

WHEN RECORDED MAIL TO:

ANT, LLC
4545 Fuller Drive, Suite 100
Irving, Texas 75038
Attention: Title & Escrow Department



200009140031
Skagit County Auditor

9/14/2000 Page 1 of 5 11:15:05AM

QUITCLAIM DEED

THIS INDENTURE WITNESSETH: That **THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY**, a Delaware corporation, (formerly Burlington Northern Railroad Company), of 2650 Lou Menk Drive, Fort Worth, Texas 76131-2830, (“Grantor”), for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, in hand paid, conveys and quitclaims, without any covenants of warranty whatsoever and without recourse to the Grantor, its successors and assigns, to **ANT, LLC**, a Delaware limited liability company, and its successors and assignees, whose address is 201 Mission Street, Pacific Gateway Building, San Francisco, California 94105, (“Grantee”), all of Grantor’s right, title and interest, if any, in real estate and improvements located in the County of Skagit, State of Washington, together with all after acquired title of Grantor therein, as such real property (“Premises”), is more particularly described as follows:

Part of SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 1, Township 34 North, Range 3 East, W. M., Skagit County, Washington, complete legal description described on page 4 as Exhibit “A”, consisting of One (1) page, attached hereto and made a part hereof.

P85173

TOGETHER with all tenements, hereditaments and appurtenances, if any, on the Premises, and any reversions, remainders, rents, issues or profits on the Premises.

SUBJECT, however, to all valid existing interests of third parties in the Premises, including but not limited to, reservations, rights of way and other encumbrances of record, or otherwise.

Assessor’s Property Tax Parcel Account Number(s): No tax serial numbers - Railroad right of way.

EXCEPTING AND RESERVING unto Grantor, its successors, assignees, lessees and/or licensees (hereinafter "Grantor") all coal, oil, gas, casing head gas and all ores and minerals of every kind and nature, and all water, underlying the surface of the Premises, except with no right of entry onto the surface, or above a depth 500 feet below the surface, of the Premises.

ALSO RESERVING unto Grantor a nonexclusive permanent easement to operate, maintain, reconstruct and modify any and all fiber optic lines, communication lines used by Grantor, and facilities related to such fiber optic lines or communication lines, in the location where such lines or facilities exist on the date of delivery of this Deed, including related rights of ingress and egress, as necessary across the Premises for the sole purpose of operating, maintaining and, as necessary, reconstructing such lines in the same location as they exist on June 29, 1999, provided that all activities of Grantor in the exercise of rights under this Paragraph of this Deed shall occur in a manner that minimizes any interference with any activities or improvements then present on the Premises.

RESERVING, however, unto said Grantor, its successors and assigns, a railroad easement including the right, privilege and easement to construct, maintain, repair, renew, use, operate over, replace or remove railroad tracks, drainage facilities and appurtenances thereto in, along, over, upon or across that portion of the hereinafter described premises as shown Hatched on attached Exhibit "B" attached hereto and by this reference made a part hereof, to have and to hold said easement for so long as the same is used or required for railroad purposes and until said Grantor, its successors or assigns, shall remove all such facilities from the said premises with the intent to abandon said easement.

TO HAVE AND TO HOLD the same unto Grantee, and its successors and assignees, forever.

IN WITNESS WHEREOF, Grantor has caused this Deed to be executed by its authorized representative, and its corporate seal to be affixed hereto as of the 26th day of June, 1999.

**THE BURLINGTON NORTHERN
AND SANTA FE RAILWAY
COMPANY**

By: *D. P. Schneider*
D. P. Schneider
General Director Real Estate



ATTEST:

By: *Patricia Zbichorski* 37265
Patricia Zbichorski SKAGIT COUNTY WASHINGTON
Assistant Secretary Real Estate Broker

SEP 14 2000

STATE OF TEXAS

§
§ ss.
§

COUNTY OF TARRANT

Amount Paid \$65.79
Skagit Co. Treasurer
By *[Signature]* Deputy

On this 26th day of July, 2000, before me, the undersigned, a Notary Public in and for the State of Texas, duly commissioned and sworn, personally appeared D. P. Schneider and Patricia Zbichorski, to me known to be the General Director Real Estate and Assistant Secretary, respectively, of **THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY**, the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute the said instrument and that the seal affixed is the corporate seal of said corporation.

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



Cathy T. Hutchinson
Notary Public in and for the State of Texas

Residing at: Fort Worth, Texas

My appointment expires: August 19, 2000



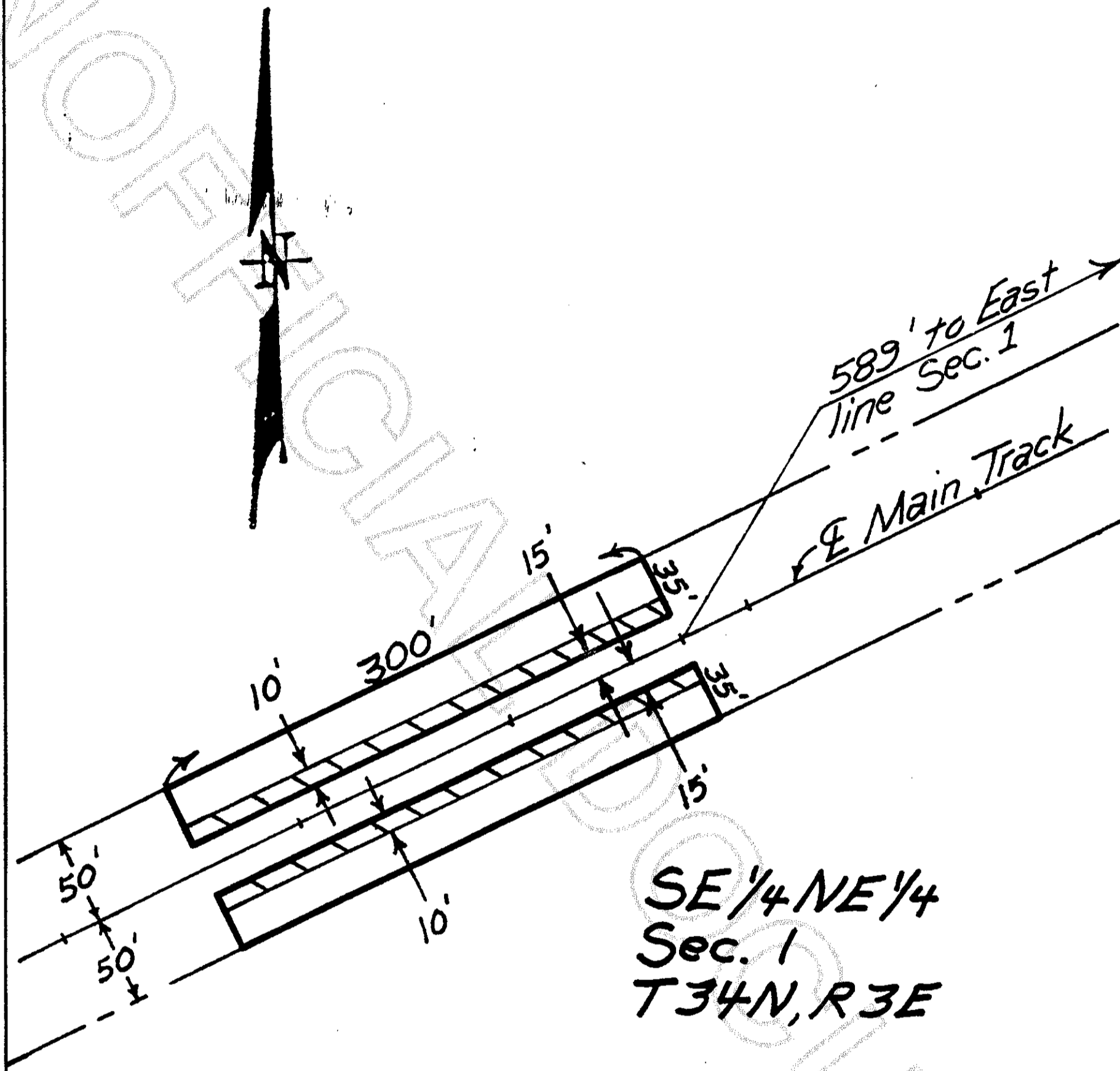
EXHIBIT "A"

Parcel 2852 GN

All that portion of The Burlington Northern and Santa Fe Railway Company's (formerly Great Northern Railway Company) 100.0 foot wide Burlington to Anacortes, Washington Branch Line right of way, being 50.0 feet wide on each side of said Railway Company's Main Track centerline, as originally located and constructed upon, over and across the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 1, Township 34 North, Range 3 East, W. M., Skagit County, Washington, bounded between two lines drawn at right angles to said Main Track centerline distant, respectively, 589.0 feet and 889.0 feet Southwesterly of the East line of said Section 1, as measured along said Main Track centerline, **EXCEPTING THEREFROM**, a 30.0 foot wide corridor, being 15.0 feet wide on each side of said Main Track centerline.



EXHIBIT " B "



SE 1/4 NE 1/4
Sec. 1
T34N, R3E

NEAR: AVON,
SKAGIT COUNTY,
WASHINGTON

BNSF 04000-052 Avon, WA

DESCRIPTION

 = Railroad Easement.



200009140031
Skagit County Auditor