

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


200112030240
Skagit County Auditor
12/3/2001 Page 1 of 4 3:31PM

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

Cypress Island NRCA-Secret Harbor School #3

Grantor: State of Washington, acting by and through the Department of
Natural Resources
Grantee: State of Washington
Legal Description: W $\frac{1}{2}$ Gov't Lot 8, Gov't Lot 9 Section 4, T35N, R1E, W.M.
Tax Parcel Number: 350104-3-001-0106

ISLAND TITLE COMPANY
AE 7789 ✓

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 Agreements 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 Chapter 79A.15 and managed in accordance with RCW Chapter 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, the Project Agreement entered into between the Grantor and the State of Washington through the Interagency Committee for Outdoor Recreation entitled Cypress Island Natural Area, Project Number 98-1128A signed by the Grantor on the 18th day of October, 1999, and by the Interagency Committee for Outdoor Recreation on the 14th day of October 1999, and/or the Project Agreement entered into between the Grantor and the State of Washington through the Interagency Committee for Outdoor Recreation entitled Cypress Island Natural Area, Project Number 00-1419A signed by the Grantor on the 6th day of August, 2001, and by the Interagency Committee for Outdoor Recreation on the 24th day of July, 2001, and the applications and supporting materials which are on file with the Grantor and the State in connection with these Project Agreements.

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

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Natural Resources Conservation Area Purposes
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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 natural resources conservatin 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 Chapter 79A.25.100 for marine recreation land, whether or not the real property covered by this deed is marine recreation land.

RCW Chapter 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 on Exhibit A.

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

STATE OF WASHINGTON
DEPARTMENT OF NATURAL RESOURCES



Title: Asset Management & Protection Mgr.

Date: November 28, 2001

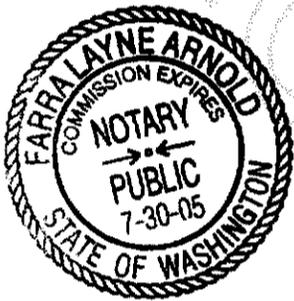
Standard Deed of Right for Conservation Purposes
Approved as to Form in March, 2000
by the Interagency Committee for Outdoor Recreation
Acquisition Projects: Policies
IAC Manual #3



STATE OF WASHINGTON)
)ss
COUNTY OF THURSTON)

On this 28th day of November, 2000, personally appeared before me Kit Metlen, to me known to be the Asset Management & Protection Division Manager of the Department of Natural Resources, State of Washington, who executed the within and instrument on behalf of the State of Washington, and acknowledged said foregoing 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 he 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.



Farralayne Arnold

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

My appointment expires 7-30-05

4411
SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax
PAID

DEC 03 2001

Amount Paid \$ 0
Skagit County Treasurer
By: [Signature] Deputy



200112030240
Skagit County Auditor

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

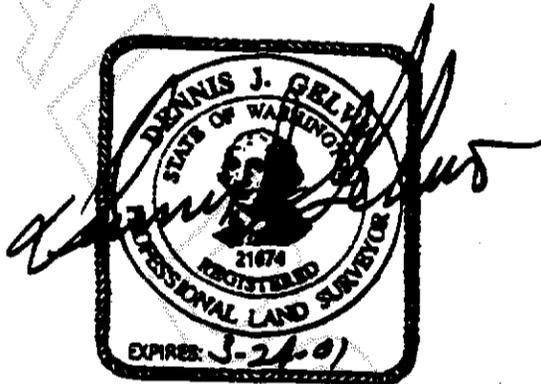
Cypress Island NRCA-Secret Harbor School #3

EXHIBIT A

The west half of Government Lot 8, and Government Lot 9 of Section 4, Township 35 North, Range 1 East, Willamette Meridian, Skagit County, Washington, excepting from said Government Lot 9, the west 21.29 acres of said Government Lot, said west 21.29 acres being as monumented and shown on that survey recorded June 10, 1997 in Book 19 of Surveys at Page 127 under Auditor's File No. 9706100063, Skagit County Records,

TOGETHER WITH

That portion of the tidelands of the second class described by document recorded April 3, 1915 under Auditor's File number 107270 lying in front of said Government Lot 9, excepting from said tidelands that portion lying in front of the west 21.29 acres of said Government Lot 9, said west 21.29 acres being as monumented and shown on said survey recorded under Auditor's File No. 9706100063, Skagit County Records.



Dennis J. Gelvin, PLS 21674
Land Description & R/W Specialist
State Land Survey Unit
Resource Planning & Asset Management
PO Box 47060
Olympia, WA 98504-7060

Dated 4-13-01

