

Return Name and Address:

Upper Skagit Indian Tribe
5984 Darrk Lane
Bow, WA 98232



200407210067
Skagit County Auditor

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Document Title: WETLAND MITIGATION AREA COVENANT

Grantor: UPPER SKAGIT INDIAN TRIBE

Grantee: UNITED STATES ARMY CORPS OF ENGINEERS

Abbreviated Legal Description: Those portions of the Chuckanut Crest Golf Course identified as Wetland Mitigation Area 'A', Wetland Restoration Area 'A', Wetland Restoration Area 'B', Wetland Restoration Area 'C', or Wetland Restoration Area 'D', being a portion of the SE ¼ of Section 25, Township 36 North, Range 03 East of W.M. a portion of the SW ¼ of Section 30, Township 36 North, Range 04 East of W.M. and a portion of the NW ¼ of Section 31, Township 36 North, Range 04 East of W.M., Skagit County.

Additional legal descriptions are included on pages 3-7 of this document.

Property I.D. #: P48273, P50343, P 50389, P50390

WETLAND MITIGATION AREA COVENANT

The wetland mitigation and restoration areas, legally described and depicted on the attachments hereto, are established as mitigation for work authorized under U.S. Department of the Army, Corps of Engineers, Nationwide Permit 18, Reference No. 2001-4-01337, issued May 21, 2002.

Per the terms of the above-referenced Army Corps Permit, the wetland mitigation area and wetland restoration areas thus established shall not be made the subject of a future Individual or General Department of the Army Permit for fill or other development, except for the purposes of enhancing or restoring that mitigation.

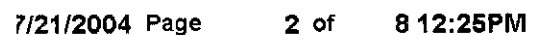
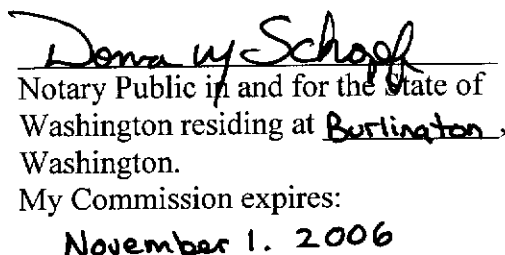
This restrictive Covenant shall run with the described land in perpetuity.

1. EXHIBIT A-1 – LEGAL DESCRIPTION FOR WETLAND MITIGATION AREA 'A' prepared by Pacific Survey and Engineering, Inc.;
2. EXHIBIT A-2 – LEGAL DESCRIPTION FOR WETLAND RESTORATION AREA 'A' prepared by Pacific Survey and Engineering, Inc.;
3. EXHIBIT A-3 – LEGAL DESCRIPTION FOR WETLAND RESTORATION AREA 'B' prepared by Pacific Survey and Engineering, Inc.;
4. EXHIBIT A-4 – LEGAL DESCRIPTION FOR WETLAND RESTORATION AREA 'C' prepared by Pacific Survey and Engineering, Inc.;
5. EXHIBIT A-5 – LEGAL DESCRIPTION FOR WETLAND RESTORATION AREA 'D' prepared by Pacific Survey and Engineering, Inc.; and
6. WETLAND MITIGATION AREA COVENANT, EXHIBIT 'B' drawn by Pacific Survey and Engineering, Inc.

Grantor:

By: May M. Scott
Marilyn Scott, Chairman

On the 7th day of July, 2004, personally appeared before me, Marilyn Scott, Chairman of the Upper Skagit Indian Tribe and acknowledged that she signed this document as authorized by the Tribe as the free and voluntary act of the Tribe.





Pacific Surveying & Engineering

www.psesurvey.com

**EXHIBIT A-1
LEGAL DESCRIPTION
FOR
WETLAND MITIGATION AREA 'A'**

THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 36 NORTH, RANGE 3 EAST, W.M., SKAGIT COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST ONE-QUARTER CORNER OF SAID SECTION 25; THENCE ALONG THE EAST-WEST CENTER OF SECTION LINE THEREOF, NORTH 88°18'26" WEST 239.55 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID CENTER OF SECTION LINE, NORTH 88°18'26" WEST 676.98 FEET TO THE SOUTHEASTERLY MARGIN OF OLD COLONY ROAD; THENCE ALONG SAID SOUTHEASTERLY MARGIN, SOUTH 37°13'35" WEST 559.84 FEET TO THE INTERSECTION WITH THE EAST MARGIN OF HOBSON ROAD; THENCE ALONG SAID EAST MARGIN, SOUTH 00°11'20" WEST 513.34 FEET; THENCE DEPARTING FROM SAID EAST MARGIN, SOUTH 90°00'00" EAST 731.46 FEET; THENCE NORTH 16°54'55" EAST 981.58 FEET TO THE POINT OF BEGINNING.

CONTAINING 17.40 ACRES, MORE OR LESS.

SITUATE IN SKAGIT COUNTY, WASHINGTON.



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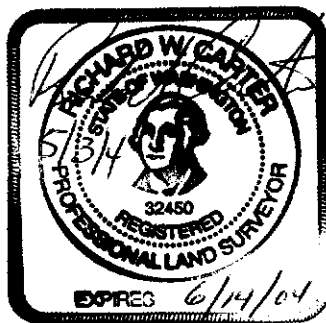
**EXHIBIT A-2
LEGAL DESCRIPTION
FOR
WETLAND RESTORATION AREA 'A'**

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 36 NORTH, RANGE 4 EAST, W.M., SKAGIT COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIPE MARKING THE SOUTHWEST CORNER OF SAID SECTION 30, FROM WHICH AN IRON PIPE MARKING THE WEST ONE-QUARTER CORNER OF SAID SECTION 30 BEARS NORTH 00°26'36" EAST 2639.54 FEET; THENCE NORTH 41°19'33" EAST 1,056.25 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°42'59" WEST 38.13 FEET; THENCE AT RIGHT ANGLES NORTH 89°17'01" EAST 20.00 FEET; THENCE AT RIGHT ANGLES SOUTH 00°42'59" EAST 47.21 FEET; THENCE NORTH 66°17'18" WEST 21.97 FEET TO THE POINT OF BEGINNING.

CONTAINING 853 SQUARE FEET, MORE OR LESS.

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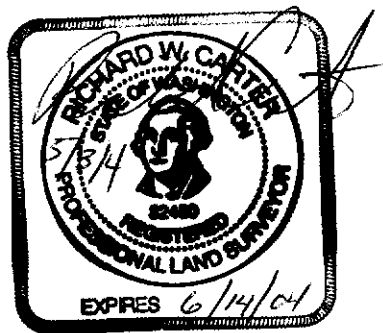
**EXHIBIT A-3
LEGAL DESCRIPTION
FOR
WETLAND RESTORATION AREA 'B'**

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 36 NORTH, RANGE 4 EAST, W.M., SKAGIT COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT A 2" DIAMETER IRON PIPE MARKING THE NORTHWEST CORNER OF SAID SECTION 31, FROM WHICH AN IRON PIPE MARKING THE WEST QUARTER CORNER OF SAID SECTION BEARS SOUTH 00°00'00" EAST 2618.75 FEET; THENCE SOUTH 85°57'28" EAST 1019.08 FEET TO THE POINT OF BEGINNING; THENCE NORTH 26°19'36" EAST 21.92 FEET; THENCE SOUTH 87°48'33" EAST 103.17 FEET; THENCE SOUTH 45°30'08" WEST 27.49 FEET; THENCE NORTH 87°48'33" WEST 93.28 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,965 SQUARE FEET, MORE OR LESS.

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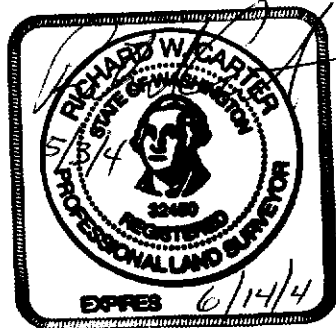
**EXHIBIT A-4
LEGAL DESCRIPTION
FOR
WETLAND RESTORATION AREA 'C'**

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 36 NORTH, RANGE 4 EAST, W.M., SKAGIT COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIPE MARKING THE WEST QUARTER CORNER OF SAID SECTION 31, FROM WHICH AN IRON PIPE MARKING THE NORTHWEST CORNER OF SAID SECTION BEARS NORTH 00°00'00" WEST 2618.75 FEET; THENCE NORTH 37°46'46" EAST 1151.25 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 87°03'49" EAST 17.56 FEET THENCE NORTH 20°10'58" EAST 17.79 FEET; THENCE NORTH 86°53'52" WEST 22.64 FEET; THENCE SOUTH 03°35'49" WEST 17.06 FEET TO THE POINT OF BEGINNING.

CONTAINING 342 SQUARE FEET, MORE OR LESS.

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EXHIBIT A-5
LEGAL DESCRIPTION
FOR
WETLAND RESTORATION AREA 'D'

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 36 NORTH,
RANGE 4 EAST, W.M., SKAGIT COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIPE MARKING THE WEST QUARTER CORNER OF SAID
SECTION 31, FROM WHICH AN IRON PIPE MARKING THE NORTHWEST CORNER OF SAID
SECTION BEARS NORTH 00°00'00" WEST 2618.75 FEET; THENCE NORTH 63°47'56" EAST
607.34 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 83°50'20" EAST 159.95 FEET;
THENCE NORTH 04°43'18" EAST 25.01 FEET; THENCE NORTH 83°50'20" WEST 159.35
FEET; THENCE SOUTH 06°06'57" WEST 25.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,991 SQUARE FEET, MORE OR LESS.

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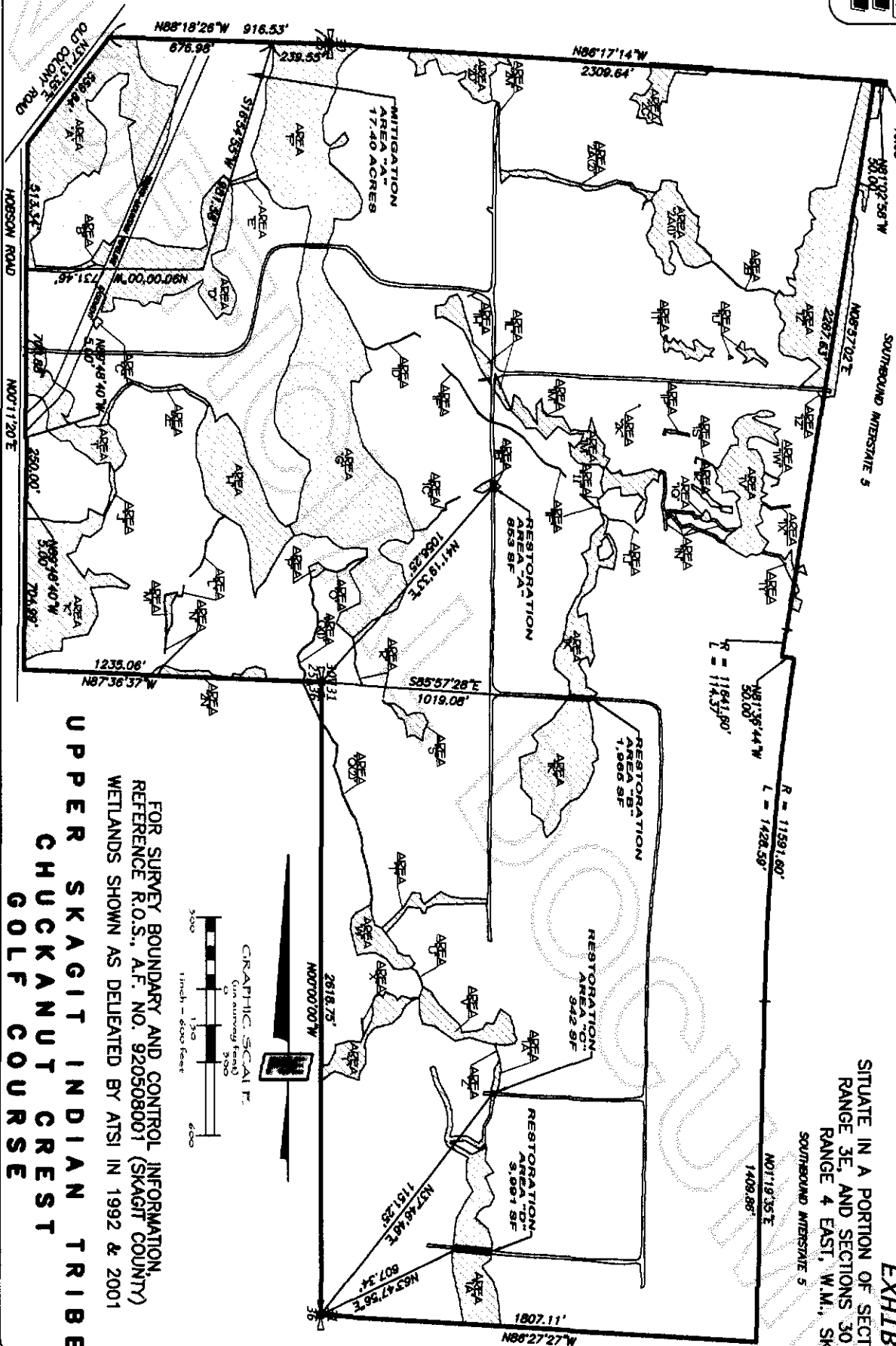
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*AREAS OUTSIDE OF OWNERSHIP CANNOT BE SET ASIDE BY THIS DOCUMENT



UPPER SKAGIT INDIAN TRIBE
CHUCKANUT CREST
GOLF COURSE



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