

UNRECORDED

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Skagit County Auditor

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**Return Address**

DORSEY & WHITNEY LLP  
1420 Fifth Avenue, Suite 3400  
Seattle, Washington 98101  
Attention: Laurie N. Ragen, Esq.

CHICAGO TITLE CO. 1030329 ✓

**Document Title(s)** (or transactions contained therein):

1. MEMORANDUM OF LANDLORD'S ESTOPPEL CERTIFICATE
- 2.

**Reference Number(s) of Documents assigned or released:**  
(on page \_\_\_ of documents(s))

**Grantor(s)** (Last name first, then first name and initials):

1. Port of Skagit County
- 2.
3.  Additional names on page \_\_\_ of document.

**Grantee(s)** (Last name first, then first name and initials):

1. CC Beverage (U.S.) Corporation
2. Quest Capital Corporation
3.  Additional names on page \_\_\_ of document.

**Legal description** (abbreviated: i.e. lot, block, plat or section, township, range)

Lot 21, Hopper Road Business Park

Full legal is on page 4 of document.

**Assessor's Property Tax Parcel/Account Number**

P116594; P115481

DOCUMENT

**MEMORANDUM OF LANDLORD'S ESTOPPEL CERTIFICATE**

To induce QUEST CAPITAL CORPORATION (the "Lender"), to make one or more loans to CLEARLY CANADIAN BEVERAGE CORPORATION, a British Columbia corporation (the "Borrower"), secured by the property of CC BEVERAGE (U.S.) CORPORATION, a Washington corporation ("CCB (U.S.)"), and for other good and valuable consideration, the undersigned has executed and delivered to Lender an Estoppel Certificate and Consent to Assignment from Ground Lessor (the "Certificate"), the original of which is on file with Lender.

The undersigned owns certain premises located in Skagit County, Washington, described in Exhibit A attached hereto (the "Premises") and has leased the Premises to CCB (U.S.) pursuant to a lease and the amendments thereto (the lease and amendments are collectively referred to herein as the "Lease").

Pursuant to the Certificate, the undersigned has assumed certain obligations in favor of the rights, claims and liens claimed by Lender.

Dated: April 9, 2004.

LESSOR:

PORT OF SKAGIT COUNTY  
P. O. BOX 343  
BURLINGTON, WA 98233

By   
JEROLD W. HELLER  
Its Executive Director



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Skagit County Auditor



**EXHIBIT A**

The Premises described in the referenced document are located in Skagit County, Washington and are described as follows:

Lot 21, "HOPPER BUSINESS PARK REVISED BINDING SITE PLAN", recorded January 30, 2003, under Auditor's File No. 200301300162, records of Skagit County, Washington, being more particularly described as follows:

That portion of the Northeast Quarter of the Northwest Quarter and that portion of the Southeast Quarter of the Northwest Quarter all in Section 8, Township 34 North, Range 4 East of Willamette Meridian, described as follows:

Commencing at the Southeast corner of said Northeast Quarter of the Northwest Quarter; Thence North  $88^{\circ}50'04''$  West (called North  $89^{\circ}48'02''$  West in previous descriptions), along the South line of said Northeast Quarter of the Northwest Quarter 484.15 feet to the true point of beginning.  
Thence North  $1^{\circ}02'43''$  West (called  $2^{\circ}00'30''$  West in previous descriptions) parallel with the East line of said Northeast Quarter of the Northwest Quarter, 195.50 feet to the Southeast corner of a tract shown on record of Survey filed in Volume 7 of Surveys, page 199, records of Skagit County, Washington;  
Thence North  $88^{\circ}50'04''$  West, along the South line of said Survey (called North  $89^{\circ}48'02''$  West on said survey), 175.94 feet;  
Thence South  $1^{\circ}02'43''$  East, parallel with said East line, 195.50 feet to said South line of the Northeast Quarter of the Northwest Quarter;  
Thence North  $88^{\circ}50'04''$  West, along said South line 3.14 feet to a point on a curve;  
Thence Southwesterly along the arc of said curve to the right having a radius of 530.00 feet and an initial tangent bearing of South  $2^{\circ}02'11''$  West, through a central angle of  $15^{\circ}18'40''$ , an arc distance of 141.63 feet;  
Thence South  $88^{\circ}50'04''$  East, parallel with said South line 554.98 feet to the Westerly margin of the Burlington Northern Railway right-of-way;  
Thence North  $7^{\circ}50'01''$  West, along said Westerly margin 141.39 feet to said South line;  
Thence North  $88^{\circ}50'04''$  West, along said South line, 332.85 feet (called 332.74 in previous descriptions) to the true point of beginning.

Situated in Skagit County, Washington



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