



200402090004  
 Skagit County Auditor  
 2/9/2004 Page 1 of 7 8:49AM



200306060002  
 Skagit County Auditor  
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When Recorded Return to:

Elliott W Johnson Inc PS  
 711 S. First St  
 Mount Vernon, WA 98273

LAND TITLE COMPANY OF SKAGIT COUNTY

10736/PE

## Easement Deed

**Grantor(s):**

Ron Kesselring,  
 Oscar Lagerlund,  
 Bertil J.E. Westling,  
 Nils A. Lindberger,  
 SAMBEL, Inc.

☐ Additional names on page  
 \_\_\_ of document

**Grantee(s):**

Miles Sand and Gravel, Inc.

☐ Additional names on page  
 \_\_\_ of document

**Legal Description (abbreviated):**

a ptn of NW¼ of NE¼ and of E½ of NW¼, 18-35-4  
 E.W.M.

☒ Additional legal description  
 on pages 2 & 3

**Assessor's Tax Parcel Number:**

350418-0-008-0007  
 350418-2-001-0000  
 350418-1-005-0008

**Reference (Auditor File Numbers of  
 Documents assigned, released or  
 amended:**

n/a

THIS DEED IS BEING RERECORDED TO CORRECT NOTARY

Easement Deed

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6/2/3 10:09  
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Elliott W. Johnson Inc. P.S.  
 711 South First Street  
 Mount Vernon, WA 98273  
 (360) 336-6502 Fax 336-5616  
 Email ellottj@ncia.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 (I-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.

**Parcel C (350418-0-008-0007):** That portion of the North 1/2 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

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Email [elliottj@ncla.com](mailto:elliottj@ncla.com)

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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.

Dated: June 6, 2003.

Ron Kesselring  
Ron Kesselring

Oscar Lagerlund  
Oscar Lagerlund

Bertil J. E. Westling  
Bertil J. E. Westling

Nils A. Lindberger, Trustee  
Nils A. Lindberger, trustee

SAMBEL, Inc.,  
a corporation

By Oscar Lagerlund  
Its vice-president

# 27460  
SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

JUN 08 2003

Amount Paid \$ 6655.50  
By [Signature] Skagit Co. Treasurer Deputy

Easement Deed

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Skagit County Auditor

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State of Washington)

) ss.

County of Skagit )

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.

Dated:

6-5-03



Notary Public

My appointment expires: 12-31-03



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:

June 2, 2003



Notary Public

My appointment expires: 12-31-03



#580  
SKAGIT COUNTY WASHINGTON  
Real Estate Excise Tax  
PAID

FEB 09 2004

Amount Paid \$  
Skagit County Treasurer  
By:  Deputy

Easement Deed

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State of Washington)

) ss.

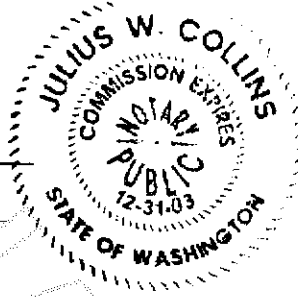
County of Skagit )

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.

Dated: 6-3-2003

  
Notary Public

My appointment expires: 2003



State of Washington)

) ss.

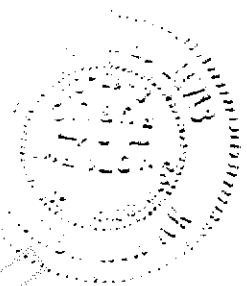
County of Skagit )

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: 6/3/03

  
Notary Public

My appointment expires: Aug 15 2004



Easement Deed

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STATE OF WASHINGTON } SS  
COUNTY OF SKAGIT

I, Auditor of Skagit County, State of Washington, do hereby  
certify that the foregoing copy of Easement Deed is a true and  
legal exemplification and copy from the record, as the same appears  
Volume        of SR of Page         
Number 2003060002 of Records of Skagit County, Washington.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal of my  
office this 6 day of Feb 2004  
[Signature] By [Signature]  
Auditor Deputy



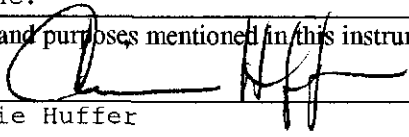
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Skagit County Auditor

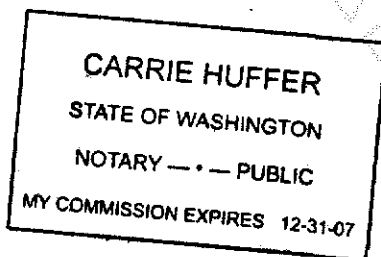
# ACKNOWLEDGMENT

ATTACHED TO and made a part  
of Easement Deed

STATE OF WASHINGTON }  
County of Skagit } SS:

I certify that I know or have satisfactory evidence that Oscar Lagerlund  
\_\_\_\_\_ is the person \_\_\_\_\_ who appeared before  
me, and said person \_\_\_\_\_ acknowledged that \_\_\_\_\_ he signed this instrument, on oath stated that \_\_\_\_\_ he is  
authorized to execute the instrument and acknowledge it as the Vice President  
\_\_\_\_\_ of SAMBEL, Inc.  
\_\_\_\_\_ to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.  
Dated: June 2nd, 2003

  
Carrie Huffer  
Notary Public in and for the State of WASHINGTON  
Residing at Burlington  
My appointment expires: 12/31/2007



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