



200209300228

Skagit County Auditor

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After Filing Return To:
James A. Flaggert
Davis Wright Tremaine LLP
2600 Century Square
1501 Fourth Avenue
Seattle, Washington 98101-1688

STATUTORY WARRANTY DEED
(Skagit Vacant)

Grantor(s):

CAROL A. PETERSON, as Trustee of the CAROL A. PETERSON LIVING TRUST U/A dated August 9, 2002

Additional names on page _____ of document

Grantee(s):

CLAN 2002 LLC, a Washington limited liability company

Additional names on page _____ of document

Abbreviated Legal Description (lot, block and plat name, or section-township-range):

An undivided 80% interest in:

1. Tract 4, Subdivision No. 503-80, SAMISH HEIGHTS DIVISION No 4, Section 36, Township 36 North, Range 4 East W.M.; and
 2. Portions of Section 33, Township 35 North, Range 5 East W.M.; and
 3. Lots 13 and 14, Section 28, Township 35 North, Range 5 East W.M.; and
 4. Lot 6, Section 29, Township 35 North, Range 5 East W.M.;
- All in Skagit County, Washington

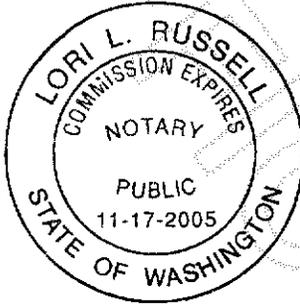
Additional legal description is on pages 3 through 10 of document

Assessor's Property Tax Parcel Account Number(s): 360436-2-008-0307;
350533-0-001-0103; 350528-0-013-0007; 350529-0-008-0003; 350528-0-014-0006

Reference Numbers of Documents Assigned or Released (if applicable):

Additional reference numbers on page _____ of document

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



Lori L Russell
NOTARY PUBLIC in and for the State of
Washington, residing at Skagit City
My appointment expires 11-17-05
Print Name Lori L Russell



EXHIBIT A-1

LEGAL DESCRIPTION
(Skagit Vacant)

That certain real property located in Skagit County, Washington and legally described as follows:

Tract 4 of that certain 5 acre Parcel Subdivision No. 503-80, entitled "SAMISH HEIGHTS DIVISION No. 4", approved June 10, 1980 and recorded June 11, 1980 under Auditor's File No. 8006110024, in Volume 4 of Short Plats, page 111, records of Skagit County, Washington; being a portion of Section 36, Township 36 North, Range 4 East W.M

TOGETHER WITH those certain easements for ingress, egress and utilities as contained in Declaration of Easements, recorded under Auditor's File Nos. 7903150055, 7903160074, 7910290077, and 7910290078, records of Skagit County, Washington.

ALSO TOGETHER WITH a non-exclusive easement for ingress, egress and utilities over and across two strips of land, each 30 feet in width, as delineated on the face of said 5 acre Parcel Subdivision No. 503-80, each being designated as for the benefit of the above described main tract and other property, and over and across a strip of land 60 feet in width, designated as Tract 10 on the face of said 5 acre Parcel Subdivision No. 503-80.**

SUBJECT TO: Any question that may arise due to shifting or changing in course of the Samish River; An easement as delineated on the face of said Short Plat; Conditions set forth on the face of the 5 acre Parcel Subdivision No. 503-80 entitled SAMISH HEIGHTS, Div. No. 4



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** There is reserved for the benefit of other owners in said 5 acre Parcel Subdivision No. 503-80 those certain easements delineated on the face of said Survey.

EXHIBIT A-2

LEGAL DESCRIPTION
(Skagit Vacant)

That certain real property located in Skagit County, Washington and legally described as follows:

PARCEL "A"

That portion of the Northwest ¼ of Section 33, Township 35 North, Range 5 East W. M., described as follows:

Commencing at the Southwest corner of said Northwest ¼; thence North 0°47'30" West, along the West line of said Northwest ¼, a distance of 1570.00 feet to the point of beginning; thence continuing North 0°47'30" West 220.00 feet; thence North 89°25'29" East, parallel to the South line of said Northwest ¼, a distance of 990.00 feet; thence South 0°47'30" East, parallel to the West line of said Northwest ¼, a distance of 220.00 feet; thence South 89°25'29" West, parallel to the South line of said Northwest ¼, a distance of 990.00 feet to the point of beginning. (Also known as Tract 1 of unrecorded plat of Steelhead Bend)

PARCEL "B"

That portion of the Northwest ¼ of Section 33, Township 35 North, Range 5 East W.M., described as follows:

Commencing at the Southwest corner of said Northwest ¼; thence North 0°47'30" West, along the West line of said Northwest ¼, a distance of 1790.00 feet to the point of beginning; thence continuing North 0°47'30" West 220.00 feet; thence North 89°25'29" East, parallel to the South line of said Northwest ¼, a distance of 990.00 feet; thence South 0°47'30" East, parallel to the West line of said Northwest ¼, a distance of 220.00 feet; thence South 89°25'29" West, parallel to the South line of said Northwest ¼, a distance of 990.00 feet to the point of beginning. (Also known as Tract 1 of unrecorded plat of Steelhead Bend)



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EXHIBIT A-2
(continued)

LEGAL DESCRIPTION

PARCEL "C"

That portion of the Northwest ¼, of Section 33, Township 35 North, Range 5 East W.M., described as follows:

Commencing at the Southwest corner of said Northwest ¼; thence North 0°47'30" West, along the West line of said Northwest ¼, a distance of 2010 feet; thence North 89°25'29" East, parallel to the South line of said Northwest ¼, a distance of 990.00 feet; thence South 0°47'30" East, parallel to the West line of said Northwest ¼, a distance of 269.48 feet, to the true point of beginning; thence North 89°19'42" East 415.81 feet; thence South 0°33'37" West 1081.55 feet; thence South 89°25'29" West, parallel to the South line of said Northwest ¼, a distance of 390.30; thence North 0°37'40" West, parallel to the West line of said Northwest ¼ a distance of 1080.64 feet of the true point of beginning,

EXCEPT that portion thereof lying South of a line drawn parallel to and 548 feet North of the South line thereof, as measured along the West line of said tract. (Also known as Tract 21 of the unrecorded plat of Steelhead Bend)

PARCEL "D"

That portion of the Northwest ¼ of Section 33, Township 35 North, Range 5 East W.M., described as follows:

Commencing at the Southwest corner of said Northwest ¼; thence North 0°47'30" West, along the West line of said Northwest ¼, a distance of 2010 feet; thence North 89°25'29" East, parallel to the South line of said Northwest ¼, a distance of 990.00 feet; thence South 0°47'30" East, parallel to the West line of said Northwest ¼, a distance of 269.48 feet, to the true point of beginning; thence North 89°19'42" East 415.81 feet; thence South 0°33'37" West 1081.55 feet; thence: South 89°25'29" West, parallel to the South line of said Northwest ¼, a distance of 390.30; thence North 0°37'40" West, parallel to the West line of said Northwest ¼, a distance of 1080.64 feet to the true point of beginning,

EXCEPT that portion thereof lying North of a line drawn parallel to and 548 feet North of the South line thereof, as measured along the West line of said Tract. (Also known as Tract 22 of the unrecorded plat of Steelhead Bend)



EXHIBIT A-2
(continued)
LEGAL DESCRIPTION

PARCEL "E"

A non-exclusive easement 100 feet in width for ingress, egress and utilities over and across Section 33, Township 35 North, Range 5 East W.M., the centerline of which is described as follows:

Commencing at the East $\frac{1}{4}$ corner of said Section 33; thence South $89^{\circ}25'29''$ West, along the East-West centerline of said Section 33, a distance of 1,000.00 feet; thence South $3^{\circ}00'16''$ West, 505 feet, more or less, to a point on the North line of the County Road known as the Old Day Creek Road, said point also being the point of beginning of herein described centerline; thence North $3^{\circ}00'16''$ East 505 feet, more or less, to the East-West centerline of said Section 33; thence continuing North $3^{\circ}00'16''$ East 250.43 feet; thence South $89^{\circ}25'29''$ West, parallel to said East-West centerline of Section 33, a distance of 420.00 feet; thence North $0^{\circ}33'37''$ East 410.00 feet; thence South $89^{\circ}25'29''$ West, parallel to said East-West centerline of Section 33, a distance of 2,850 feet to the terminus of herein described centerline; EXCEPTING from said 100 foot strip any portion lying within the boundaries of the above described Tract 22.

ALSO, a non-exclusive easement for ingress and egress and utilities over, under and upon a tract of land 60 feet in width lying 30 feet on each side of the following described centerline, described as follows:

Commencing at the West quarter corner of said Section 33; thence North $89^{\circ}55'08''$ East along the East-West centerline of said Section 33 a distance of 990.00 feet; thence North $0^{\circ}18'51''$ West parallel with the West line of the Northwest $\frac{1}{4}$ of said Section 33, a distance of 660.00 feet to the true point of beginning; thence continue North $0^{\circ}18'51''$ West a distance of 550.64 feet; thence North $53^{\circ}25'$ West a distance of 601.81 feet to the terminus of said described line; EXCEPTING from said 60 foot strip that portion lying within the boundaries of the above described South 60 feet and West 30 feet of Tract 22 and within the boundaries of said above described Tract 21.

Situate in the County of Skagit, State of Washington.



EXHIBIT A-2
(continued)

LEGAL DESCRIPTION

Subject to:

1. Terms, conditions and exceptions of an unrecorded easement for water pipe line over and across said premises, now owned by Public Utility District No. 1, as disclosed by various instruments of record.

2. EASEMENT, INCLUDING TERMS & CONDITIONS THEREOF:

Grantee: United States of America
Purpose: Transmission structures and lines
Area Affected: 150 foot strip
Dated: May 20, 1971
Recorded: May 27, 1971
Auditor's No.: 753297
(Affects easement portion only)

3. Easements granted and reserved in various instruments of record including but not limited to those recorded under Auditor's File Nos. 810950, 868891, and 868874, for ingress, egress and utilities affecting the Southerly 60 feet of Tract 22 and that portion of Tracts 21 and 22 lying within the following described 60 foot strips of land, the center line of which is described as follows:

Commencing at the West quarter corner of said Section 33; thence North 89°55'08" East along the East-West centerline of said Section 33 a distance of 990.00 feet; thence North 0°18'51" West parallel with the West line of the Northwest ¼ of said Section 33, a distance of 660.00 feet to the true point of beginning; thence continue North 0°18'51" West a distance of 550.64 feet; thence North 53°25' West a distance of 601.81 feet to the terminus of said described line.

EXHIBIT A-3

LEGAL DESCRIPTION
(Skagit Vacant)

That certain real property located in Skagit County, Washington and legally described as follows:

PARCEL "A":

Government Lots 13 and 14 in Section 28, Township 35 North, Range 5 East W.M., EXCEPT those portions conveyed to Skagit County for highway purposes by deeds dated July 31, 1946, November 12, 1948 and May 6, 1963, recorded October 27, 1947, March 19, 1949 and May 6, 1963 as Auditor's File Nos. 410435, 429111 and 635523.

PARCEL "B":

Government Lot 6 in Section 29, Township 35 North, Range 5 East W.M., EXCEPT those portions conveyed to Skagit County for highway purposes by Deeds dated July 31, 1946, November 12, 1949 and March 6, 1965, recorded October 27, 1947, March 18, 1949 and March 8, 1965, as Auditor's File Nos. 410435, 429111 and 663059.

PARCEL "C":

That portion of the North ¼ of Section 33, Township 35 North, Range 5 East W.M., described as follows:

Beginning at the Northwest corner of said Section 33; thence North 88°26'49" East along the North line of said Section 33, a distance of 2788.12 feet to the North one quarter of said section; thence continuing North 88°26'49" East along said North line, 728.13 feet; thence South 00°33'37" West 910 feet; thence South 89°19'42" West, 2504.48 feet thence North 00°47'30" West, 269.48 feet; thence South 89°25'29" West, 990 feet to the West line of said Section 33; thence North 00°47'30" West along said West line, 584.56 feet to the point of beginning; EXCEPT that portion deeded to Skagit County for highway purposes.



EXHIBIT A-3
(continued)

Subject to:

A RESERVATION CONTAINED IN DEED:

Executed By: C. E. Bingham and Julia R. Bingham
Dated: September 5, 1902
Recorded: December 8, 1902
Auditor's No.: 42315, Volume 48 of Deeds, page 330
As Follows: "Reserve...all petroleum, gas, coal and other valuable minerals."

Said mineral rights are now held of record by Skagit County. (A Quit Claim Deed from the heirs of the Estate of C. E. Bingham and Julia Bingham, husband and wife, deceased, to Bradsberry Logging Co., a Washington corporation, recorded under Auditor's File No. 785465 fails to convey said mineral rights because they are held by Skagit County under a Tax Deed dated December 15, 1920 and recorded December 30, 1920, under Auditor's File No. 146799, in Volume 6 of Mining Claims, page 582.)

B. EASEMENT, INCLUDING TERMS b CONDITIONS THEREOF:

Grantee: Skagit Improvement Company
Purpose: Pipeline right of way
Area Affected: A portion of the property herein described
Dated: October 27, 1903
Recorded: July 1, 1905
Auditor's No.: 52709

C. RESERVATIONS CONTAINED IN DEED:

Executed By: The Sound Timber Company
Recorded: November 13, 1911
Auditor's No.: 87553, Volume 87 of Deeds, page 414
As Follows: "Reservation...of all mineral rights in the said premises with the right of ingress and egress over the said premises for the removal of the same."

Said mineral rights are now held of record by Skagit County. (Affects Government Lot 14 in Section 28, and other property)

D. EASEMENT, INCLUDING TERMS b CONDITIONS THEREOF:

Grantee: Skagit County
Purpose: Flood control improvements
Area Affected: A 100 foot strip adjacent to and parallel to the river
Dated: June 6, 1967
Recorded: June 9, 1967
Auditor's No.: 700330



**EXHIBIT A-3
(continued)**

LEGAL DESCRIPTION

E. EASEMENT. INCLUDING TERMS b CONDITIONS THEREOF:

Grantee: United States of America
Purpose: Transmission line and access road
Area Affected: A portion of the property herein described
Dated: May 20, 1971
Recorded: May 27, 1971
Auditor's No.: 753297

F. Any question that may arise clue to the shifting or change in the course of the herein named stream or river, or to said stream or river having changed its course.
River: Skagit River

G. Right in the general public to the unrestricted use of all the waters of a navigable body of water not only for the primary purpose of navigation, but also for corollary purposes including (but not limited to) fishing, boating, bathing, swimming, water skiing, and other related recreational purposes, as those waters may affect the tidelands, shorelands, or adjoining uplands, and whether the level of water has been raised naturally or artificially to a maintained or, fluctuating level all as further defined by the decisional law of this state. (Affects all of the premises subject to such submergence.)

H. Right of the State of Washington in and to that portion, if any, of the property herein described which lies below the line of ordinary high water of Skagit River.



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