

LEGAL DESCRIPTION WETLAND RESERVE PROGRAM EASEMENTS

A WETLAND RESERVE PROGRAM (MRP) CONSERVATION EASEMENT COVER, UNDER AND ACROSS PORTIONS OF GOVERNMENT LOTS 8, 9 AND 10 AND A PORTION OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 ALL IN SECTION 5, TOWNSHIP 35 NORTH, RANGE 3 EAST, WM, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 (SOUTHWEST SECTION CORNER) OF SAID SECTION 5, THENCE NORTH 2°03'35" EAST ALONG THE WEST LINE OF SAID SOUTHWEST 1/4 FOR A DISTANCE OF 1,323.73 FEET TO THE SOUTHWEST CORNER OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4 AND BEING THE TRUE POINT OF BEGINNING, THENCE SOUTH 84°01'06" EAST ALONG THE SOUTH LINE OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4 FOR A DISTANCE OF 1360.28 FEET TO THE SOUTHWEST CORNER THEREOF, ALSO BEING THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 8, THENCE CONTINUE SOUTH 84°01'06" EAST ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 8 FOR A DISTANCE OF 614.44 FEET, MORE OR LESS, TO A POINT 45.0 FEET WESTERLY OF THE LEFT (WESTERLY) BANK (LINE OF VEGETATION) OF THE SAMISH RIVER, THENCE ALONG A LINE PARALLEL WITH AND 45.0 FEET WESTERLY OF SAID LEFT BANK OF THE SAMISH RIVER AS FOLLOWS:

THENCE NORTH 05°04'44" WEST, 35.56 FEET;
THENCE NORTH 18°35'15" EAST, 65.71 FEET;
THENCE NORTH 34°32'01" EAST, 62.37 FEET;
THENCE NORTH 56°14'54" EAST, 61.73 FEET;
THENCE NORTH 72°48'17" EAST, 73.75 FEET;
THENCE NORTH 68°42'14" EAST, 164.03 FEET;
THENCE NORTH 84°11'27" EAST, 24.31 FEET;
THENCE NORTH 40°36'50" EAST, 27.23 FEET;
THENCE NORTH 59°07'45" EAST, 112.32 FEET;
THENCE NORTH 63°07'48" EAST, 81.43 FEET;
THENCE NORTH 15°21'47" EAST, 71.92 FEET;
THENCE NORTH 82°35'01" EAST, 65.12 FEET;
THENCE NORTH 78°11'46" EAST, 74.44 FEET;
THENCE NORTH 58°26'26" EAST, 36.15 FEET;
THENCE NORTH 54°42'53" EAST, 50.52 FEET;
THENCE NORTH 48°26'30" EAST, 191.93 FEET;
THENCE NORTH 38°02'28" EAST, 170.9 FEET;
THENCE NORTH 09°15'03" WEST, 150.2 FEET;
THENCE NORTH 31°53'43" WEST, 38.54 FEET;
THENCE NORTH 63°55'46" WEST, 122.46 FEET;
THENCE NORTH 60°11'46" WEST, 171.65 FEET;
THENCE NORTH 63°57'55" WEST, 182.68 FEET;
THENCE NORTH 56°31'30" WEST, 67.42 FEET;
THENCE NORTH 44°14'53" WEST, 101.23 FEET;
THENCE NORTH 45°32'07" WEST, 60.44 FEET;
THENCE NORTH 31°08'05" WEST, 40.44 FEET;
THENCE NORTH 04°41'24" WEST, 81.84 FEET;
THENCE NORTH 03°48'47" EAST, 115.76 FEET;
THENCE NORTH 10°20'58" EAST, 103.46 FEET;
THENCE NORTH 22°54'10" EAST, 126.40 FEET;
THENCE NORTH 38°34'50" EAST, 115.38 FEET;
THENCE NORTH 44°44'37" EAST, 282.68 FEET;
THENCE NORTH 42°36'06" EAST, FOR A DISTANCE OF 42.78 FEET, MORE OR LESS, TO A POINT ON A NON-TANGENT CURVE ON THE SOUTHERLY RIGHT-OF-WAY MARGIN OF BAYVIEW-EDISON ROAD;
THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT, CONCAVE TO THE NORTH, HAVING AN INITIAL TANGENT BEARING OF SOUTH 74°48'54" WEST, A RADIUS OF 1024.94, THROUGH A CENTRAL ANGLE OF 51°14'36", AN ARC DISTANCE OF 94.25 FEET TO AN ANGLE POINT IN SAID RIGHT-OF-WAY, THENCE NORTH 4°56'25" WEST ON A RADIAL LINE TO THE CENTER OF THE AFOREMENTIONED CURVE FOR A DISTANCE OF 45.00 FEET TO AN ANGLE POINT IN SAID RIGHT-OF-WAY;
THENCE SOUTH 85°03'35" WEST FOR A DISTANCE OF 228.83 FEET TO AN ANGLE POINT IN SAID RIGHT-OF-WAY;
THENCE NORTH 4°56'25" WEST FOR A DISTANCE OF 500 FEET TO AN ANGLE POINT IN SAID RIGHT-OF-WAY;
THENCE SOUTH 85°03'35" WEST FOR A DISTANCE OF 1,144.60 FEET TO A POINT OF CURVATURE;
THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 1,457.40 FEET, THROUGH A CENTRAL ANGLE OF 15°38'00", AN ARC DISTANCE OF 347.66 FEET TO A POINT OF TANGENCY;
THENCE NORTH 74°18'25" WEST FOR A DISTANCE OF 178.50 FEET;
THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY MARGIN OF BAYVIEW-EDISON ROAD SOUTH 10°41'35" WEST FOR A DISTANCE OF 150.00 FEET;
THENCE NORTH 74°18'25" WEST FOR A DISTANCE OF 240.00 FEET;
THENCE NORTH 10°41'35" EAST FOR A DISTANCE OF 150.00 FEET, MORE OR LESS, TO SAID SOUTHERLY MARGIN OF BAYVIEW-EDISON ROAD;
THENCE CONTINUE ALONG SAID MARGIN NORTH 74°18'25" WEST FOR A DISTANCE OF 200.00 FEET TO A POINT OF CURVATURE;
THENCE ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 118.24 FEET, THROUGH A CENTRAL ANGLE OF 98°38'00", AN ARC DISTANCE OF 203.55 FEET TO A POINT OF TANGENCY (SAID POINT BEING 22.50 FEET EASTERLY, AS MEASURED PERPENDICULAR, OF THE WEST LINE OF SAID SECTION 5);
THENCE SOUTH 2°03'35" WEST, PARALLEL WITH SAID WEST LINE OF SECTION 5, FOR A DISTANCE OF 1,682.76 FEET TO A POINT OF CURVATURE;

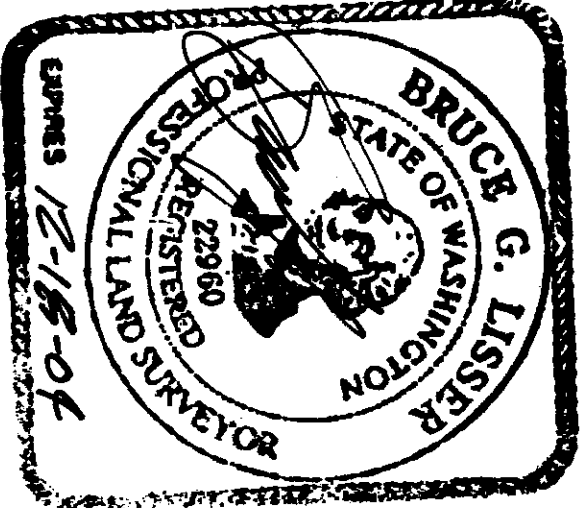
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SURVEYORS CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF DAVID WELTS IN JUNE 2003.

BRUCE G. LISSEY, P.L.S. CERTIFICATE NO. 223460
LISSEY & ASSOCIATES, PLLC
320 MILWAUKEE STREET
MOUNT VERNON, WA 98273
PHONE: (360) 414-1442
FAX: (360) 414-0561
E-MAIL: BRUCE@LISSEY.COM

June 3, 2003
DATE



-CONTINUED-

THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 1,682.76 FEET, THROUGH A CENTRAL ANGLE OF 44°08'17", AN ARC DISTANCE OF 124.60 FEET, MORE OR LESS, TO THE WEST LINE OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5 AT A POINT BEARING NORTH 2°03'35" EAST FROM THE TRUE POINT OF BEGINNING; THENCE SOUTH 2°03'35" WEST ALONG SAID WEST LINE FOR A DISTANCE OF 16.50 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

SUBJECT TO AND TOGETHER WITH EASEMENTS, RESERVATIONS, RESTRICTIONS, COVENANTS, LIENS, LEASES, COURT CAUSES AND OTHER INSTRUMENTS OF RECORD.

SITUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON.

NOTES

- INDICATES REBAR SET AND CAPPED WITH YELLOW CAP INSCRIBED LISSEY 223460.
○ INDICATES EXISTING IRON PIPE OR REBAR FOUND.
- DESCRIPTION FOR THIS SURVEY IS FOR WETLAND RESERVE PROGRAM EASEMENT DOCUMENT TO BE RECORDED.

- FOR ADDITIONAL MERIDIAN AND SURVEY INFORMATION SEE SKAGIT COUNTY SHORT PLAT NO. 13-72, SKAGIT COUNTY SHORT PLAT NO. 54-76, RECORDED IN VOLUME 1 OF SHORTS PLATS, PAGE 18, RECORDS OF SKAGIT COUNTY AUDITOR AND SUBDIVISION WORKSHEET FOR SECTION 5, TOWNSHIP 35 NORTH, RANGE 3 EAST, WM, FROM LEONARD, BODINOT AND SKODJE RECORDS (NOT DATED) AND VARIOUS SUBDIVISION AND RIGHT-OF-WAY MAPS FROM THE RECORDS OF SKAGIT COUNTY PUBLIC WORKS.

- BASIS OF BEARING: MONUMENTED WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 35 NORTH, RANGE 3 EAST, WM, BEARING = NORTH 2°03'35" EAST

- MERIDIAN: STATE OF WASHINGTON NORTH ZONE (BASED UPON SKAGIT COUNTY G.P.S. CONTROL MONUMENTS)

SKAGIT COUNTY CONTROL MONUMENTS USED FOR THIS SURVEY:

IP N 1/4 21-35-3 N = 557,032,224 E = 1,252,628,255
BCC SM 16-35-3 N = 557,054,120 E = 1,244,902,813
IP M 1/4 16-35-3 N = 554,720,246 E = 1,250,081,183

- INSTRUMENTATION: LEICA TCR105A THEODOLITE DISTANCE METER
- SURVEY PROCEDURE: STANDARD FIELD TRAVERSE
- ALL DISTANCES SHOWN HEREON ARE IN FEET.
- THIS SURVEY WAS PREPARED AT THE REQUEST OF THE PROPERTY OWNER, DAVID WELTS, FOR THE DELINEATION AND STAKING OF THE EASEMENT BOUNDARY LINES.
- THIS SURVEY IS BASED UPON ISL AND TITLE COMPANY TITLE REPORT, ORDER NO. C254924, DATED FEBRUARY 13, 2003.

- EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS SURVEY MAP, THIS SURVEY DOES NOT PURPORT TO REFLECT ALL OF THE FOLLOWING, WHICH MAY BE APPLICABLE TO THE SUBJECT PROPERTY: BUILDING SETBACK LINES, RESTRICTIVE COVENANTS, SUBDIVISION RESTRICTIONS, ZONING, LAND-USE RESTRICTIONS, FLOODPLAIN INFORMATION, UTILITY INFORMATION, OR DRAINAGE EASEMENTS.

- THIS SURVEY HAS SHOWN OCCUPATIONAL INDICATORS (DIKE) AS PER MAC CHAPTER 352.130. LINES OF OCCUPATION MAY INDICATE AREAS FOR POTENTIAL CLAIMS OF UNWRITTEN OWNERSHIP. THIS BOUNDARY SURVEY HAS ONLY SHOWN THE RELATIONSHIP OF LINES OF OCCUPATION TO THE DEEDED LINES OF RECORD. NO RESOLUTION OF OWNERSHIP BASED ON UNWRITTEN RIGHTS HAS BEEN MADE OR IMPLIED BY THIS SURVEY.

- EASEMENT AREA = 102.4 ACRES.

- THE EASTERLY LIMIT OF THIS EASEMENT WAS HELD ALONG A LINE, WHICH IS 45.0 FEET WESTERLY OF AND PARALLEL WITH THE LEFT (WEST) BANK OF THE SAMISH RIVER.

- THIS DIMENSION WAS UTILIZED IN AN ATTEMPT TO RECOGNIZE THE INTENDED WIDTH OF THE RIGHT-OF-WAY CREATED FOR DIKING DISTRICT NO. 5 BY SKAGIT COUNTY SUPERIOR COURT CAUSE NO. 3050.

THE ALIGNMENT OF THE DESCRIBED DIKE DISTRICT NO. 5 LINE DOES NOT EXACTLY MATCH THE CURRENT LOCATION OF THE AS-CONSTRUCTED DIKE AND IT IS MY OPINION THAT THE INTENT OF THE RIGHT-OF-WAY WAS TO CONVEY AN AREA 45 FEET EASTERLY OF THE DESCRIBED LINE, WHICH WOULD BE WITHIN THE WATERS OF THE SAMISH RIVER.

I THEREFORE TOOK A CONSERVATIVE APPROACH TO THE CREATION OF THIS MRP EASEMENT AND HELD WITH A LINE PARALLELING THE BANK OF THE SAMISH RIVER AND THEREBY AVOIDING CONFLICT BETWEEN THE MAINTENANCE OF THE EXISTING DIKE AND THE EXISTING DITCH ALONG THE WEST SIDE OF SAID DIKE.

THE LOCATION OF THIS EASEMENT LINE MAY OR MAY NOT BE COINCIDENTAL WITH THE WEST LINE OF THE DIKE AND DRAINAGE RIGHTS-OF-WAY, BUT IS MY BEST EFFORT TO MINIMIZE ANY POSSIBLE CONFLICT BETWEEN USES BY ALL PARTIES.

EXHIBIT "A"

MRP NO. 66-0546-2-008

AUDITOR'S CERTIFICATE

FILED FOR RECORD AT THE REQUEST OF LISSEY & ASSOCIATES, PLLC.



200307100093
Skagit County Auditor

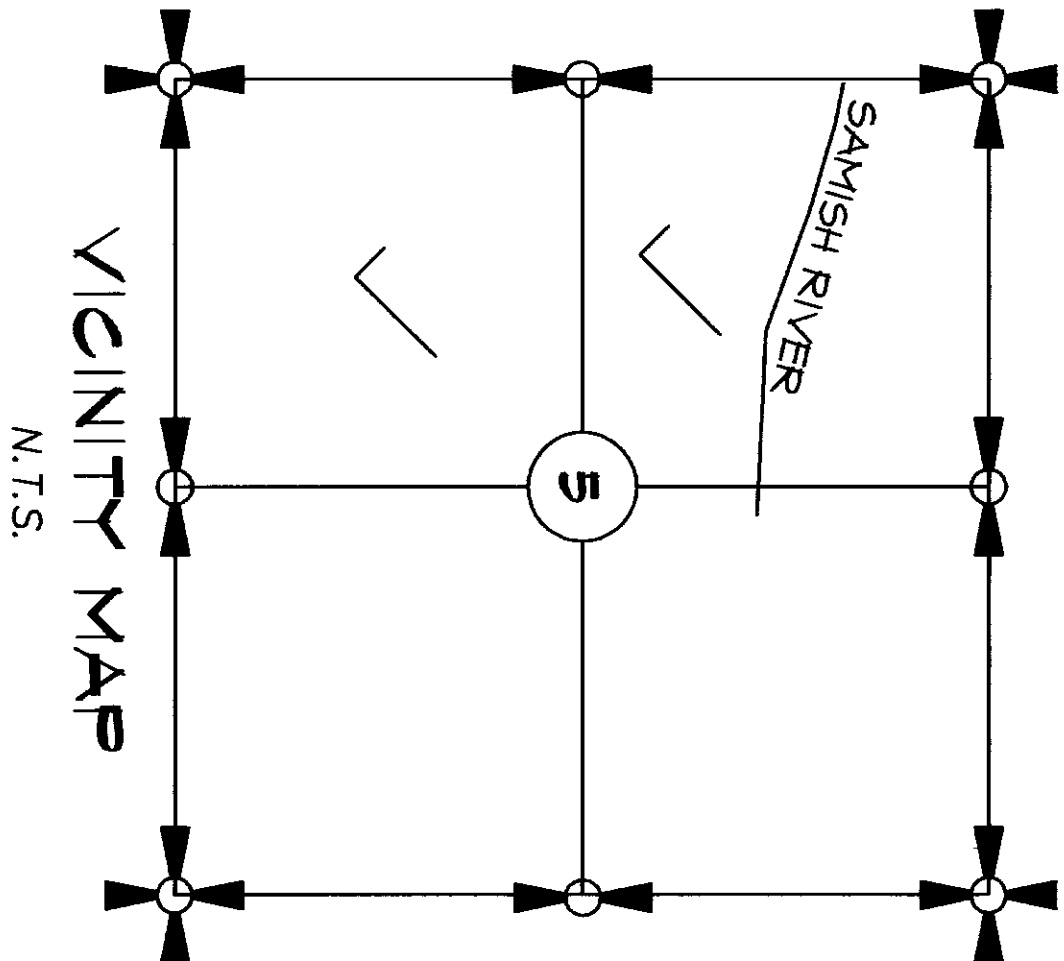
7/10/2003 Page 1 of 2 2:11PM

Norma Dummett
Skagit County Auditor

Melody Dwyersoff
Deputy

SECTION CORNER REFERENCE INFORMATION

- SOUTHWEST SECTION CORNER (FIELD TIED 2003)
3/4" IRON PIPE WITH LEONARD CAP
N = 567,1802,084 E = 1,244,830,014
- WEST 1/4 CORNER (FIELD TIED 2003)
1" IRON PIPE
N = 570,447,845 E = 1,244,4925,164
- MEANDER CORNER
COMPUTED PER PREVIOUS SURVEYS
- SOUTH 1/4 CORNER
COMPUTED PER PREVIOUS SURVEYS
- SOUTHEAST SECTION CORNER (FIELD TIED 2003)
SKAGIT COUNTY BRASS CAPPED MONUMENT IN CASE
N = 567,1712,382 E = 1,250,247,248
- EAST 1/4 CORNER (FIELD TIED 2003)
SQUARE ROD IN CASE
N = 570,344,075 E = 1,250,287,011
- NORTHEAST SECTION CORNER (FIELD TIED 2003)
N = 571,275,186 E = 1,250,344,202
- NORTH 1/4 CORNER
COMPUTED PER PREVIOUS SURVEYS

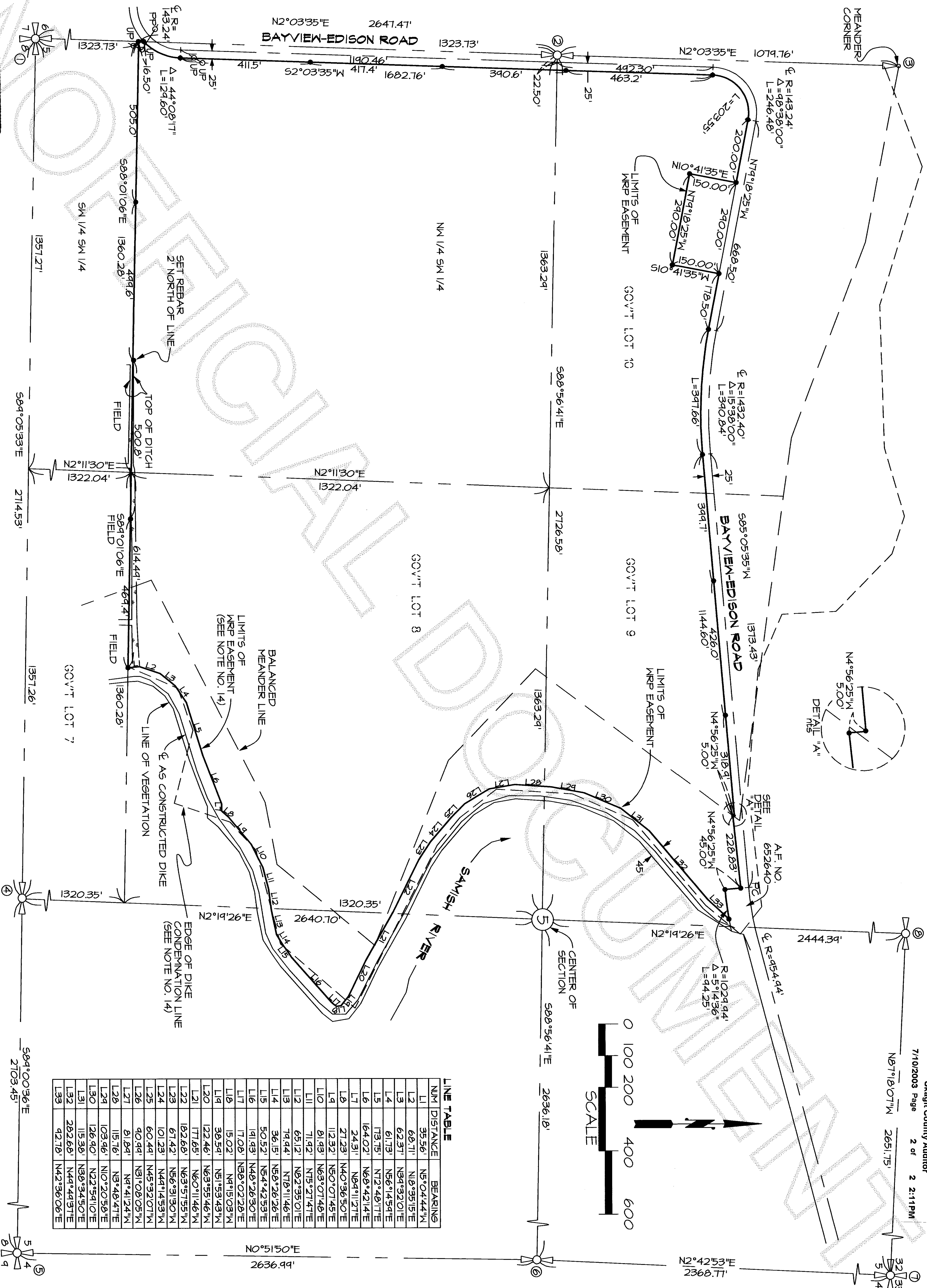


SHEET 1 OF 2

DATE: 7/08/03

WETLANDS RESERVE PROGRAM EASEMENT SURVEY
IN A PORTION OF GOV'T LOTS 8, 9 AND 10 AND
IN A PORTION OF THE NW 1/4 OF THE SW 1/4 OF
SECTION 5, T35 N., R3 E., WM
SKAGIT COUNTY, WASHINGTON
FOR: DAVID WELTS

FB 42	PG 7	LISSEY & ASSOCIATES, PLLC	SCALE: 1" = 200'
MERIDIAN, ASSUMED		SURVEYING & LAND-USE CONSULTATION MOUNT VERNON, WA 98273 360-414-1442	JOB NO.: 03-020



LINE TABLE		
NUM	DISTANCE	BEARING
L1	35.56'	N5°04'44"W
L2	60.71'	N10°35'15"E
L3	62.37'	N84°32'01"E
L4	61.73'	N56°14'54"E
L5	73.15'	N72°40'17"E
L6	164.02'	N60°42'14"E
L7	24.31'	N84°11'27"E
L8	27.23'	N40°36'50"E
L9	112.32'	N50°07'45"E
L10	81.43'	N63°07'48"E
L11	71.42'	N75°27'47"E
L12	65.12'	N62°35'01"E
L13	74.44'	N78°11'46"E
L14	36.15'	N58°26'26"E
L15	50.52'	N54°42'53"E
L16	141.43'	N48°26'30"E
L17	17.08'	N38°02'28"E
L18	15.02'	N4°15'03"W
L19	38.54'	N51°53'43"W
L20	122.46'	N63°55'46"W
L21	177.65'	N60°11'46"W
L22	182.68'	N63°57'55"W
L23	67.42'	N66°31'30"W
L24	101.23'	N46°14'53"W
L25	60.44'	N45°32'07"W
L26	40.44'	N31°08'05"W
L27	81.84'	N4°41'24"W
L28	115.76'	N3°48'47"E
L29	103.46'	N10°20'58"E
L30	126.40'	N22°54'10"E
L31	115.38'	N38°34'50"E
L32	282.68'	N44°44'37"E
L33	42.78'	N42°36'06"E

EXHIBIT "A"
MRP NO. 66-0546-2-008

