



200105030081

Skagit County Auditor

5/3/2001 Page 1 of 5 3:35:53PM

AFTER RECORDING RETURN TO:

Name _____
Address _____
City, State, Zip _____

ASSIGNMENT OF FIRST RIGHT OF REFUSAL FOR PURCHASE OF REAL ESTATE

RECITALS

Ella H. Lee, a single woman is owner of property described on EXHIBIT A (hereafter referred to as the "Lee property"), which is attached hereto and by this reference incorporated herein.

Kevin W Gundersen and Kristi Gundersen, husband and wife, are owners of property described on EXHIBIT B (hereafter referred to as the "Gundersen property"), which is attached hereto and by this reference incorporated herein.

The former Pacific Northwest Traction Company right-of-way, 100 feet to 150 feet in width ("hereafter referred to as the PNTC right-of-way"), now owned by Puget Sound Energy, runs along the east side of both properties.

The parties to this instrument believe that, if the owner of the former PNTC right-of-way decides to sell the strip of land, that the right-of-way will first be offered for sale to the owners of properties adjoining the right of way. The purpose of this instrument is to provide, that in the event of any such offer by the owner of the PNTC right-of-way to adjoining property owners, the first right of refusal for most of the PNTC right-of-way adjoining the Lee property will be offered to the owner of the Gundersen property, instead of the Lee property, so that the owner of the Gundersen property will have the opportunity to purchase the PNTC right-of-way, much of which is now farmed by the owner of the Gundersen property. The owner of the Lee property will reserve the right to purchase a portion of the PNTC right-of-way on which there is located an outbuilding appurtenant to the Lee property.

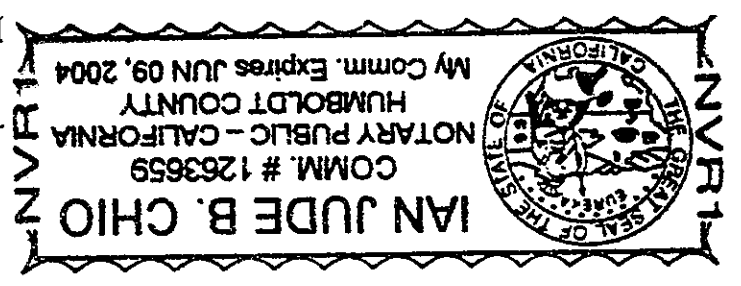
THEREFORE,
 Ella H. Lee, present owner of the real property described on EXHIBIT A, attached hereto, hereby assigns to Kevin W. Gundersen and Kristi Gundersen, husband and wife, present owners of the real property described on EXHIBIT B, attached hereto, their heirs, successors, or assigns, any first right to purchase, first right of refusal, or other right to purchase that portion of the former PNTC right-of-way, currently owned by Puget Sound Energy, adjoining the east boundary of the Lee property, EXCEPT for that portion of said PNTC right-of-way described on EXHIBIT C, attached hereto. Ella H. Lee reserves to herself and future owners of the Lee property any such right to purchase the property described on EXHIBIT C, if such property is ever offered for sale to the owner of the Lee property.
 The covenants contained herein shall run with the land and shall be binding on the parties hereto, their heirs, successors or assigns and all subsequent owners thereof.

Dated 5/1/2001, 2001

Ella H. Lee
 STATE OF CALIFORNIA)
) ss
 COUNTY OF SONOMA)

I certify that I know or have satisfactory evidence that ELLA H. LEE is/are the person(s) who appeared before me, and said person(s) acknowledged that he/she/they signed this instrument and acknowledged it to be his/her/their free and voluntary act for the uses and purposes mentioned in this instrument.

Dated May 1, 2001



Typed/printed notary name IAN JUDE B. CHIO
 Residing at Santa Rosa, California
 My appointment expires June 9, 2004

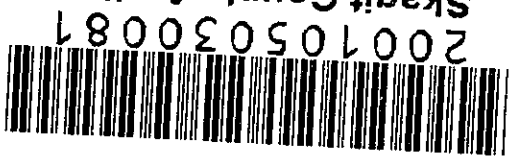


EXHIBIT A
Lee Property

THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF
SECTION 3, TOWNSHIP 35 NORTH, RANGE 3 EAST, W.M., BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE NORTH LINE OF THE SUNSET
COUNTY ROAD, BEING 20.00 FEET NORTH OF CENTERLINE OF SAID
ROAD, AT A DISTANCE OF 358.00 FEET WEST OF THE WESTERLY
LINE OF CHUCKANUT DRIVE STATE HIGHWAY, SAID POINT BEING
THE SOUTHWEST CORNER OF THAT PARCEL CONVEYED TO ELLA H.
LEE BY INSTRUMENT RECORDED IN VOLUME 302 AT PAGE 269
UNDER AUDITOR'S FILE NO. 872313, THENCE SOUTH 88°30'55"
EAST ALONG SAID RIGHT OF WAY MARGIN A DISTANCE OF 40.00
FEET TO THE TRUE POINT OF BEGINNING, THENCE NORTH
1°29'05" EAST A DISTANCE OF 130.00 FEET, THENCE SOUTH
88°30'55" EAST A DISTANCE OF 55.27 FEET TO THE WESTERLY
LINE OF THE PACIFIC NORTHWEST TRACTION CO. RIGHT OF WAY,
THENCE SOUTH 31°32'17" EAST ALONG THE WESTERLY LINE OF
SAID PACIFIC NORTHWEST TRACTION CO. RIGHT OF WAY A
DISTANCE OF 155.05 FEET TO THE NORTH RIGHT OF WAY MARGIN
OF SUNSET COUNTY ROAD, THENCE NORTH 88°30'55" WEST
ALONG THE SAID NORTH RIGHT OF WAY MARGIN OF SUNSET ROAD
A DISTANCE OF 139.77 FEET TO THE TRUE POINT OF BEGINNING.

Lee/Gundersen Assmt First Right Purchase



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, Skagit County Auditor

EXHIBIT B
Gundersen Property

LEGAL DESCRIPTION 'A'

(Kevin & Kristi Gundersen)

THAT PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 35 NORTH, RANGE 3 EAST, W.M., LYING WESTERLY OF PACIFIC NORTHWEST TRACTION CO. RIGHT OF WAY AS DEEDED IN INSTRUMENTS DATED SEPTEMBER 16, 1911 AND SEPTEMBER 16, 1911 AND RECORDED SEPTEMBER 20, 1911 UNDER AUDITOR'S FILE NOS. 86632 AND 86633 IN VOLUME 87, PAGES 215-217, RECORDS OF SKAGIT COUNTY, WASHINGTON, EXCEPT THE NORTH 10 ACRES THEREOF, ALSO EXCEPT THE SOUTH 185 FEET OF THE WEST 152 FEET OF SAID SOUTHWEST QUARTER, EXCEPT ROADS AND EXCEPT DRAINAGE DISTRICT RIGHTS OF WAY, ALSO EXCEPT THE FOLLOWING DESCRIBED PROPERTY.

COMMENCING AT A POINT ON THE NORTH LINE OF THE SUNSET COUNTY ROAD, BEING 20.00 FEET NORTH OF CENTERLINE OF SAID ROAD, AT A DISTANCE OF 358.00 FEET WEST OF THE WESTERLY LINE OF CHUCKANUT DRIVE STATE HIGHWAY, SAID POINT BEING THE SOUTHWEST CORNER OF THAT PARCEL CONVEYED TO CLLA H. LEE BY INSTRUMENT RECORDED IN VOLUME 302 AT PAGE 269 UNDER AUDITOR'S FILE NO. 872313, THENCE SOUTH 88°30'55" EAST ALONG SAID RIGHT OF WAY MARGIN A DISTANCE OF 40.00 FEET TO THE TRUE POINT OF BEGINNING, THENCE NORTH 1°29'05" EAST A DISTANCE OF 130.00 FEET, THENCE SOUTH 88°30'55" EAST A DISTANCE OF 55.27 FEET TO THE WESTERLY LINE OF THE PACIFIC NORTHWEST TRACTION CO. RIGHT OF WAY, THENCE SOUTH 31°32'17" EAST ALONG THE WESTERLY LINE OF SAID PACIFIC NORTHWEST TRACTION CO. RIGHT OF WAY A DISTANCE OF 155.05 FEET TO THE NORTH RIGHT OF WAY MARGIN OF SUNSET COUNTY ROAD, THENCE NORTH 88°30'55" WEST ALONG THE SAID NORTH RIGHT OF WAY MARGIN OF SUNSET ROAD A DISTANCE OF 139.77 FEET TO THE TRUE POINT OF BEGINNING.

Lee/Gundersen Assmt First Right Purchase

EXHIBIT C
Portion of PNTC Right of Way
For Possible Future Addition to Lee Property

A portion of the Southwest Quarter of the Southeast Quarter of Section 3, Township 35 North, Range 3 East, W.M., described as follows:

Commencing at a point on the North line of the Suissel County Road, being 20.00 feet North of centerline of said road, at a distance of 119.27 feet West of the Westerly line of Chuckanut Drive State Highway, said point being the Westerly line of the Pacific Northwest Traction Co. right-of-way; thence North 31°32'17" West along said West line of Pacific Northwest Traction Co. right-of-way a distance of 72.97 feet to the TRUE POINT OF BEGINNING; thence North 1°29'06" East a distance of 68.82 feet; thence North 88°30'55" West a distance of 44.73 feet to the Westerly margin of the said Pacific Northwest Traction Co. right-of-way; thence South 31°32'17" East along said Pacific Northwest Traction Co. right-of-way a distance of 82.08 feet to the TRUE POINT OF BEGINNING.

Lee/Gundersen Assmt First Right Purchase



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