

Upon Recording Return To:  
Department of Natural Resources  
Business Systems Support Division  
Special Lands Acquisition  
P. O. Box 47014  
Olympia, WA 98504-7014



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, Skagit County Auditor  
3/16/2001 Page 1 of 4 3:41:44PM

**DEED OF RIGHT TO USE LAND FOR  
NATURAL RESOURCES CONSERVATION AREA PURPOSES**

3719488

**Cypress Island NRCA-Merzbacher ISLAND TITLE COMPANY**

Grantor: State of Washington, acting by and through the Department of  
Natural Resources  
Grantee: State of Washington  
Legal Description: Portion Section 4, Township 35 North, Range 1 East, W.M.  
Tax Parcel Numbers: 350104-1-006-0602, 350104-1-006-0701, 350104-1-006-0800,  
350104-1-006-0909

The Grantor, State of Washington, acting by and through the Department of Natural Resources, for and in consideration of monies coming in whole from the Habitat Conservation Account of the General Fund of the State of Washington and in fulfillment of terms of the Project Agreement identified below, conveys and grants to the State of Washington individually and as the representative of all the people of the State, the right to use the real property described below forever for the natural resources conservation area purposes described in RCW 43.98A and managed in accordance with RCW 79.71. This dedication is in compliance with the Project Agreement entered into between the Grantor and the State of Washington through the Interagency Committee for Outdoor Recreation entitled Cypress Island NRCA, Project Number 96-1002C, signed by the Grantor on the 28th day of July, 1997, and by the Interagency Committee for Outdoor Recreation on the 21st day of July, 1997, and the application and supporting materials which are on file with the Grantor and the State in connection with the Project Agreement.

The Grantor will not make or permit to be made any use of the real property described in this deed, or any part of it, which is inconsistent with the right to use for natural resources conservation area purposes herein granted unless the State, through the Interagency Committee for Outdoor Recreation or its successors, consents to the inconsistent use, which consent shall be granted only upon conditions which will ensure that other natural resources conservation area land of at least equal fair market value at the time of change of use and of as nearly as feasible equivalent qualities, characteristics and location for natural resources conservation area purposes for which State assistance was originally granted, will be substituted in the manner provided in RCW 79A.25.100 for marine recreation land, whether or not the real property covered by this deed is marine recreation land.

**Deed of Right to Use Land For  
Natural Resources Conservation Area Purposes  
Cypress Island NRCA-Merzbacher**

RCW 79A.25.100 reads as follows:

"Marine recreation land with respect to which money has been expended under RCW 43.99.080 (recodified as RCW 79A.25.080) shall not, without the approval of the committee, be converted to uses other than those for which such expenditure was originally approved. The committee shall only approve any such conversion upon conditions which will assure the substitution of other marine recreation land of at least equal fair market value at the time of conversion and of as nearly as feasible equivalent usefulness and location."

The certain real property covered by this deed is located in Skagit County, Washington, the legal description of which is set forth as set forth on Exhibit A.

This deed shall in no way modify or extinguish the functions of the Grantor under the Project Agreement, including the Grantor's functions to operate and maintain the land for natural resources conservation area purposes.

STATE OF WASHINGTON  
DEPARTMENT OF NATURAL RESOURCES

  
\_\_\_\_\_  
Doug Sutherland, Commissioner of Public Lands

Date: 3/12/01

39878  
SKAGIT COUNTY WASHINGTON  
Real Estate Excise Tax

MAR 16 2001

Amount Paid \$  
Skagit Co. Treasurer  
By  Deputy

Standard Deed of Right  
Approved as to Form in March, 2000  
by the Interagency Committee for Outdoor Recreation  
Acquisition Projects: Policies  
IAC Manual #3



200103160091  
Skagit County Auditor  
3/16/2001 Page 2 of 4 3:41:44PM

STATE OF WASHINGTON )  
 )ss  
COUNTY OF )

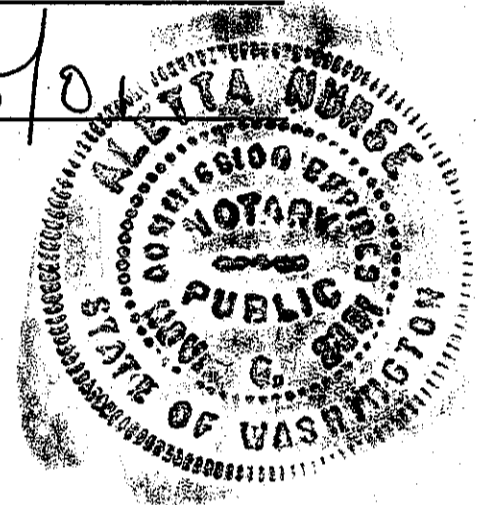
On this 12 day of March, 20001, personally appeared before me Doug Sutherland, to me known to be the Commissioner of Public Lands, State of Washington, who executed the within and instrument on behalf of the State of Washington, and acknowledged said instrument to be the free and voluntary act and deed of the State of Washington for the uses and purposes therein mentioned, and on oath stated that she was authorized to execute said instrument and that the seal affixed is the official seal of a Washington State Notary.

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

Alitta Hurre

Notary Public in and for the State of Washington,  
residing at Shurston

My appointment expires 11/5/01



200103160091  
Skagit County Auditor  
3/16/2001 Page 3 of 4 3:41:44PM

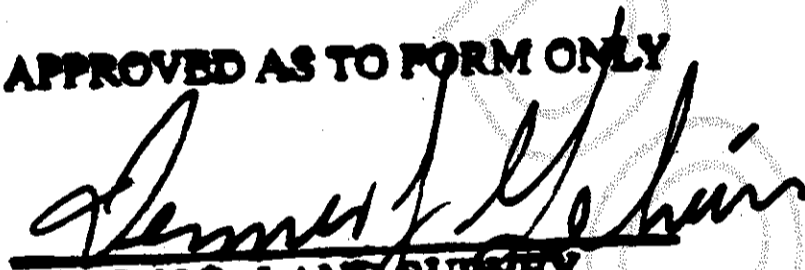
**DEPARTMENT OF NATURAL RESOURCES  
DEED OF RIGHT TO USE LAND FOR  
NATURAL RESOURCES CONSERVATION AREA PURPOSES**

**(Cypress Island NRCA-Merzbacher)**

**EXHIBIT A**

Lots 7, 8, 9, and 10 of SKAGIT COUNTY SHORT PLAT NO. 127-78 as approved March 16, 1979, and recorded March 20, 1979, in Volume 3 of Short Plats, page 83, under Auditor's File No. 7903200011, records of Skagit County, Washington; being a portion of Government Lot 5, Section 4, Township 35 North, Range 1 East, Willamette Meridian, Skagit County, Washington.

**APPROVED AS TO FORM ONLY**

  
**D.N.R. LAND SURVEY**

Dennis J. Gelvin, PLS 21674  
Land Description & R/W Specialist  
State Land Survey Unit  
Business Systems Support Division  
PO Box 47060  
Olympia, WA 98504-7060

Dated 1-10-01



200103160091  
Skagit County Auditor  
3/16/2001 Page 4 of 4 3:41:44PM