diversity of understory plants include salal and sword fern in the shade of the conifers and oceanspray and salmonberry in the more open areas.

At the south end of the easement area, adjacent to the city dump, there is a small wetland (approximately 50'X50') with live red alder trees and snags. A small stream (DNR type 3 stream) continues northeast from the wetland toward the 32nd Street Swamp. Near the wetland there is also an open knoll (20'X40') covered with grasses and mosses.

The Anacortes Community Forest Lands are open to the public for recreation and educational purposes. The property is accessed via ACFL trails 107, 108, 123, 124, 10 and 114, with motorized use allowed only on trail 10. The property is approximately 1 mile from salt water (Burrows Bay to the southwest and Fidalgo Bay to the east) and just over 3 miles from Rosario Strait. The habitats created by the swamp, small wetland and the forest are very good for many species of songbirds, waterfowl, raptors, bats and amphibians. The easement area also contains habitat for black-tailed deer, coyote, beaver and small mammals.

Condition of Property: Much of the property has been logged since it was acquired by the city of Anacortes in the 1920s. Logging has occurred on this property as recently as the 1970s. Consequently, the trees on the easement property vary in age from 30 years to 50 years, with a few older trees scattered throughout. Most of the young trees are Douglas-fir, grand fir, western hemlock, western red cedar, and red alder.

The easement area is located along several popular trails in the Anacortes Community Forest Lands. Many people hike the trails in all seasons and the trails are in good condition; however, debris spilled over from the city dump into the easement area immediately north of the dump includes large pieces of metal (perhaps a boiler), tires, and broken-up concrete. The area between trail 124 and the berm of the dump appears to have been disturbed, as there is a lot of the exotic plant herb-robert in this area. Along the edge of the wetland north of the dump there is a can and bottle



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Kathy Hill, Skagit County Auditor

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ACFL Easement Area – East half of Second 100 acre designated block
(54 acres at end of 32nd Street)
FOR ACFL CE # 4 – INCLUDES TRACTS 7,8 & 18

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dump, as well as large pieces, such as a hot water heater and more tires. Unfortunately, the garbage and the location of the dump are likely affecting the water quality of the wetland and the stream leaving the wetland. The open knoll has a significant infestation of scotch broom, some of which had already been uprooted at the time of the site visit (1-5-00). An open field on private property to the east of the easement area has an informal path used by area residents to access streets to the south of 32nd Street. This path does not appear to be affecting the protected property at this time. Yellow iris (*Iris pseudoacorus*), an exotic plant, is found along the west edge of the swamp. There are also a few holly trees in the easement area.

History: On August 2, 1919 the city of Anacortes purchased the property from Douglas Allmond's Washington Power, Light and Water Company.

In compliance with Section 1.170A-14(g)(5) of the federal tax regulations, this natural resources inventory is an accurate representation of the property at the time of conservation easement donation.

City of Anacortes, Grantor

by H. Dean Maxwell

its MAYOR

date: 7/13/00

Skagit Land Trust
Skagit Land Trust, Grantee

by Donald R. Sapp

its President

date: June 26, 2000

Attachments: Aerial Photos/Map On-site Photographs Appraisal
 Assessor Printout Title Search/Insurance Vegetation Inventory

Baseline document prepared by Brenda Cunningham, January 25, 2000. Site visits by Brenda Cunningham on August 21, 1999 and January 23, 2000 with Tim Manns and January 5, 2000 with Richard Treston.



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Kathy Hill, Skagit County Auditor

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ACFL Easement Area – East half of Second 100 acre designated block
(54 acres at end of 32nd Street)
FOR ACFL CE # 4 – INCLUDES TRACTS 7,8 & 18

page 4 of 4

Vegetation Inventory of ACFL Easement Area SE of Cranberry Lake

Conducted August 21, 1999 and January 5, 2000 by Brenda Cunningham, Tim Manns, and Richard Treston for the Skagit Land Trust

Douglas-fir	<i>Pseudotsuga menziesii</i>
Western red cedar	<i>Thuja plicata</i>
Grand Fir	<i>Abies grandis</i>
Pacific Madrone	<i>Arbutus menziesii</i>
Red alder	<i>Alnus rubra</i>
Western hemlock	<i>Tsuga heterophylla</i>
Willow	<i>Salix</i> sp.
Salal	<i>Gaultheria shallon</i>
Red huckleberry	<i>Vaccinium parvifolium</i>
Salmonberry	<i>Rubus spectabilis</i>
Trailing blackberry	<i>Rubus ursinus</i>
Oceanspray	<i>Holodiscus discolor</i>
Himalayan Blackberry	<i>Rubus discolor</i>
Cascara	<i>Rhamnus purshiana</i>
Oregon-grape	<i>Mahonia nervosa</i>
Stinging Nettle	<i>Urtica dioica</i>
Wood Fern	<i>Dryopteris expansa</i>
Sword Fern	<i>Polystichum munitum</i>
Lady fern	<i>Athyrium filix-femina</i>
Dewey's sedge	<i>Carex deweyana</i>
Sedges	<i>Carex</i> sp.
Rushes	<i>Juncus</i> sp.
Horsetail	<i>Equisetum</i> sp.
Cattail	<i>Typha latifolia</i>
Yellow iris	<i>Iris pseudoacorus</i>
Holly	<i>Ilex opaca</i>
Scotch Broom	<i>Cytisus scoparius</i>
Herb-robert	<i>Geranium robertianum</i>

This inventory is not intended to be complete, but rather an overview of the dominant plant species.



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EXHIBIT 'C'
SKAGIT LAND TRUST
CONSERVATION EASEMENT BASELINE DATA DOCUMENT

Grantor Information:

Name:	City of Anacortes	Tract:	9
Address:	PO Box 547	Section:	2
City:	Anacortes, WA 98221	Township	34N
Phone (Day):	(360) 293-1900	Range:	1E
Contact:	Gary Robinson, Parks and Recreation Dept.		293-1918

Skagit Land Trust (Grantee) Contact:

Name(s): Gene Murphy or Martha Bray Phone: (360) 293-4153 / (360) 428-7878

Donor referred to Skagit Land Trust by: Friends of the Forest

Property Information:

Acres 5 Number of Buildings 0 Descriptions Attached Yes XX No
 Percent Wetland Percent Forest 100 Percent Farmland 0 Percent Other 0
 Percent buildings and Grounds 0 County Zoning Public Use Property ID No. portions of P#19038
 Type of Ownership FEE Mortgage Yes X No Mtg. Holder

Soil types: Soils on this easement area are Whistle-Fidalgo-Rock outcrop complex with slopes between 30 and 65%.
 These soils are deep, well drained and found on glacially modified hills such as those on Fidalgo Island.

County Critical Areas: Geohazard (steep slope), freshwater shoreline

State Priority Habitats and Species: Pileated Woodpecker, Urban Natural Open Space

Special Features of Property: The easement area is located along the north shore of Lake Erie in the Anacortes Community Forest Lands (ACFL). The Anacortes Community Forest Lands are open to the public for recreation and educational purposes. ACFL trail 220 runs south to the easement area from trail 25, accessed from the parking area for the Sugarloaf Mountain trail on Heart Lake Road. The trail terminates at the edge of the easement area, on a rocky bald overlooking Lake Erie. The bald affords an excellent view of Mount Erie, a view of Lake Erie through the trees, and of Skagit Bay beyond Campbell Lake. The outcrop is covered with grasses, mosses and a variety of lilies, such as camas, death camas and fawn lilies. Among the grasses on this slope is the native bunch grass, Idaho fescue. With the loss of similar habitats elsewhere along the coast, this population of native grass is becoming increasingly important for the survival of this species. Between the overlook and the lakeshore the easement area is densely vegetated with oceanspray, Pacific Madrone, Douglas-fir, and honeysuckle.



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Kathy Hill, Skagit County Auditor

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Condition of Property: The easement area includes ACFL trail 220, which is currently a hiker only trail at its southern end. Trail 220 may someday be included in the Cross-Island Trail route, which provides access to the overlook from Heart Lake Road. Despite the enchanting view at the bald, the trail appears to be little used.

History: On August 2, 1919 the city of Anacortes purchased the property from Douglas Allmond's Washington Power, Light and Water Company.

In compliance with Section 1.170A-14(g)(5) of the federal tax regulations, this natural resources inventory is an accurate representation of the property at the time of conservation easement donation.

In compliance with Section 1.170A-14(g)(5) of the federal tax regulations, this natural resources inventory is an accurate representation of the property at the time of conservation easement donation.

City of Anacortes, Grantor

by H. Dean Marshall

its Mayor

date: 7/13/00

Skagit Land Trust
Skagit Land Trust, Grantee

by Jennifer R. Bayle

its President

date: June 26, 2000

Attachments: Aerial Photos/Map On-site Photographs Appraisal
 Assessor Printout Title Search/Insurance Vegetation Inventory

Baseline document prepared by Brenda Cunningham, January 25, 2000. Site visit on January 2, 2000 with Timothy Manns.



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Kathy Hill, Skagit County Auditor

Vegetation Inventory for the easement on G-29, ACFL

Conducted January 2, 2000 by Brenda Cunningham and Timothy Manns for the Skagit Land Trust

Douglas-fir	<i>Pseudotsuga menziesii</i>
Western Red Cedar	<i>Thuja plicata</i>
Grand Fir	<i>Abies grandis</i>
Pacific Madrone	<i>Arbutus menziesii</i>
Red Alder	<i>Alnus rubra</i>
Rose	<i>Rosa sp.</i>
Oceanspray	<i>Holodiscus discolor</i>
Salal	<i>Gaultheria shallon</i>
Red Huckleberry	<i>Vaccinium parvifolium</i>
Trailing Blackberry	<i>Rubus ursinus</i>
Salmonberry	<i>Rubus spectabilis</i>
Honeysuckle	<i>Lonicera ciliosa</i>
Camas	<i>Camassia quamash</i>
Death-camas	<i>Zygadenus venenosus</i>
Fawn lily	<i>Erythronium oregonum</i>
Oregon-grape	<i>Mahonia nervosa</i>
Stonecrop	<i>Sedum sp.</i>
Idaho fescue	<i>Festuca idahoensis</i>
Licorice fern	<i>Polypodium glycyrrhiza</i>
Wood Fern	<i>Dryopteris expansa</i>
Sword fern	<i>Polystichum munitum</i>
Sphagnum Moss	<i>Sphagnum sp.</i>
Holly	<i>Ilex opaca</i>

This inventory is not intended to be complete, but rather an overview of the dominant plant species.



EXHIBIT 'C'
SKAGIT LAND TRUST
CONSERVATION EASEMENT BASELINE DATA DOCUMENT

Grantor Information:

Name: City of Anacortes
Address: PO Box 547
City: Anacortes, WA 98221
Phone (Day): (360) 293-1900
Contact: Gary Robinson, Parks and Recreation Dept.

Tract: 10
Section: 1
Township: 34N
Range: 1E
293-1918

Skagit Land Trust (Grantee) Contact:

Name(s): Gene Murphy or Martha Bray Phone: (360) 293-4153 / (360) 428-7878
Donor referred to Skagit Land Trust by: Friends of the Forest

Property Information:

Acres 5 Number of Buildings 0 Descriptions Attached Yes XX No
Percent Wetland Percent Forest 100 Percent Farmland 0 Percent Other 0
Percent buildings and Grounds 0 County Zoning Public Use Property ID No. portions of # P18999
Type of Ownership FEE Mortgage Yes X No Mtg. Holder

Soil types: Much of the soil on the protected property is in the Lithic Haploxerolls-Rock outcrop complex, with slopes of 70-90%. This soil is very shallow and water runoff is rapid. Because of this, the trees on this soil type tend to be found in clumps, with areas of grasses in between. Soils on approximately the northwest quarter of this easement are Whistle-Fidalgo-Rock outcrop complex. These soils are deep, well drained and found on glacially modified hills such as those on Fidalgo Island. Trees on this soil type are dominant and are not clumped.

County Critical Areas: Geohazard (steep slope)

State Priority Habitats and Species: Pileated Woodpecker, Snags and Logs, Urban Natural Open Space

Special Features of Property: The easement area is on Sugarloaf Mountain in Anacortes Community Forest Lands (ACFL). The easement area covers the summit of Sugarloaf Mountain and the area to the immediate north of the summit. The Anacortes Community Forest Lands are open to the public for recreation and educational purposes. ACFL trails 227, 228 and 239 are the primary trails in the easement area. Steep slopes in this area are forested with Douglas-fir, Western Red Cedar and Western Hemlock of a variety of ages. Several of the very old Douglas-fir are fire scarred and contorted, with very stout vertical branches and snag tops. These trees provide perches for birds of prey and nesting habitat for songbirds and woodpeckers. There are several rocky outcrops that offer outstanding views of Mount Erie, Rosario Strait, the Olympic Mountains, the San Juan Islands and Washington Park in Anacortes. These outcrops are covered with grasses, mosses and a variety of lilies, such as camas, death camas and



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Kathy Hill, Skagit County Auditor

fawn lilies. Among the grasses on these slopes is the native bunch grass, Idaho fescue. With the loss of similar habitats elsewhere along the coast, this population of native grass is becoming increasingly important for the survival of this species. The easement area is less than 1.5 miles from salt water and less than 1 mile from Lake Erie. It contains habitat for black-tailed deer, coyote, small mammals, songbirds, woodpeckers, and owls.

Condition of Property: The easement area includes portions of several ACFL trails, which climb to and encircle the summit of Sugarloaf Mountain, offering viewpoints on rocky outcrops. Despite the popularity of the location, the trails are in good condition, with little troubling erosion. At this time vegetation on the rocky outcrops is in good condition, with few bare areas off the trails. The forest on this easement appears to be undisturbed by logging. There are numerous young Douglas-fir and Western Red Cedar trees, along with large Douglas-fir snags. Many of the older trees are scarred by fire.

History: On August 2, 1919 the city of Anacortes purchased the property from Douglas Allmond's Washington Power, Light and Water Company.

In compliance with Section 1.170A-14(g)(5) of the federal tax regulations, this natural resources inventory is an accurate representation of the property at the time of conservation easement donation.

City of Anacortes, Grantor

by 71 Sean Maxwell

its MAYOR

date: 7/13/00

Skagit Land Trust
Skagit Land Trust, Grantee

by Donald C. Haegele

its President

date: June 26, 2000

- Attachments:
- Aerial Photos/Map
 - Assessor Printout
 - On-site Photographs
 - Title Search/Insurance
 - Appraisal
 - Vegetation Inventory

Baseline document prepared by Brenda Cunningham, January 7, 2000. Site visits on January 2, 2000 with Timothy Manns and on February 4, 2000 with Bob Knowles.



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Kathy Hill, Skagit County Auditor

Vegetation Inventory for the easement on W-L-25, ACFL

Conducted January 2, 2000 by Brenda Cunningham and Timothy Manns for the Skagit Land Trust

Douglas-fir	<i>Pseudotsuga menziesii</i>
Western Red Cedar	<i>Thuja plicata</i>
Western Hemlock	<i>Tsuga heterophylla</i>
Shore Pine	<i>Pinus contorta</i>
Pacific Madrone	<i>Arbutus menziesii</i>
Red Alder	<i>Alnus rubra</i>
Baldhip Rose	<i>Rosa gymnocarpa</i>
Oceanspray	<i>Holodiscus discolor</i>
Common Snowberry	<i>Symphoricarpos albus</i>
Salal	<i>Gaultheria shallon</i>
Red Huckleberry	<i>Vaccinium parvifolium</i>
Trailing Blackberry	<i>Rubus ursinus</i>
Honeysuckle	<i>Lonicera ciliosa</i>
Kinnickinnick	<i>Arctostaphylos uva-ursi</i>
Rose sp.	<i>Rosa sp.</i>
Alumroot	<i>Heuchera sp.</i>
Camas	<i>Camassia quamash</i>
Death-camas	<i>Zygadenus venenosus</i>
Fawn lily	<i>Erythronium oregonum</i>
Twinflower	<i>Linnaea borealis</i>
Yarrow	<i>Achillea millefolium</i>
Oregon-grape	<i>Mahonia nervosa</i>
Rattlesnake-plantain	<i>Goodyera oblongifolia</i>
Saxifrage	<i>Saxifraga sp.</i>
Stonecrop	<i>Sedum sp.</i>
Idaho fescue	<i>Festuca idahoensis</i>
Licorice fern	<i>Polypodium glycyrrhiza</i>
Wood Fern	<i>Dryopteris expansa</i>
Bracken Fern	<i>Pteridium aquilinum</i>
Sword fern	<i>Polystichum munitum</i>
Sphagnum Moss	<i>Sphagnum sp.</i>

This inventory is not intended to be complete, but rather an overview of the dominant plant species.



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Kathy Hill, Skagit County Auditor

EXHIBIT 'C'
SKAGIT LAND TRUST
CONSERVATION EASEMENT BASELINE DATA DOCUMENT

Grantor Information:

Name:	City of Anacortes	Tract:	11
Address:	PO Box 547	Section:	36
City:	Anacortes, WA 98221	Township:	35N
Phone (Day):	(360) 293-1900	Range:	1E
Contact:	Gary Robinson, Parks and Recreation Dept.		293-1918

Skagit Land Trust (Grantee) Contact:

Name(s): Gene Murphy or Martha Bray Phone: (360) 293-4153 / (360) 428-7878
Donor referred to Skagit Land Trust by: Friends of the Forest

Property Information:

Acres 5 Number of Buildings 0 Descriptions Attached Yes XX No
Percent Wetland Percent Forest 100 Percent Farmland 0 Percent Other 0
Percent buildings and Grounds 0 County Zoning Public Use Property ID No portions of #P18999
Type of Ownership FEE Mortgage Yes X No Mtg. Holder

Soil types Soil on the easement area is Clallam gravelly loam with slopes between 8 and 15%. This soil is moderately deep and moderately well drained through the top layers of gravelly loam, but drains slowly through an underlying layer of glacial till (about 27 inches below the surface). It supports a dense forest of conifers and an understory of shrubs.

County Critical Areas: DNR type 4 stream (outlet of Heart Lake, Ace of Hearts Creek)

State Priority Habitats and Species: Pileated Woodpecker, Bald Eagle, Waterfowl Concentrations, Fresh Deepwater, Riparian, Snags and Logs, Urban Natural Open Space

Special Features of Property: This property is in the "North Heart Lake Unit" of the Anacortes Community Forest Lands (ACFL). ACFL trail 244 goes through the west third of the easement area and trails 210 and 209 are to the south and north of the easement. The Anacortes Community Forest Lands are open to the public for recreation and educational purposes. Osprey nest near the opposite shore of Heart Lake and Bald Eagles also forage in the lake during nesting season. The easement area also includes the outlet stream of Heart Lake, Ace of Hearts Creek. The forest in this area is a mixture of second-growth Douglas-fir, Western Red Cedar, and Grand Fir. There are also Red Alder, Bigleaf Maple and Western Hemlock in the area. The property is approximately 1.5 miles from salt water, Burrows Bay to the southwest and Fidalgo Bay to the east. In addition to habitat for bald Eagles and Osprey, the protected property contains habitat for black-tailed deer, coyote, small mammals, songbirds, woodpeckers, and owls.



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Kathy Hill, Skagit County Auditor

Condition of Property: The protected property is located in a popular area of the Anacortes Community Forest Lands, adjacent to State Park lands. Motorized boating is allowed on Heart Lake, but must be limited to 5 mph, except during two weekends each year; one in the late summer and one in the fall, when "rooster tail" (personal watercraft) races are held on Heart Lake. The City of Anacortes acquired the property at the north end of Heart Lake to control the lake outflow for public water use. The city has reserved the right to alter the water level by 4 feet for public water needs.

History: The North Heart Lake Unit of the Anacortes Community Forest Lands was acquired by the City of Anacortes from the State of Washington.

In compliance with Section 1.170A-14(g)(5) of the federal tax regulations, this natural resources inventory is an accurate representation of the property at the time of conservation easement donation.

City of Anacortes, Grantor

by H. Dean Mahoff

its MAYOR

date: 7/13/00

Shagit Land Trust
Skagit Land Trust, Grantee

by Jerald K. Hagler

its President

date: June 26, 2000

Attachments: Aerial Photos/Map On-site Photographs Appraisal
 Assessor Printout Title Search/Insurance Vegetation Inventory

Baseline document prepared by Brenda Cunningham, January 7, 2000. Site visit on January 5, 2000 with Richard Treston.



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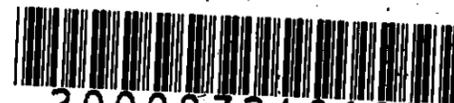
Kathy Hill, Skagit County Auditor

Vegetation Inventory for the easement on E-K-16, ACFL

Conducted January 5, 2000 by Brenda Cunningham and Richard Treston for the Skagit Land Trust

Douglas-fir	<i>Pseudotsuga menziesii</i>
Western red cedar	<i>Thuja plicata</i>
Grand Fir	<i>Abies grandis</i>
Western Hemlock	<i>Tsuga heterophylla</i>
Red Alder	<i>Alnus rubra</i>
Bigleaf maple	<i>Acer macrophyllum</i>
Indian-plum	<i>Oemleria cerasiformis</i>
Salal	<i>Gaultheria shallon</i>
Red Huckleberry	<i>Vaccinium parvifolium</i>
Salmonberry	<i>Rubus spectabilis</i>
Trailing Blackberry	<i>Rubus ursinus</i>
Evergreen Blackberry	<i>Rubus laciniatus</i>
Himalayan Blackberry	<i>Rubus discolor</i>
Honeysuckle	<i>Lonicera ciliosa</i>
Twinflower	<i>Linnaea borealis</i>
Oregon-grape	<i>Mahonia nervosa</i>
Wood Fern	<i>Dryopteris expansa</i>
Sword fern	<i>Polystichum munitum</i>
Bracken Fern	<i>Pteridium aquilinum</i>
Dewey's sedge	<i>Carex deweyana</i>
Holly	<i>Ilex opaca</i>

This inventory is not intended to be complete, but rather an overview of the dominant plant species.



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EXHIBIT 'C'
SKAGIT LAND TRUST
CONSERVATION EASEMENT BASELINE DATA DOCUMENT

Grantor Information:

Name:	City of Anacortes	Tract	12
Address:	PO Box 547	Section:	36
City:	Anacortes, WA 98221	Township	35N
Phone (Day):	(360) 293-1900	Range:	1E
Contact:	Gary Robinson, Parks and Recreation Dept.		293-1918

Skagit Land Trust (Grantee) Contact:

Name(s): Gene Murphy or Martha Bray Phone: (360) 293-4153 / (360) 428-7878

Donor referred to Skagit Land Trust by: Friends of the Forest

Property Information:

Acres 5 Number of Buildings 0 Descriptions Attached Yes XX No
Percent Wetland Percent Forest 100 Percent Farmland 0 Percent Other 0
Percent buildings and Grounds 0 County Zoning Public Use Property ID No. portion of #P32676
Type of Ownership FEE Mortgage Yes X No Mtg. Holder

Soil types Soil on the easement area is Clallam gravelly loam with slopes between 8 and 15%. This soil is moderately deep and moderately well drained through the top layers of gravelly loam, but drains slowly through an underlying layer of glacial till (about 27 inches below the surface). It supports a dense forest of conifers and an understory of shrubs.

County Critical Areas: none

State Priority Habitats and Species: Pileated Woodpecker, Bald Eagle, Waterfowl Concentrations, Fresh Deepwater, Riparian, Snags and Logs, Urban Natural Open Space

Special Features of Property: This property is situated in the "North Heart Lake Unit" of the Anacortes Community Forest Lands (ACFL), adjacent to Heart Lake State Park. ACFL trails 244 and 241 pass through the easement area. The Anacortes Community Forest Lands are open to the public for recreation and educational purposes. The forest in this area is a mixture of second-growth Douglas-fir, Western Red Cedar, and Grand Fir. There are also Red Alder, Bigleaf Maple and Western Hemlock in the area. The northwest corner of the easement area is adjacent to Parkside housing development. Trail 209 runs north and south between Heart Lake Road and the residential area. Motorized traffic is not permitted on trail 210, but it is allowed on all other North Heart Lake Unit



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trails. Because this easement is along the boundary of Heart Lake State Park, it provides a critical buffer between Heart Lake and the residential area on adjacent private property. The property is approximately 1.5 miles from salt water, Burrows Bay to the southwest and Fidalgo Bay to the east. Osprey nest near the opposite shore of Heart Lake and Bald Eagles also forage in the lake during nesting season. In addition to habitat for Bald Eagles and Osprey, the protected property contains habitat for black-tailed deer, coyote, small mammals, songbirds, woodpeckers, and owls.

Condition of Property: The protected property is located along a popular trail in the Anacortes Community Forest Lands and the trail is in good condition. The forest floor on the boundary with the residential area does not appear to be suffering from "social-trailing" from the private houses. There is a trail parallel to the boundary that makes access into the forest easy for the nearby residents, avoiding the development of individual trails. The nearby lakeshore is very peaceful most of the year. Motorized boating is allowed on Heart Lake, but must be limited to 5 mph, except during two weekends each year; one in the late summer and one in the fall, when "rooster tail" (personal watercraft) races are held on Heart Lake. The City of Anacortes acquired the property at the north end of Heart Lake to control the lake outflow for public water use. The city has reserved the right to alter the water level by 4 feet for public water needs.

History: The North Heart Lake Unit of the Anacortes Community Forest Lands was acquired by the City of Anacortes from the State of Washington.

In compliance with Section 1.170A-14(g)(5) of the federal tax regulations, this natural resources inventory is an accurate representation of the property at the time of conservation easement donation.

City of Anacortes, Grantor

by W. Dean Maxwell

its MAYOR

date: 7/13/00

Skagit Land Trust
Skagit Land Trust, Grantee

by Jerald R. Hufsch

its President

date: June 26, 2000

- Attachments: Aerial Photos/Map On-site Photographs Appraisal
 Assessor Printout Title Search/Insurance Vegetation Inventory

Baseline document prepared by Brenda Cunningham, January 7, 2000. Site visit on January 5, 2000 with Richard Treston.

Vegetation Inventory for the easement on W-K-16, ACFL

Conducted January 5, 2000 by Brenda Cunningham and Richard Treston for the Skagit Land Trust

Douglas-fir	<i>Pseudotsuga menziesii</i>
Western red cedar	<i>Thuja plicata</i>
Grand Fir	<i>Abies grandis</i>
Western Hemlock	<i>Tsuga heterophylla</i>
Red Alder	<i>Alnus rubra</i>
Bigleaf maple	<i>Acer macrophyllum</i>
Indian-plum	<i>Oemleria cerasiformis</i>
Salal	<i>Gaultheria shallon</i>
Red Huckleberry	<i>Vaccinium parvifolium</i>
Salmonberry	<i>Rubus spectabilis</i>
Trailing Blackberry	<i>Rubus ursinus</i>
Evergreen Blackberry	<i>Rubus laciniatus</i>
Himalayan Blackberry	<i>Rubus discolor</i>
Honeysuckle	<i>Lonicera ciliosa</i>
Twinflower	<i>Linnaea borealis</i>
Oregon-grape	<i>Mahonia nervosa</i>
Wood Fern	<i>Dryopteris expansa</i>
Sword fern	<i>Polystichum munitum</i>
Bracken Fern	<i>Pteridium aquilinum</i>
Dewey's sedge	<i>Carex deweyana</i>
Holly	<i>Ilex opaca</i>

This inventory is not intended to be complete, but rather an overview of the dominant plant species.



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Kathy Hill, Skagit County Auditor
7/24/2000 Page 37 of 52 2:32:14PM

EXHIBIT 'C'
SKAGIT LAND TRUST
CONSERVATION EASEMENT BASELINE DATA DOCUMENT

Grantor Information:

Name:	City of Anacortes	Tract	13
Address:	PO Box 547	Section:	36
City:	Anacortes, WA 98221	Township	35N
Phone (Day):	(360) 293-1900	Range:	1E
Contact:	Gary Robinson, Parks and Recreation Dept.		293-1918

Skagit Land Trust (Grantee) Contact:

Name(s): Gene Murphy or Martha Bray Phone: (360) 293-4153 / (360) 428-7878
Donor referred to Skagit Land Trust by: Friends of the Forest

Property Information:

Acres 5 Number of Buildings 0 Descriptions Attached Yes XX No
Percent Wetland Percent Forest 5 Percent Farmland 0 Percent Lake 95
Percent buildings and Grounds 0 County Zoning Public Use Property ID No. portion of #P32676
Type of Ownership FEE Mortgage Yes X No Mtg. Holder

Soil types Soil on the easement area is Clallam gravelly loam with slopes between 8 and 15%. This soil is moderately deep and moderately well drained through the top layers of gravelly loam, but drains slowly through an underlying layer of glacial till (about 27 inches below the surface). It supports a dense forest of conifers and an understory of shrubs.

County Critical Areas: Freshwater shoreline

State Priority Habitats and Species: Pileated Woodpecker, Bald Eagle, Waterfowl Concentrations, Fresh Deepwater, Riparian, Snags and Logs, Urban Natural Open Space

Special Features of Property: This property is situated in the "North Heart Lake Unit" of the Anacortes Community Forest Lands (ACFL). Trails 210 and 244 pass through the easement area. The Anacortes Community Forest Lands are open to the public for recreation and educational purposes. Trail 210 nearly circles Heart Lake and passes through the easement area for approximately 400 feet. This trail parallels the shoreline and includes two view areas of the lake with benches. These areas provide opportunities to view the lake, the forested shoreline on the other side of the lake and Sugarloaf Mountain to the south. The views of the lake are intermittent with shrubby riparian vegetation, enabling hikers to watch waterfowl without disturbing them. Osprey nest near the opposite shore of Heart Lake and Bald Eagles also forage in the lake during nesting season. The forest in this area is a mixture of second-growth Douglas-fir, Western Red Cedar, and Grand Fir. There are also Red Alder, Bigleaf Maple and Western



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Kathy Hill, Skagit County Auditor

Hemlock in the area. The property is approximately 1.5 miles from salt water, Burrows Bay to the southwest and Fidalgo Bay to the east. In addition to habitat for Bald Eagles and Osprey, the protected property contains habitat for black-tailed deer, coyote, small mammals, songbirds, woodpeckers, and owls.

Condition of Property: The protected property is located along a popular trail in the Anacortes Community Forest Lands. Motorized traffic is not permitted on trail 210, but is allowed on all other North Heart Lake Unit trails. The riparian vegetation along the lakeshore is also in good condition. The lakeshore is very peaceful most of the year. Motorized boating is allowed on Heart Lake, but must be limited to 5 mph, except during two weekends each year; one in the late summer and one in the fall, when "rooster tail" (personal watercraft) races are held on Heart Lake. The City of Anacortes acquired the property at the north end of Heart Lake to control the lake outflow for public water use. The city has reserved the right to alter the water level by 4 feet for public water needs.

History: The North Heart Lake Unit of the Anacortes Community Forest Lands was acquired by the City of Anacortes from the State of Washington.

In compliance with Section 1.170A-14(g)(5) of the federal tax regulations, this natural resources inventory is an accurate representation of the property at the time of conservation easement donation.

City of Anacortes, Grantor
by H. Dean Maxwell
its MAYOR
date: 2/13/00

Skagit Land Trust
Skagit Land Trust, Grantee
by Arnold R. Huppel
its President
date: June 26, 2000

Attachments: Aerial Photos/Map On-site Photographs Appraisal
 Assessor Printout Title Search/Insurance Vegetation Inventory

Baseline document prepared by Brenda Cunningham, January 7, 2000. Site visit on January 5, 2000 with Richard Treston.

Vegetation Inventory for the easement on W-K-17, ACFL

Conducted January 5, 2000 by Brenda Cunningham and Richard Treston for the Skagit Land Trust

Douglas-fir	<i>Pseudotsuga menziesii</i>
Western red cedar	<i>Thuja plicata</i>
Grand Fir	<i>Abies grandis</i>
Western Hemlock	<i>Tsuga heterophylla</i>
Red Alder	<i>Alnus rubra</i>
Bigleaf maple	<i>Acer macrophyllum</i>
Indian-plum	<i>Oemleria cerasiformis</i>
Salal	<i>Gaultheria shallon</i>
Red Huckleberry	<i>Vaccinium parvifolium</i>
Salmonberry	<i>Rubus spectabilis</i>
Trailing Blackberry	<i>Rubus ursinus</i>
Evergreen Blackberry	<i>Rubus laciniatus</i>
Himalayan Blackberry	<i>Rubus discolor</i>
Honeysuckle	<i>Lonicera ciliosa</i>
Twinflower	<i>Linnaea borealis</i>
Oregon-grape	<i>Mahonia nervosa</i>
Wood Fern	<i>Dryopteris expansa</i>
Sword fern	<i>Polystichum munitum</i>
Bracken Fern	<i>Pteridium aquilinum</i>
Dewey's sedge	<i>Carex deweyana</i>
Holly	<i>Ilex opaca</i>

This inventory is not intended to be complete, but rather an overview of the dominant plant species.



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Kathy Hill, Skagit County Auditor

EXHIBIT 'C'
SKAGIT LAND TRUST
CONSERVATION EASEMENT BASELINE DATA DOCUMENT

Donor Information:

Name:	City of Anacortes	Tract:	14
Address:	PO Box 547	Section:	36
City:	Anacortes, WA 98221	Township:	35N
Phone (Day):	(360) 293-1900	Range:	1E
Contact:	Gary Robinson, Parks and Recreation Dept.		293-1918

Skagit Land Trust (Grantee) Contact:

Name(s): Gene Murphy or Martha Bray Phone: (360) 293-4153 / (360)428-7878
Donor referred to Skagit Land Trust by: Friends of the Forest

Property Information:

Acres 5 Number of Buildings 0 Descriptions Attached Yes XX No
Percent Wetland Percent Forest 100 Percent Farmland 0 Percent Other
Percent buildings and Grounds 0 County Zoning Public Use Property ID No. portion of P#32676
Type of Ownership FEE Mortgage Yes X No Mtg. Holder
Soil types Soil on the easement area is Bow gravelly loam with slopes between 0 and 3%. This soil is very deep and poorly drained and found on glacially modified terraces and hills. It supports a forest of coniferous and deciduous trees.

County Critical Areas: none

State Priority Habitats and Species: Pileated Woodpecker, Bald Eagle, Snags and Logs, Urban Natural Open Space

Special Features of Property: This property is situated in the "North Heart Lake Unit" of the Anacortes Community Forest Lands (ACFL). Trails 240 and 208 pass through the easement area. The Anacortes Community Forest Lands are open to the public for recreation and educational purposes. The forest in this area is a mixture of second-growth Douglas-fir, Western Red Cedar, and Grand Fir. There are also Red Alder, Bigleaf Maple and Western Hemlock in the area. The property is approximately 1.5 miles from salt water, Burrows Bay to the southwest and Fidalgo Bay to the east. In addition to habitat for bald Eagles and Osprey, the protected property contains habitat for black-tailed deer, coyote, small mammals, songbirds, woodpeckers, and owls.

Condition of Property: The protected property is located along a popular trail in the Anacortes Community Forest Lands. Motorized traffic is permitted on trails 240 and 208. The City of Anacortes acquired the property at the north end of Heart Lake to control the lake outflow for public water use.



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History: The North Heart Lake Unit of the Anacortes Community Forest Lands was acquired by the City of Anacortes from the State of Washington.

In compliance with Section 1.170A-14(g)(5) of the federal tax regulations, this natural resources inventory is an accurate representation of the property at the time of conservation easement donation.

City of Anacortes, Grantor

by H. Dean Marshall

its MAYOR

date: 7/13/00

Skagit Land Trust
Skagit Land Trust, Grantee

by Jessie Hill

its President

date: June 26, 2000

Attachments: Aerial Photos/Map On-site Photographs Appraisal
 Assessor Printout Title Search/Insurance Vegetation Inventory

Baseline document prepared by Brenda Cunningham, April 26, 2000.



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Kathy Hill, Skagit County Auditor

EXHIBIT 'C'
SKAGIT LAND TRUST
CONSERVATION EASEMENT BASELINE DATA DOCUMENT

Grantor Information:

Name:	City of Anacortes	Parcel:	Portions of P#19044
Address:	PO Box 547	Section:	26
City:	Anacortes, WA 98221	Township:	35N
Phone (Day):	(360) 293-1900	Range:	1E
Contact:	Gary Robinson, Parks and Recreation Dept.		293-1918

Skagit Land Trust (Grantee) Contact:

Name(s): Gene Murphy or Martha Bray Phone: (360) 293-4153 / (360) 428-7878

Donor referred to Skagit Land Trust by: Friends of the Forest

Property Information:

Acres 55 Number of Buildings 0 Descriptions Attached Yes XX No
Percent Wetland 25 Percent Forest 75 Percent Farmland 0 Percent Other 0
Percent buildings and Grounds 0 County Zoning Public Use Property ID No.
Type of Ownership FEE Mortgage Yes X No Mtg. Holder

Soil types Much of the easement area soils are in the Swinomish-Fidalgo-Rock outcrop complex. The Swinomish and Fidalgo soils are moderately well drained, moderately deep and vegetated with conifers. The soils in the wetland areas (Big Beaver and Little Beaver Ponds) in the easement area are Bellingham mucky silt loam. This soil drains slowly and the resulting loam layer is very thick. The ponds encompass approximately 15 acres of the 55-acre easement area.

County Critical Areas Wetland (hydric soils); DNR streams: type 2 (Big Beaver Pond) and type 3 (Little Beaver Pond); freshwater shoreline

State Priority Habitats and Species Cavity nesting birds: Pileated Woodpecker, Wood Duck, Barrow's Goldeneye, Common Goldeneye, Bufflehead, and Hooded Merganser; Freshwater Wetland; Riparian; Snags and Logs; Urban Natural Open Space

Special Features of Property: The easement area is located in the Anacortes Community Forest Lands (ACFL) immediately south of Morrison Park and Cranberry Lake in Anacortes. The area includes the south 1/3 of Big Beaver Pond and most of Little Beaver Pond and the forested areas between the ponds and around Little Beaver. The ponds are very shallow and seasonally covered in pond lilies. There are numerous coniferous snags in the ponds, indicating a lower water level in the past. It is likely that the water level in both ponds is altered by beaver behavior. The ponds provide cover and food year-round for ducks and in the summer the snags provide excellent nesting cavities for



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swallows and woodpeckers. Fresh beaver cuts, chorus frogs and red-legged frogs were observed on the easement area during site visits.

The forested areas between and around the ponds are vegetated by young (30-50 yr. old) western red cedar, Douglas-fir, western hemlock, Sitka spruce and red alder. There are a few Pacific yew trees in the forest around Big Beaver Pond. A diverse understory includes salal and sword fern in the shade of the conifers and spirea and vaccinium along the edge of the ponds. The easement area is less than 1 mile from salt water (Burrows Bay to the southwest and Guemes Channel to the north) and just over 2 miles from Rosario Strait. The habitats created by the ponds and the forest are very good for many species of songbirds, waterfowl, raptors, bats and amphibians. The easement area also contains habitat for black-tailed deer, coyote, beaver and small mammals.

The Anacortes Community Forest Lands are open to the public for recreation and educational purposes. The property is accessed via ACFL trails 10, 11, 12, 109 and 110. Of these trails, trail 12 is the only one that allows motorized use.

Condition of Property: Much of the property has been logged since it was acquired by the city of Anacortes in the 1920s. Logging has occurred on this property as recently as the 1970s. Consequently, the trees on the easement property vary in age from 30 years to 50 years, with a few older trees scattered throughout.

The easement area is located along several popular trails in the Anacortes Community Forest Lands. Many people hike the trails in all seasons and the trails are in good condition. In a few locations recent water level changes, perhaps caused by beavers, have forced hikers to create reroutes of short section of the trail. Despite this the vegetation along the edge of the ponds appears to be little disturbed. There are also a few holly trees in the easement area.

History: On August 2, 1919 the city of Anacortes purchased the property from Douglas Allmond's Washington Power, Light and Water Company.



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In compliance with Section 1.170A-14(g)(5) of the federal tax regulations, this natural resources inventory is an accurate representation of the property at the time of conservation easement donation.

City of Anacortes, Grantor

by H. Dean Maxwell

its MAYOR

date: 7/13/00

Skagit Land Trust

Skagit Land Trust, Grantee

by Donald R. Nagel

its President

date: June 27, 2000

Baseline document prepared by Brenda Cunningham, January 25, 2000. Site visits by Brenda Cunningham on August 21, 1999 and January 23, 2000 with Tim Manns and January 5, 2000 with Richard Treston.



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Kathy Hill, Skagit County Auditor

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Vegetation Inventory ACFL Easement Area around Big Beaver and Little Beaver Ponds

Conducted by Brenda Cunningham on June 5, 1999 with Tim Manns and on December 29, 1999 with Richard Treston for the Skagit Land Trust

Douglas fir	<i>Pseudotsuga menziesii</i>
Western red cedar	<i>Thuja plicata</i>
Western hemlock	<i>Tsuga heterophylla</i>
Sitka spruce	<i>Picea sitchensis</i>
Pacific yew	<i>Taxus brevifolia</i>
Red alder	<i>Alnus rubra</i>
Pacific madrone	<i>Arbutus menziesii</i>
Bitter cherry	<i>Prunus emarginata</i>
Willow	<i>Salix</i> sp.
Indian plum	<i>Oemleria cerasiformis</i>
Rose	<i>Rosa</i> sp.
Salal	<i>Gaultheria shallon</i>
Red huckleberry	<i>Vaccinium parvifolium</i> :
Hardhack	<i>Spiraea douglasii</i>
Oceanspray	<i>Holodiscus discolor</i>
Honeysuckle	<i>Lonicera ciliosa</i>
Oregon grape	<i>Mahonia</i> sp.
Salmonberry	<i>Rubus spectabilis</i>
Serviceberry	<i>Amelanchier alnifolia</i>
Trailing blackberry	<i>Rubus ursinus</i>
Twinflower	<i>Linnaea borealis</i>
Starflower	<i>Trientalis latifolia</i>
Paintbrush	<i>Castilleja</i> sp.
Cattail	<i>Typha latifolia</i>
Sword fern	<i>Polystichum munitum</i>
Licorice fern	<i>Polypodium glycyrrhiza</i>
Bracken fern	<i>Pteridium aquilinum</i>
Dewey's sedge	<i>Carex deweyana</i>
Holly	<i>Ilex opaca</i>

This inventory is not intended to be complete, but rather an overview of the dominant plant species.



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Kathy Hill, Skagit County Auditor

EXHIBIT 'C'
SKAGIT LAND TRUST
CONSERVATION EASEMENT BASELINE DATA DOCUMENT

Donor Information:

Name:	City of Anacortes	Tract:	16
Address:	PO Box 547	Section:	26
City:	Anacortes, WA 98221	Township:	35N
Phone (Day):	(360) 293-1900	Range:	1E
Contact:	Gary Robinson, Parks and Recreation Dept.		293-1918

Skagit Land Trust (Grantee) Contact:

Name(s): Gene Murphy or Martha Bray Phone: (360) 293-4153 / (360) 428-7878
Donor referred to Skagit Land Trust by: Friends of the Forest

Property Information:

Acres 5 Number of Buildings 0 Descriptions Attached Yes XX No
Percent Wetland Percent Forest 100 Percent Farmland 0 Percent Other 0
Percent buildings and Grounds 0 County Zoning Public Use Property ID No. portion of # P19044
Type of Ownership FEE Mortgage Yes X No Mtg. Holder

Soil types The soils on this property are Whistle-Fidalgo-Rock outcrop complex with slopes of 30-65%. These soils are deep, well drained and found on glacially modified hills such as those on Fidalgo Island. Although the easement area supports a dense forest, bedrock is just below the surface in some areas of the easement. Native trees for this soil type are conifers, with an understory of shrubs.

County Critical Areas: Geohazard (steep slope)

State Priority Habitats and Species: Urban Natural Open Space

Special Features of Property: The easement area is located near the northwestern boundary of the Anacortes Community Forest Lands (ACFL). The Anacortes Community Forest Lands are open to the public for recreation and educational purposes. The property is accessed via ACFL trail 129, which is not open to motorized use. Trail 129 originates on "N" Avenue West (near the airport), which is an extension of Anacopper Road, to the west of the easement area and runs through the easement area primarily east to west. The easement encompasses the highest elevations along trail 129, between 400 and 480 feet above sea level. The forest in the easement is a mixture of young Douglas-fir and western red cedar. Most trees in the area appear to be approximately 50 years old; however, there are a few very large Douglas-fir stumps (>1m diam.), indicating that this area can support very large trees. Understory plant species on the easement area include salal, Oregon grape, sword fern and a few exotic holly plants.



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The property is less than 1 mile from salt water (Burrows Bay to the southwest and Guemes Channel to the north) and just over 2 miles from Rosario Strait. The protected property contains habitat for black-tailed deer, coyote, small mammals, songbirds, woodpeckers, and owls. Because this easement is along the boundary of the ACFL, it provides a critical buffer between the wetlands and more mature forest habitats deeper in the ACFL and future developments on adjacent private property.

Condition of Property: The protected property is in an area of the Anacortes Community Forest Lands that has been little used by the public thus far. Trail 129 is newly constructed in 1999 and will presumably enable more people to visit this section of the forest lands. Adjacent private property has not yet been developed. The protected property has approximately 660 feet of trail, running east-west. Motorized traffic is not allowed on trail 129.

History: On August 2, 1919 the city of Anacortes purchased the property from Douglas Allmond's Washington Power, Light and Water Company.

In compliance with Section 1.170A-14(g)(5) of the federal tax regulations, this natural resources inventory is an accurate representation of the property at the time of conservation easement donation.

City of Anacortes, Grantor
by H. Dean Meyers
its MAYOR
date: 7/13/00

Skagit Land Trust
Skagit Land Trust, Grantee
by Gerald R. Haysle
its President
date: June 26, 2000

Attachments: Aerial Photos/Map On-site Photographs Appraisal
 Assessor Printout Title Search/Insurance Vegetation Inventory

Baseline document prepared by Brenda Cunningham, January 5, 2000. Site visit on December 29, 1999 with Richard Treston.

Vegetation Inventory for the easement on N-B-8, ACFL

Conducted December 29, 1999 by Brenda Cunningham and Richard Treston for the Skagit Land Trust

Douglas fir	<i>Pseudotsuga menziesii</i>
Western red cedar	<i>Thuja plicata</i>
Salal	<i>Gaultheria shallon</i>
Oregon grape	<i>Mahonia</i> sp.
Sword fern	<i>Polystichum munitum</i>
Holly	<i>Ilex opaca</i>

This inventory is not intended to be complete, but rather an overview of the dominant plant species.



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EXHIBIT 'C'
SKAGIT LAND TRUST
CONSERVATION EASEMENT BASELINE DATA DOCUMENT

Donor Information:

Name:	City of Anacortes	Tract:	17
Address:	PO Box 547	Section:	26
City:	Anacortes, WA 98221	Township:	35N
Phone (Day):	(360) 293-1900	Range:	1E
Contact:	Gary Robinson, Parks and Recreation Dept.		293-1918

Skagit Land Trust (Grantee) Contact:

Name(s): Gene Murphy or Martha Bray Phone: (360) 293-4153 / (360)428-7878
Donor referred to Skagit Land Trust by: Friends of the Forest

Property Information:

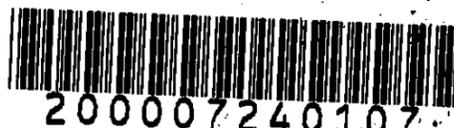
Acres 5 Number of Buildings 0 Descriptions Attached Yes XX No
Percent Wetland Percent Forest 100 Percent Farmland 0 Percent Other 0
Percent buildings and Grounds 0 County Zoning Public Use Property ID No. portion of #P19044
Type of Ownership FEE Mortgage Yes X No Mtg. Holder

Soil types The soils on this property are Whistle-Fidalgo-Rock outcrop complex with slopes of 30-65%. These soils are deep, well drained and found on glacially modified hills such as those on Fidalgo Island. Although the easement area supports a dense forest, bedrock is just below the surface in some areas of the easement. Native trees for this soil type are conifers, with an understory of shrubs.

County Critical Areas: Geohazard (steep slope)

State Priority Habitats and Species: Urban Natural Open Space

Special Features of Property: The easement area is located near the northwestern boundary in the South Cranberry Unit of the Anacortes Community Forest Lands (ACFL). The Anacortes Community Forest Lands are open to the public for recreation and educational purposes. ACFL Trail 129 switchbacks throughout the west and south portions of the easement area. Access is from "N" Avenue West (near the airport), which is an extension of Anacopper Road. The forest in the easement is a mixture of young Douglas-fir and western red cedar. Most trees in the area appear to be approximately 50 years old; however, there are a few very large Douglas-fir stumps (>1m diam.), indicating that this area can support very large trees. Understory plant species on the easement area include salal, Oregon grape, sword fern and a few exotic holly plants. The property is less than 1 mile from salt water (Burrows Bay to the southwest and Guemes Channel to the north) and just over 2 miles from Rosario Strait. The protected property



contains habitat for black-tailed deer, coyote, small mammals, songbirds, woodpeckers, and owls. Because this easement is along the boundary of the ACFL, it provides a critical buffer between the wetlands and more mature forest habitats deeper in the ACFL and future developments on adjacent private property.

Condition of Property: The protected property is in an area of the Anacortes Community Forest Lands that has been little used by the public thus far. Adjacent private property is in pasture.

History: On August 2, 1919 the city of Anacortes purchased the property from Douglas Allmond's Washington Power, Light and Water Company.

In compliance with Section 1.170A-14(g)(5) of the federal tax regulations, this natural resources inventory is an accurate representation of the property at the time of conservation easement donation.

City of Anacortes, Grantor

by H. Dean Maxwell

its Mayor

date: 2/13/00

Skagit Land Trust
Skagit Land Trust, Grantee

by Jerald R. Haysle

its President

date: June 26, 2000

Attachments: Aerial Photos/Map On-site Photographs Appraisal
 Assessor Printout Title Search/Insurance Vegetation Inventory

Baseline document prepared by Brenda Cunningham, January 5, 2000. Site visit on December 29, 1999 with Richard Treston.



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Kathy Hill, Skagit County Auditor

Vegetation Inventory for the easement on W-A-8, ACFL

Conducted December 29, 1999 by Brenda Cunningham and Richard Treston for the Skagit Land Trust

Douglas fir	<i>Pseudotsuga menziesii</i>
Western red cedar	<i>Thuja plicata</i>
Salal	<i>Gaultheria shallon</i>
Oregon grape	<i>Mahonia</i> sp.
Sword fern	<i>Polystichum munitum</i>
Holly	<i>Ilex opaca</i>

This inventory is not intended to be complete, but rather an overview of the dominant plant species.



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