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When Recorded Return to:	20030 Skanit C	06060002 ounty Auditor
	6/6/2003 Page	1 of 5 8:48AM
Elliott W Johnson Inc PS		
711 S. First St	¢~	
Mount Vernon, WA 98273		
	LAND TITLE COMPANY OF SKAG	IT COUNTY
Ea	sement Deed	
Grantor(s):	Ron Kesselring,	
Granwi (s):	Oscar Lagerlund,	
[] Additional names on page	Bertil J.E. Westling,	
of document	Nils A. Lindberger,	
	SAMBEL, Inc.	
Grantee(s):	Miles Sand and Gravel, Inc.	
[] Additional names on page		
of document	and the second	
Legal Description (abbreviated):	a ptn of NW14 of NE14 and	l of E½ of NW¼, 18-35-4
	E.W.M.	
[X] Additional legal description		
on pages 2 & 3		19 April 19
Assessor's Tax Parcel Number:	350418-0-008-0007	
	350418-2-001-0000	
	350418-1-005-0008	and a second
Deference (Auditor File Numbers of	n/a	
Reference (Auditor File Numbers of Documents assigned, released or	Шa	
amended:		
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THIS DEED IS BEING RERECORDED	TO CORRECT NOTARY	
Easement Deed	Page 1 of 5	Elliott W. Johnson Inc. P.S.
6/2/3 10:09 H:\EWJ\MILES\306 Lagerlund Basement.wpd	_	711 South First Street Mount Verson, WA 98273 (360) 336-6502 Fax 336-5616 Email elilottj@ncin.com

For and in consideration of Four Hundred Twenty Five Thousand and no/100 Dollars (\$425,000), the adequacy of which is hereby acknowledged, **Ron Kesselring**, husband of Frances H. Kesselring, as his separate property; **Oscar Lagerlund**, husband of Joyce E. Lagerlund, as his separate property; **Bertil J. E. Westling**, husband of Karen Westling, as his separate property; and **Nils A. Lindberger**, a single man, as Trustee under the Living Trust Declaration of Nils Arne Lindberger, dated June 7, 1989, as partners and **SAMBEL**, **Inc.**, a corporation as to a leasehold estate, ("Grantor") bargains, sells, conveys and quit claims to **Miles Sand and Gravel**, **Inc.**, a corporation ("Grantee"), including any after acquired title of the Grantor, the following described real estate, situated in the County of Skagit, State of Washington:

A perpetual, non-exclusive, 200 foot wide easement for ingress, egress, roadway and utilities generally over, under, across and through the South 100 feet of Parcels A & B of the above Servient Estate and generally bisecting Parcel C of the Servient Estate from the Dominant Estate to Primary State Highway No. 1 (1-5) including such additional property along Highway 99 as will allow for the construction of any required acceleration lane or other roadway construction required by the government. The exact location of the easement parcel shall be determined by survey and engineering and may be moved to accommodate governmental setback requirements from streams and water courses. The exact location will further accommodate location of new or reconstructed bridge over the Samish River at a location as required by the applicable governmental agencies and further as required to accommodate access to Highway 99, it being understood that access to Highway 99 will need to be located to provide County and State required distance from the existing bridge. This easement shall attach to and run with the dominant estate real property. In addition, Seller shall grant to Purchaser the temporary use of such additional land during construction of the roadway and bridge as is reasonably necessary for construction purposes.

Servient Estate: The Servient Estate is described as:

Parcel A (350418-1-005-0008): The Northwest 1/4 of the Northeast 1/4 of Section 18, Township 35 North, Range 4 East, W.M., EXCEPT that portion thereof lying within the boundaries of State Road 1 (now known as the Burlington-Alger Road), as condemned in Skagit county Superior Court Cause Nos. 14548 and 14930, and as conveyed to the State of Washington by Deed recorded July 14, 1932, under Auditor's File No. 251669, in Volume 161 of Deeds, page 227, records of Skagit County, Washington, AND ALSO EXCEPT the right of way of Drainage District No. 14, as condemned in Skagit County Superior Court Cause No. 3604, records of Skagit County, Washington.

Situate in the County of Skagit, State of Washington.

Parcel B (350418-2-001-0000): That portion of the Northeast 1/4 of the Northwest 1/4 of Section 18, Township 35 North, Range 4 East, W.M., lying Easterly of the East line of Primary State Highway No. 1, as condemned in Skagit County Superior Court Cause Nos. 26636 and 26703; EXCEPT the right-of-way of Drainage District No. 14, as condemned in Skagit County Superior Court Cause No. 3604, records of Skagit County, Washington.

Situate in the County of Skagit, State of Washington.

<u>Parcel C (350418-0-008-0007</u>): That portion of the North ½ of the Southeast 1/4 of the Northwest 1/4 of Section 18, Township 35 North, Range 4 East, W.M., lying Westerly of the Samish River and lying Easterly of the Easterly line of Primary State Highway No. 1, (I-5) as condemned in Skagit County Superior Court Cause No. 26636; EXCEPT any portion lying within the boundaries of the South 660 feet of said Southeast 1/4 of the Northwest 1/4, AND ALSO EXCEPT the

Easement Deed

Page 2 of 5

200402090004 Skagit County Auditor

2/9/2004 Page

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6/2/3 10:09 H:\EWJ\MILES\306 Lagerlund Basem/ Elliott W. Johnson Inc. P.S. 711 South First Street Mount Verzon, WA 98273 (360) 336-6502 Fax 336-5616 Email elliottj@ncla.com right of way of Drainage District No. 14, as condemned in Skagit County Superior Court Cause No. 3604, records of Skagit County, Washington.

Situate in the County of Skagit, State of Washington.

Dominant Estate: The Dominant Estate is described as follows:

Parcel A: All that part of the Northeast 1/4 of the Southeast 1/4 and of the Southeast 1/4 of the Northeast 1/4 and of the South 580 feet of the Southwest 1/4 of the Northeast 1/4 of Section 13, Township 35, North, Range 3 East, W.M., lying Northerly of the 100 foot wide right of way of the Burlington Northern Railroad Company.

Parcel B: The South 660 feet of the Southeast 1/4 of the Northwest 1/4 of Section 18, Township 35 North, Range 3 East W.M., lying Northerly of the Burlington Northern Railroad Company and lying westerly and Southerly of primary State Highway No. 1

SUBJECT TO:

Order on Special Use Permit SU 99 0132 dated April 4, 2003 and recorded April 22, 2003 under Skagit County Auditor's File No. 200304330008.

Exceptions contained on Schedule "B-1" of Land Title Company Preliminary Commitment for title insurance no. P-84540-E, dated March 6, 1998 and a copy of which is attached hereto.

Oscar Lagerlund

Nils A. Lindberger, trustee

SKAGIT COUNTY REAL EST

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Skagit By

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Dated: June 2003.

Ron Kesselring

Bertil J. E.

SAMBEL, Inc., a corporation

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Easement Deed

Page 3 of 5

6/2/3 10:09 H:\EWJ\MILES\306 Lagerlund Easement.wpd Elliott W. Johnson Inc. P.S. 711 South First Street Mount Vernon, WA 98273 (360) 336-6502 Fax 336-5616 Email elliottj@ncia.com

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Skagit County Auditor

3 of 2/9/2004 Page

State of Washington)

) ss. County of Skagit)

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I certify that I know or have satisfactory evidence that Ron Kesselring appeared before me and acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for uses and purposes mentioned in the instrument.

6-5-03 Dated: Notary Public My appointment expires: _____ State of Washington)) ss. County of Skagit

I certify that I know or have satisfactory evidence that Oscar Lagerlund appeared before me and acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for uses and purposes mentioned in the instrument.

Dated: __ Notary Public My appointment expires: 12-31-0-*. A. SKAGIT COUNTY WASHINGTON Real Estate Excise Tax Phin FEB 0 9 20 Amount Skagit County T DACHTET By: Deputy Easement Deed Page 4 of 5 Elligtt W. Johnson Inc. P.S. 711 South First Street 6/2/3 10:09 Mount Vernon, WA 98273 H:\EWJ\MILES\306 Lagerlund Easement word (360) 336-6502 Fax 336-5616 Email elliottj@ncis.com 200402090004 **Skagit County Auditor** 7 8:49AM 4 of 2/9/2004 Page

State of Washington)) ss.

County of Skagit)

I certify that I know or have satisfactory evidence that Bertil J. E. Westling appeared before me and acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for uses and purposes mentioned in the instrument.



I certify that I know or have satisfactory evidence that Nils A. Lindberger, appeared before me and acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for uses and purposes mentioned in the instrument and that he was the existing trustee and authorized to make this transaction under the terms and conditions of the Nils Arne Lindberger Trust dated June 7, 1989 as amended December 3, 1997.

Dated:

Notary Public My appointment expires: My [5]W



Page 5 of 5

6/2/3 10:09 H:\BWJ\MILES\306 Lagerlund Easement.wpd Elilott W. Johnson Inc. P.S. 711 South First Street Mount Vernon, WA 98273 (360) 336-6502 Fax 336-5616 Email elilottj@ncia.com



Skagit County Auditor

2/9/2004 Page 5 of 7 8:49AM

STATE	OF W	VASHINGTO	N } ss
Count	Y OF	SKAGIT	
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I, Auditor of Skagit County, State of Washington, do hereby certify that the foregoing copy of <u>anguent</u> field is a true of the same cherry biograf exemplification and copy from the record, as the same cherry volume ______ of _____ of Page ______ volume ______ of _____ of Page ______ Number 2020Log Def Records of Skagit County, Wasieron, IN TESTIMONY WHEREOF, I hereunto set my hand and seal of my office this ______ day of _______ Again _______ By ______ Auditor _______ Deputy

e 1

Deputy



Skagit County Auditor 2/9/2004 Page 6 of 7 8:49AM

ACKNOWLEDGMENT

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