

AFTER RECORDING MAIL TO:

Gary T. Jones  
P. O. Box 1245  
Mount Vernon, WA 98273



200406180122  
Skagit County Auditor

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### DIKE EASEMENT

THE UNDERSIGNED GRANTOR, APOLLO PROPERTIES, LLC, a Washington Limited Liability Company, for and in consideration of clearing title and further in consideration of land of equivalent value conveyed by the Grantee to the Grantor, convey and quit claim to SKAGIT COUNTY DIKE DISTRICT NO. 3, a municipal corporation of the State of Washington, an easement for construction, reconstruction, maintenance, and operation of a levee and flood control structures, including all improvements thereto, and together with any enlargement or reconstruction thereof and the right to trim, cut, fell, and remove all trees, brush, and other natural growth and obstructions as are necessary to provide adequate clearance and to eliminate interference with or hazards to the structures, improvements, or utilities placed on, over, or under said land and included as an appurtenance to said Easement together with a right of access thereto over existing roads, for the nonexclusive benefit of the Grantee and Grantor and not for the general public, over and through, under, along, and across all or any part of that certain parcel of land situated in Skagit County, State of Washington, legally described as follows:

See attached Exhibits "B", "C", and "D"

Parcel / Tax Account No. P23240; 340336-1-001-0002  
P23241; 340336-1-001-0101

Said Easement and right of way are understood and agreed to benefit the Grantee District and/or the United States, their contractors or agents, who shall have the right to appropriate from the land above-described such timber, rock, earth, or gravel as may be necessary for the construction or repair of said bank protection and or flood control works. The consideration tendered with this Easement is accepted as full compensation for all damage incidental to the exercise of the rights above granted. The District shall have and hold all the above described easement and right of way together with appurtenances and improvements for the benefits of its successors, assigns, licensees, and permittees carrying out the diking function and engaging such emergency flood fighting as may be appropriate under the circumstances.



January 22, 2002

LEGAL DESCRIPTION FOR DIKING DISTRICT NO. 3

Apollo Properties LLC Tract to Diking District No. 3 - Southwest

That portion of the Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 36, Township 34 North, Range 3 East, W.M., described as follows:

Commencing at the Northeast corner of said Section 36, said point being marked by a  $3\frac{1}{2}$ " diameter brass disk in monument case, said disk being marked "Wash. Co. Ref. Mark", from which bears a  $1\frac{1}{2}$ " diameter bolt in monument case at the East  $\frac{1}{4}$  corner of said Section 36, South  $00^{\circ}21'18''$  West, 2627.63 feet;  
thence South  $00^{\circ}21'18''$  West, along the East line of said Section 36, 1313.81 feet to the Northeast corner of said Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 36;  
thence South  $89^{\circ}56'00''$  West along the North line of said Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$ , 393.28 feet to the Easterly line of that certain right-of-way for dike purposes for the construction, use and maintenance of a dike as condemned by Diking District No. 3 of Skagit County in Superior Court Cause No. 2982;  
thence South  $10^{\circ}13'00''$  East, along said Easterly line of said right-of-way, 335.32 feet to an angle point thereon;  
thence South  $07^{\circ}51'00''$  West along said Easterly line, 73.06 feet to a second angle point thereon;  
thence South  $17^{\circ}10'00''$  East along said Easterly line, 20.27 feet to the Easterly toe of the dike as it existed in January 2001;  
thence following said Easterly toe for the following courses:  
    South  $17^{\circ}29'41''$  West, 45.18 feet;  
    South  $14^{\circ}24'59''$  West, 62.21 feet;  
    South  $13^{\circ}43'23''$  West, 48.93 feet;  
    South  $15^{\circ}06'50''$  West, 30.51 feet to the Westerly line of said right-of-way, said point being the True Point of Beginning;  
thence following the Easterly, Southerly and Westerly toes for the following courses:  
    South  $15^{\circ}06'50''$  West, 26.36 feet;  
    South  $12^{\circ}54'40''$  West, 65.38 feet;  
    South  $08^{\circ}40'08''$  West, 43.73 feet;  
    South  $19^{\circ}53'10''$  West, 31.24 feet;  
    South  $52^{\circ}05'08''$  West, 18.68 feet;  
    South  $67^{\circ}41'18''$  West, 23.04 feet;  
    North  $44^{\circ}31'35''$  West, 40.16 feet;  
    North  $39^{\circ}38'35''$  West, 16.96 feet;  
    North  $50^{\circ}59'37''$  West, 22.34 feet;  
    North  $31^{\circ}41'00''$  West, 19.43 feet;  
    North  $12^{\circ}22'18''$  West, 24.85 feet;  
    North  $55^{\circ}18'21''$  East, 29.75 feet;  
    North  $17^{\circ}50'31''$  East, 37.97 feet;  
    North  $14^{\circ}35'43''$  East, 54.07 feet;  
    North  $11^{\circ}59'34''$  East, 53.77 feet;



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EXHIBIT "B"

North 16°16'29" East, 57.72 feet;  
thence North 15°06'20" East, 53.16 feet to said Westerly line of said  
right-of-way;  
thence South 17°10'00" East along said Westerly line, 185.75 feet to an  
angle point thereon;  
thence South 25°58'00" East along said Westerly line, 2.02 feet to the  
True Point of Beginning;  
containing 0.61 acres or 26,501 square feet more or less.



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EXHIBIT "B" CONT.

January 24, 2002

LEGAL DESCRIPTION FOR DIKING DISTRICT NO. 3

Apollo Properties LLC Easement Tract to Diking District No. 3

That portion of the Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 36, Township 34 North, Range 3 East, W.M., described as follows:

Commencing at the Northeast corner of said Section 36, said point being marked by a  $3\frac{1}{2}$ " diameter brass disk in monument case, said disk being marked "Wash. Co. Ref. Mark", from which bears a  $1\frac{1}{2}$ " diameter bolt in monument case at the East  $\frac{1}{4}$  corner of said Section 36, South  $00^{\circ}21'18''$  West, 2627.63 feet;  
thence South  $00^{\circ}21'18''$  West, along the East line of said Section 36, 1313.81 feet to the Northeast corner of said Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 36;  
thence South  $89^{\circ}56'00''$  West along the North line of said Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$ , 393.28 feet to the Easterly line of that certain right-of-way for dike purposes for the construction, use and maintenance of a dike as condemned by Diking District No. 3 of Skagit County in Superior Court Cause No. 2982;  
thence South  $10^{\circ}13'00''$  East, along said Easterly line of said right-of-way, 335.32 feet to an angle point thereon;  
thence South  $07^{\circ}51'00''$  West along said Easterly line, 73.06 feet to a second angle point thereon;  
thence South  $17^{\circ}10'00''$  East along said Easterly line, 20.27 feet to the Easterly toe of the dike as it existed in January 2001;  
thence following said Easterly toe for the following courses:  
    North  $17^{\circ}29'41''$  East, 1.68 feet;  
    North  $22^{\circ}08'01''$  East, 36.44 feet;  
    North  $19^{\circ}27'15''$  East, 21.78 feet;  
    North  $09^{\circ}33'00''$  East, 19.45 feet, said point being the True Point of Beginning;  
thence continuing North  $09^{\circ}33'00''$  East, 39.96 feet;  
thence South  $78^{\circ}49'43''$  East, 28.21 feet;  
thence South  $86^{\circ}31'04''$  East, 38.19 feet;  
thence North  $88^{\circ}01'07''$  East, 45.14 feet;  
thence North  $89^{\circ}30'54''$  East, 87.58 feet;  
thence South  $89^{\circ}50'45''$  East, 91.25 feet to the West right of way margin of Dike Road;  
thence South  $00^{\circ}02'18''$  West along said West right of way margin, 20.00 feet;  
thence North  $89^{\circ}50'45''$  West, 91.18 feet;  
thence South  $89^{\circ}30'54''$  West, 87.06 feet;  
thence South  $86^{\circ}00'23''$  West, 35.25 feet;  
thence South  $86^{\circ}56'59''$  West, 30.54 feet;  
thence South  $82^{\circ}20'55''$  West, 42.82 feet;  
thence South  $71^{\circ}15'46''$  West, 10.59 feet to the True Point of Beginning;  
containing 0.15 acre or 6,436 square feet more or less.

EXHIBIT "C"



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January 22, 2002

LEGAL DESCRIPTION FOR DIKING DISTRICT NO. 3

Apollo Properties LLC Tract to Diking District No. 3 - Northeast

That portion of the Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 36, Township 34 North, Range 3 East, W.M., described as follows:

Commencing at the Northeast corner of said Section 36, said point being marked by a  $3\frac{1}{2}$ " diameter brass disk in monument case, said disk being marked "Wash. Co. Ref. Mark", from which bears a  $1\frac{1}{2}$ " diameter bolt in monument case at the East  $\frac{1}{4}$  corner of said Section 36, South  $00^{\circ}21'18''$  West, 2627.63 feet;  
thence South  $00^{\circ}21'18''$  West, along the East line of said Section 36, 1313.81 feet to the Northeast corner of said Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 36;  
thence South  $89^{\circ}56'00''$  West along the North line of said Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$ , 393.28 feet to the Easterly line of that certain right-of-way for dike purposes for the construction, use and maintenance of a dike as condemned by Diking District No. 3 of Skagit County in Superior Court Cause No. 2982, said point being the True Point of Beginning;  
thence South  $10^{\circ}13'00''$  East, along said Easterly line of said right-of-way, 335.32 feet to an angle point thereon;  
thence South  $07^{\circ}51'00''$  West along said Easterly line, 73.06 feet to a second angle point thereon;  
thence South  $17^{\circ}10'00''$  East along said Easterly line, 20.27 feet to the Easterly toe of the dike as it existed in January 2001;  
thence following said Easterly toe for the following courses:  
North  $17^{\circ}29'41''$  East, 1.68 feet;  
North  $22^{\circ}08'01''$  East, 36.44 feet;  
North  $19^{\circ}27'15''$  East, 21.78 feet;  
North  $09^{\circ}33'00''$  East, 59.41 feet;  
North  $26^{\circ}45'09''$  West, 16.66 feet;  
North  $05^{\circ}25'30''$  West, 29.50 feet;  
North  $12^{\circ}49'33''$  West, 70.27 feet;  
North  $06^{\circ}52'54''$  West, 57.63 feet;  
North  $09^{\circ}18'55''$  West, 65.48 feet;  
thence North  $09^{\circ}24'43''$  West, 73.71 feet to said North line of the Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$ ;  
thence South  $89^{\circ}56'00''$  West along said North line, 31.38 feet to the True Point of Beginning;

containing 0.26 acres or 11,132 square feet more or less.



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