



200206040079

Skagit County Auditor

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Filed for Record at Request of:

Brian Clark  
Attorney at Law  
P. O. Box 336  
Mt. Vernon, WA 98273

**SPECIAL WARRANTY DEED**

Grantors: James N. & Joanne G. Nelson, husband and wife, and Norman W. Nelson, Jr., a married man as his separate estate.

Grantees: Gerald E. Nelson and Jenny T. Nelson, husband and wife

Legal Description (abbreviated): Ptn of SW ¼ of Sec. 9, T35N, R3E, W.M.; and Ptn of NW ¼ and NE ¼ of Sec. 16, T35N, R3E, W.M. County of Skagit. Additional on pgs. 4 and 5 and Record of Skagit County, WA, 26, 34, 3. County of Skagit. Additional on pg. 6

Assessor's Tax Parcel No: ~~350309-3-003-0002/P33977~~; 350309-3-003-0024/P33974; 350309-3-004-0015/P33976; 350309-3-005-0014/P33978; 350316-1-003-0003/P34388; 350326-3-001-0009/P34839; 350316-1-007-0009/P34392; 350316-2-001-0003/P34395; 350316-2-004-0000/P34397; 350309-0-005-0100/P118645; 350309-0-006-0001/P33948

THE GRANTORS, JAMES N. NELSON and JOANNE G. NELSON, husband and wife, and NORMAN W. NELSON, JR., a married man as his separate estate for and in consideration of One Dollar (\$1.00) and other good and valuable consideration in hand paid, grant, bargain, sell, convey and confirm to GERALD E. NELSON and JENNY T. NELSON, husband and wife, all of Grantors' interest (which is a 2/3 interest) in the following described real estate, situated in the County of Skagit, State of Washington:

For full legal description, See Exhibits A and B, attached hereto and incorporated herein.

The Grantors, for themselves and for their successors in interest do by these presents expressly limit the covenants of the deed to those herein expressed, and exclude all covenants arising or to arise by statutory or other implication, and do hereby covenant that against all persons whomsoever lawfully claiming or to claim by, through or under said Grantors and not otherwise, the Grantors will forever warrant and defend the said described real estate. Upon this transfer of Grantors' two-thirds (2/3) interest in said real property, Grantees will own 100% of said real property.

8453

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

SPECIAL WARRANTY DEED (COMBINED)  
TRC\22694\346843.V02 (7FMJ021.DOC)

1

JUN 04 2002

Amount Paid \$ 2017.59  
Skagit Co. Treasurer  
By *[Signature]* Deputy

Sharrie L. Nelson, the spouse of Norman W. Nelson, Jr., by executing this Deed does hereby acknowledge the said property is the separate property of her husband, Norman W. Nelson, Jr.

DATED 5/30/02, 2002.

James N. Nelson  
JAMES N. NELSON

Joanne G. Nelson  
JOANNE G. NELSON

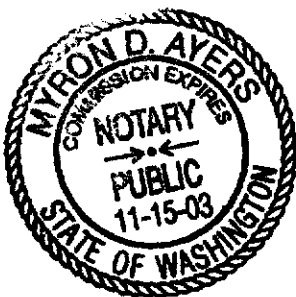
Norm - Nelson Jr  
NORMAN W. NELSON, JR.

Sharrie L. Nelson  
SHARRIE L. NELSON

STATE OF WASHINGTON )  
COUNTY OF SKAGIT ) ss.

I certify that I know or have satisfactory evidence that JAMES N. NELSON and JOANNE G. NELSON, husband and wife, are the persons who appeared before me and said persons acknowledged that they signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in the instrument.

DATED: 5/30/02



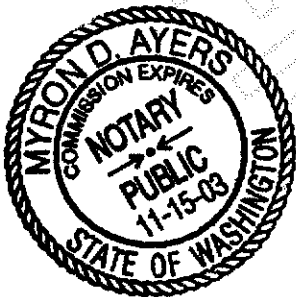
Myron D. Ayers  
PRINTED NAME: MYRON D. AYERS  
NOTARY PUBLIC  
in and for the State of Washington.  
My commission expires: 11/15/03



STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF SKAGIT )

I certify that I know or have satisfactory evidence that NORMAN W. NELSON, JR. and SHARRIE L. NELSON, husband and wife, are the persons who appeared before me and said persons acknowledged that they signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in the instrument.

DATED: 5/30/02



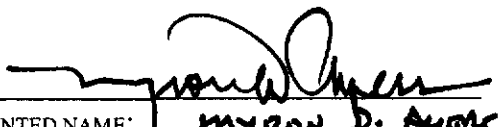
  
PRINTED NAME: myron D. Ayers  
NOTARY PUBLIC  
in and for the State of Washington.  
My commission expires: 11/15/03



Exhibit A

PARCEL "A":

The Southeast 1/4 of the Southwest 1/4 of Section 9, Township 35 North, Range 3 East, W.M.,

EXCEPT road, dike and ditch rights of way,

EXCEPT the North 297 feet thereof,

AND EXCEPT that portion described as follows:

Beginning at the intersection of the South line of said North 297 feet of the Southeast 1/4 of the Southwest 1/4 and the North and South centerline of said Section;  
thence West along said South line of said North 297 feet a distance of 228 feet;  
thence South parallel to said North and South centerline 180 feet;  
thence East parallel to the North line of this excepted tract 228 feet, more or less, to said North and South centerline;  
thence North along said North and South centerline to the point of beginning.

TOGETHER WITH that portion of the Southwest 1/4 of the Southwest 1/4 of Section 9, Township 35 North, Range 3 East, W.M., described as follows:

Beginning at the Southeast corner of said Southwest 1/4 of the Southwest 1/4;  
thence North along the East line of said subdivision 660 feet;  
thence West 660 feet;  
thence South to the Northerly bank of the Samish River;  
thence Southeasterly along the Northerly bank of said river to the South line of said Southwest 1/4 of the Southwest 1/4;  
thence East to the point of beginning,

EXCEPT road, dike and ditch rights of way.

PARCEL "B":

That portion of the North 1/2 of the Northwest 1/4 and that portion of the West 1/2 of the West 1/2 of the Northeast 1/4 of Section 16, Township 35 North, Range 3 East, W.M., lying Northerly of the Samish River,

EXCEPT road, dike and ditch rights of way.

ALSO, the North 297 feet of the Southeast 1/4 of the Southwest 1/4; that portion of the Southwest 1/4 of the Southwest 1/4, lying Northeasterly of Warners Slough and the following described portion of the North 1/2 of the Southwest 1/4;

Beginning at the Southeast corner of the Northeast 1/4 of the Southwest 1/4;  
thence West 1,410.75 feet;  
thence North 165 feet, more or less, to the County road;  
thence East to the East line of said Northeast 1/4 of the Southwest 1/4;  
thence South to the point of beginning, all in Section 9, Township 35 North, Range 3 East, W.M.,

EXCEPT roads.

ALSO EXCEPT the following described tract:

Beginning at the Southeast corner of the Northeast 1/4 of the Southwest 1/4 of said section 9;  
thence North 89 degrees 27'33" West, along the South line of the Northeast 1/4 of the Southwest 1/4, a distance of 944.21 feet to the TRUE POINT OF BEGINNING;  
thence continuing North 89 degrees 27'33" West a distance of 375.39 feet, to the West line of the Northeast 1/4 of the Southwest 1/4;  
thence North 01 degree 34'38" East, along said West line, a distance of 92.96 feet;  
thence North 61 degrees 00'22" West a distance of 105.59 feet, to the West line of that certain tract of land describe in deed recorded under Skagit County Auditor's File No. 664782;  
thence North 00 degrees 32'27" East, a distance of 25.81 feet to a non-tangent curve of radius 1480 feet (the center of which bears South 07 degrees 17'43" East), said curve being the South line of the county road known as Field Road (as-built);  
thence along said curve through a central angle of 00 degrees 14'34", a distance of 6.27 feet;  
thence South 89 degrees 20'35" East, along said South line, a distance of 467.06 feet;  
thence South 02 degrees 49'16" West, along an existing fence and its Southerly extension, a distance of 169.09 feet to the TRUE POINT OF BEGINNING.

Situate in the County of Skagit, State of Washi:

PARCEL "C":

That portion of the West 1/2 of the Southwest 1/4 of Section 9, Township 35 North, Range 3 East, W.M., described as follows:

Beginning at the Northwest corner of said subdivision;  
thence East along the North line thereof a distance of 1125.30 feet to the Southwest corner of tract described in deed filed under Skagit County Auditor's File No. 9507100155;  
thence South along the Southerly projection of the West line of said tract for a distance of 15 feet;  
thence East, parallel to said North line, a distance of 130.00 feet, more or less, to the West line of the County road known as the Conn Road No. CXLII;  
thence South along the West line of said County road to the Northeast corner of that certain tract conveyed to School District No. 43 by deed dated March 27, 1893 and recorded April 1, 1893, in Volume 26 of Deeds, page 200;  
thence West along the North line of said School District tract 12 1/2 rods to the Northwest corner thereof;  
thence South along the West line of said School District tract and the West line extended to the centerline of the County road;  
thence East along the centerline of said County road to a point that is 3 1/2 rods West of the East line of the Northwest 1/4 of the Southwest 1/4;  
thence South parallel to and 5 1/2 rods West of the East line of the Northwest 1/4 of the Southwest 1/4 to the South line of said Northwest 1/4 of the Southwest 1/4;  
thence along the South line of said Northwest 1/4 of the Southwest 1/4 to the intersection with Newman's Slough, (also known and designated as Warner's Slough and as Watkinson's Slough);  
thence Westerly along said slough to the West line of said Section 9;  
thence North along the West line of said Section 9 to the point of beginning,

EXCEPT roads and dike and drainage ditch rights of way,

AND EXCEPT that portion thereof conveyed to the State of Washington for highway purposes by deed recorded under Auditor's File Nos. 444491 and 445900.

Situate in the County of Skagit, State of Washington.

TOGETHER WITH the water association membership appurtenant thereto.

SUBJECT TO: Continuation of farm and agricultural tax classification as disclosed by notices recorded April 6, 1971, November 26, 1974, November 22, 1971 and October 3, 1974, under Auditor's File Nos. 750677, 810459, 760928 and 808259, respectively and subject to the provisions of RCW 84.34; Easement recorded May 21, 1954, under Auditor's File No. 501362; Any question that may arise due to shifting and changing in course of the Samish River; Right of the State of Washington to any portion of the property described herein which lies below the line of ordinary high water of the Samish River; Rights of the State of Washington to that portion of the subject property, if any, lying in the bed of or the former bed of the Samish River; Conservation Easement recorded November 15, 2001, under Auditor's File No. 200111150101.



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Exhibit B

The East 1/4 of the Southwest 1/4 of Section 26, Township 35 North, Range 3 East, W.M., EXCEPT that portion conveyed to Skagit County by deed recorded January 17, 1911, under Auditor's File No. 32884 in Volume 65 of Deeds, page 527, and recorded December 11, 1992, as Auditor's File No. 3212110050, ALSO EXCEPT that portion North of the center line of Joe Leary Slough.

Situate in the County of Skagit, State of Washington.

EXCEPTIONS:

A. EASEMENT, INCLUDING TERMS AND CONDITIONS THEREOF:

Grantee: Olympic Pipe Line Company, a Delaware corporation  
Purpose: To construct, maintain, operate, repair, replace, change the size of, and remove in whole or in part, a pipeline or pipe lines, for the transportation of oil and gas, and the products thereof.  
Area Affected: This line will be laid approx. 15 feet West of the 1/4 sec. line  
Dated: Not Disclosed  
Recorded: January 10, 1964  
Auditor's No.: 645276

B. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Skagit County, a political subdivision of the State of Washington  
Purpose: Grant deed of conservation easement  
Area Affected: Said premises and other lands  
Dated: May 15, 2000  
Recorded: June 5, 2000  
Auditor's No.: 200006050063

C. Any change in the boundary or legal description of the real property, or title to the estate insured, that may arise due to the shifting and changing in the course of the Joe Leary Slough.



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The East ¼ of the Southwest ¼ of Section 26, Township 35 North, Range 3 East, W.M., EXCEPT that portion conveyed to Skagit County by deed recorded January 17, 1911, under Auditor's File No. 82834 in Volume 65 of Deeds, page 527, and recorded December 11, 1992, as Auditor's File No. 9212110050, ALSO EXCEPT that portion North of the center line of Joe Leary Slough.

Situate in the County of Skagit, State of Washington.

EXCEPTIONS:

A. EASEMENT, INCLUDING TERMS AND CONDITIONS THEREOF:

Grantee: Olympic Pipe Line Company, a Delaware corporation  
Purpose: To construct, maintain, operate, repair, replace, change the size of, and remove in whole or in part, a pipeline or pipe lines, for the transportation of oil and gas, and the products thereof.  
Area Affected: This line will be laid approx. 15 feet West of the ¼ sec. line  
Dated: Not Disclosed  
Recorded: January 10, 1964  
Auditor's No.: 645276

B. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Skagit County, a political subdivision of the State of Washington  
Purpose: Grant deed of conservation easement  
Area Affected: Said premises and other lands  
Dated: May 15, 2000  
Recorded: June 5, 2000  
Auditor's No.: 200006050063

C. Any change in the boundary or legal description of the real property, or title to the estate insured, that may arise due to the shifting and changing in the course of the Joe Leary Slough.



PARCEL "B" (continued):

ALSO EXCEPT the following described tract:

Beginning at the Southeast corner of the Northeast 1/4 of the Southwest 1/4 of said Section 9; thence North 89°27'33" West, along the South line of the Northeast 1/4 of the Southwest 1/4, a distance of 944.21 feet to the TRUE POINT OF BEGINNING; thence continuing North 89°27'33" West a distance of 375.39 feet, to the West line of the Northeast 1/4 of the Southwest 1/4; thence North 01°34'38" East, along said West line, a distance of 92.96 feet; thence North 61°00'22" West a distance of 105.59 feet, to the West line of that certain tract of land described in deed recorded under Skagit County Auditor's File No. 664782; thence North 00°32'27" East, a distance of 25.81 feet to a non-tangent curve of radius 1480 feet (the center of which bears South 07°17'43" East), said curve being the South line of the county road known as Field Road (as-built); thence along said curve through a central angle of 00°14'34", a distance of 6.27 feet; thence South 89°20'35" East, along said South line, a distance of 467.06 feet; thence South 02°49'16" West, along an existing fence and its Southerly extension, a distance of 169.09 feet to the TRUE POINT OF BEGINNING.

Situate in the County of Skagit, State of Washington.

PARCEL "C":

That portion of the West 1/2 of the Southwest 1/4 of Section 9, Township 35 North, Range 3 East, W.M., described as follows:

Beginning at the Northwest corner of said subdivision; thence East along the North line thereof a distance of 1125.30 feet to the Southwest corner of tract described in deed filed under Skagit County Auditor's File No. 9507100155; thence South along the Southerly projection of the West line of said tract for a distance of 15 feet; thence East, parallel to said North line, a distance of 130.00 feet, more or less, to the West line of the County road known as the Conn Road No. CXLII; thence South along the West line of said County road to the Northeast corner of that certain tract conveyed to School District No. 43 by deed dated March 27, 1893 and recorded April 1, 1893, in Volume 26 of Deeds, page 200; thence West along the North line of said School District tract 12 1/2 rods to the Northwest corner thereof; thence South along the West line of said School District tract and the West line extended to the centerline of the County road; thence East along the centerline of said County road to a point that is 5 1/2 rods West of the East line of the Northwest 1/4 of the Southwest 1/4; thence South parallel to and 5 1/2 rods West of the East line of the Northwest 1/4 of the Southwest 1/4 to the South line of said Northwest 1/4 of the Southwest 1/4; thence along the South line of said Northwest 1/4 of the Southwest 1/4 to the intersection with Newman's Slough, (also known and designated as Warner's Slough and as Watkinson's Slough); thence Westerly along said slough to the West line of said Section 9; thence North along the West line of said Section 9 to the point of beginning.

EXCEPT roads and dike and drainage ditch rights of way;

AND EXCEPT that portion thereof conveyed to the State of Washington for highway purposes by deed recorded under Auditor's File Nos. 444491 and 445900.

Situate in the County of Skagit, State of Washington.





PARCEL "D":

The Southwest 1/4 of the Southeast 1/4 of Section 9, Township 35 North, Range 3 East, W.M., EXCEPT drainage ditches and County roads.

Situate in the County of Skagit, State of Washington.

PARCEL "E":

The South 19 feet of Lots 1, 2 and 3 and all of Lots 4 through 20, inclusive, Block 10, "AMENDED PLAT OF BURLINGTON, SKAGIT COUNTY, WASH.", as per plat recorded in Volume 3 of Plats, page 17, records of Skagit County, Washington.

TOGETHER WITH all of the vacated alley in said Block 10, as conveyed by the City of Burlington to Norm Nelson, Inc., a Washington corporation, in Quit Claim Deed recorded May 2, 1994, under Auditor's File No. 9405020207, records of Skagit County, Washington.

ALSO TOGETHER WITH all that portion of Burlington Northern Railroad Company's (formerly Great Northern Railway Company) 25.0 foot wide Spur Tract right of way, now discontinued, being 12.5 feet wide on each side of said Railroad Company's Spur Tract centerline, as originally located upon, over and across Lots 11 through 20, inclusive, Block 10, Town of Burlington, Skagit County, Washington; bounded on the Southeasterly side by the South and East lines of said Block 10, and bounded on the Northwesterly side by the West and North lines of said Lot 11.

Situate in the City of Burlington, County of Skagit, State of Washington.

PARCEL "F":

Lots 1 through 20, inclusive, Block 11, "AMENDED PLAT OF BURLINGTON, SKAGIT COUNTY, WASH.", as per plat recorded in Volume 3 of Plats, page 17, records of Skagit County, Washington.

TOGETHER WITH the vacated South 1/2 of Magnolia Avenue adjacent to Lots 1 through 10, inclusive, of said Block 11, as vacated by City of Burlington Ordinance No. 37, recorded October 14, 1955, under Auditor's File No. 525767, records of Skagit County, Washington.

ALSO TOGETHER WITH all of the vacated alley in said Block 11, as conveyed by the City of Burlington to Norm Nelson, Inc., a Washington corporation, by Warranty Deed recorded January 21, 1986, under Auditor's File No. 8601210015, records of Skagit County, Washington.

Situate in the City of Burlington, County of Skagit, State of Washington.

PARCEL "G":

Lots 7, 8, 9, and 10, Block 12, "AMENDED PLAT OF BURLINGTON, SKAGIT COUNTY, WASH.", as per plat recorded in Volume 3 of plats, page 17, records of Skagit County, Washington.

Situate in the City of Burlington, County of Skagit, State of Washington.



**PARCEL "H":**

That portion of the South 1/2 of the Southeast 1/4 of Section 27, Township 36 North, Range 3 East, W.M., lying Westerly of the Great Northern Railway Company right of way. ALSO, the Northwest 1/4 of the Northeast 1/4 and that portion of the East 1/2 of the Northeast 1/4 of Section 34, Township 36 North, Range 3 East, W.M., lying Westerly of the Great Northern Railway Company right of way, EXCEPT the South 87.15 feet thereof.

Situate in the County of Skagit, State of Washington.

**PARCEL "I":**

Lots 1 through 5, inclusive, Block 6, "AMENDED PLAT OF BURLINGTON, SKAGIT COUNTY, WASH.", as per plat recorded in Volume 3 of plats, page 17, records of Skagit County, Washington.

TOGETHER WITH the North 1/2 of vacated Magnolia Street adjoining, which upon vacation reverted to said premises by operation of law,

EXCEPT from the above described premises, the North 45 feet thereof.

Situate in the City of Burlington, County of Skagit, State of Washington.



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