

RECORDED AT THE REQUEST OF  
AND AFTER RECORDING RETURN TO:

FOSTER PEPPER & SHEFELMAN PLLC  
1111 Third Avenue, Suite 3400  
Seattle, Washington, 98101-3299  
Attn: Brian Danzig



200204040013

Skagit County Auditor

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**STATUTORY WARRANTY DEED**

(190 Property)

FIRST AMERICAN TITLE CO.  
60548

Grantor: ETERA CORPORATION, a Washington Corporation

Grantee: Northwest Horticulture, LLC, a Washington Limited Liability Company

Abbreviated Legal Description: Section 13, Township 34, Range 4 Ptn Ne 1/4  
Section 18, Township 34, Range 4 Ptn Govt Lot 1  
ALL IN SKAGIT COUNTY  
Complete Legal Description on Exhibit A

Assessor's Tax Parcel ID#s: 340313-1-061-0008 (P21743); 340313-0-058-0102 (P96270);  
340313-1-059-0002 (P21741); 340418-2-004-0100 (P26046)

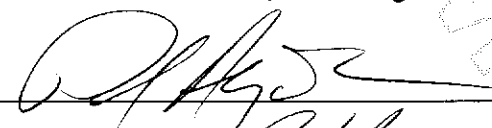
ETERA CORPORATION, a Washington corporation ("Grantor"), for and in consideration of \$10.00 and other good and valuable consideration, and pursuant to a Final Order (1) Authorizing (A) Sale Of Certain Assets Of The Debtor Under 11 U.S.C. §363 And (B) Assumption And Assignment Of Certain Non-Residential Real Property Leases And Executory Contracts, (2) Approving Sale To Purchaser Or Other Bidder Under Purchase Agreement And (3) Approving Settlement Between Debtor, Creditors' Committee and Northwest Horticulture Pursuant To Rule 9019(a) issued on December 14, 2001, by The United States Bankruptcy Court For The Western District Of Washington, At Seattle in Case No. 01-18520-SJS11, hereby conveys and warrants to Northwest Horticulture, LLC, a Washington limited liability company, the real estate legally described on Exhibit A, together with all water rights appurtenant thereto and all farm products, orchard crops, nursery stock and crops thereon, subject to the permitted exceptions described in Exhibit B attached hereto.

DATED this 29 day of March, 2002.

GRANTOR: ETERA CORPORATION, a Washington Corporation

#1410

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

By: 

Name: Paul Agnew

Title: Interim CEO

APR 04 2002

Amount Paid \$ 2907.02  
Skagit Co. Treasurer  
By  Deputy

California  
STATE OF WASHINGTON

COUNTY OF Los Angeles

SS.

I certify that I know or have satisfactory evidence that Paul Abramowitz  
is the person who appeared before me, and said person acknowledged that said person signed this  
instrument, on oath stated that said person was authorized to execute the instrument and acknowledged  
it as the Interim Chief Executive Officer of ETERA CORPORATION, a Washington corporation, to be  
the free and voluntary act of such corporation for the uses and purposes mentioned in the instrument.

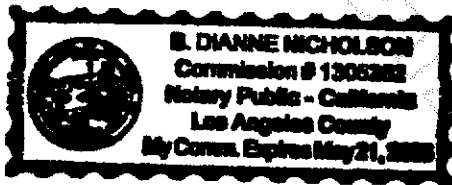
Dated this 29<sup>th</sup> day of March, 2002.

B. Dianne Nicholson  
(Signature of Notary)

B. DIANNE Nicholson  
(Legibly Print or Stamp Name of Notary)

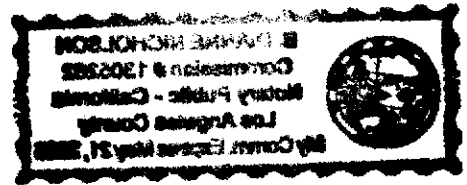
Notary public in and for the state of California  
residing at 2121 Ave of Stars, L.A. 90035

My appointment expires 5/21/05



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## Exhibit A

The land referred to in this report/policy is situated in the State of Washington, County of Skagit, and is described as follows:

### Parcel "A":

That portion of Government Lot 1, Section 18, Township 34 North, Range 4 East, W.M., described as follows:

Beginning at a point 40 feet South of the Northwest corner of said Lot 1; thence South, 330 feet along the West line of said Lot 1; thence East, 132 feet; thence North, 330 feet to a point 40 feet South of the North line of said Lot 1; thence West, 132 feet to the point of beginning.

### Parcel "B":

The North 1/2 of the North 1/2 of the Northeast 1/4 of Section 13, Township 34 North, Range 3 East, W.M., EXCEPT dike and ditch rights-of-ways, if any, AND EXCEPT the following described tracts:

(1) Beginning at the Northwest corner of the Northeast 1/4 of Section 13, Township 34 North, Range 3 East, W.M.; thence East along the North line of said Northeast 1/4, a distance of 52 rods (858 feet); thence South parallel with the West line of said Northeast 1/4 of the South line of the North 1/2 of the North 1/2 of the Northeast 1/4; thence West parallel with the North line of said Northeast 1/4, 52 rods (858 feet), more or less, to the West line of said Northeast 1/4; thence North along the said West line to the point of beginning; (said tract being that certain tract of land conveyed by E.H. Thompson, et ux, to Alfred Johnson by Deed recorded under Auditor's File No. 103415, in Volume 97 of Deeds, Page 240, records of Skagit County, Washington, said Deed containing an erroneous legal description.)

(2) Beginning at the Northeast corner of Section 13, Township 34 North, Range 3 East, W.M.; thence South 83 degrees 31' West along the North section line, a distance of 1273.6 feet, more or less, to the Northwest corner of the Northeast 1/4 of the Northeast 1/4 of said Section; thence South along the West line of said Northeast 1/4 of the Northeast 1/4, a distance of 160.6 feet; thence South 89 degrees 33' East, 1275 feet, more or less, to the East Section line of said Section 13; thence North along the East Section line to the point of beginning, EXCEPT the East 40 feet thereof.



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(3) That portion of the Northwest 1/4 of the Northeast 1/4 of Section 13, Township 34 North, Range 3 East, W.M., described as follows:

Beginning at the Northwest corner of said Northwest 1/4 of the Northeast 1/4; thence North 83 degrees 40' 02" East 1193.75 feet along the North line of said Section 13, to a point that is South 83 degrees 40' 02" West, 1285.18 feet from the Northeast corner of said Section 13; thence South 0 degrees 19' 30" East, 153.92 feet to a point that is South 88 degrees 55' 36" East from the point of beginning; thence North 88 degrees 55' 36" West, 1187.55 feet to the true point of beginning.

Parcel "C":

All of that portion of the South 1/2 of the North 1/2 of the Northeast 1/4 of Section 13, Township 34 North, Range 3 East, W.M., lying North of the following described line:

Beginning at a point 386 feet, South 0 degrees 40' East of the Northeast corner of the South 60 rods (990 feet) of Lot 1, said Section 13, on the East line of said Lot 1; thence running Eastward North 89 degrees 45' East, 2488 feet, more or less, to the East line of the Northeast 1/4 of said Section 13, EXCEPT that portion thereof lying West of the following described line:

Commencing on the North line of said Section 13, 52 rods (858 feet) East of the centerline thereof and extending Southerly and parallel with the centerline of said Section 13, to a point of intersection with the first line above described.

Parcel "D":

The East 40 feet of the North 1/2 of the Northeast 1/4 of Section 13, Township 34 North, Range 3 East, W.M., records of Skagit County, Washington; EXCEPT that portion thereof conveyed to Skagit County by Deed recorded as Auditor's File No. 9505080057.



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EXHIBIT B  
TO  
**STATUTORY WARRANTY DEED**  
(190 Property)

Permitted Title Exceptions

1. Said lands have been reclassified for tax purposes, notice of which is given by instrument as herein set forth. They will be subject to further taxation and interest thereupon as provided by Chapter 84.34 and 84 RCW upon withdrawal from such classification or change in use.

|                  |                                          |
|------------------|------------------------------------------|
| Reclassified As: | Farm and Agricultural                    |
| Recorded:        | November 17, 1971 and September 18, 1974 |
| Auditor's No:    | 760732 and 807430                        |

  
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