

AFTER RECORDING, RETURN TO:

John R. Shultz, Attorney at Law
160 Cascade Place, Suite 211
Burlington, Washington 98233



200412280191

Skagit County Auditor

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**DEED OF RIGHT TO USE LAND FOR PUBLIC
AQUATIC LANDS ACCESS PURPOSES
(Easement for Public Use)**

GRANTOR: SKAGIT COUNTY DIKE DISTRICT NO. 12,
a Washington special purpose district, (a/k/a
SKAGIT COUNTY CONSOLIDATED DIKE
AND DRAINAGE DISTRICT NO. 12)

GRANTEE: THE STATE OF WASHINGTON,

LEGAL DESCRIPTION: LOT 4, PLAT OF MINOR'S ESTATES
(SEE ATTACHED EXHIBIT "A"
FOR COMPLETE LEGAL DESCRIPTION)

ASSESSOR'S PROPERTY
TAX PARCEL NOS: 4430-000-004-0008 P82116

The Grantor, SKAGIT COUNTY DIKE DISTRICT NO. 12, a Washington special purpose district, (a/k/a SKAGIT COUNTY CONSOLIDATED DIKE AND DRAINAGE DISTRICT NO. 12), for and in consideration of monies coming in whole or in part from the Aquatic Lands Enhancement Account of the General Fund of the State of Washington (State) and in fulfillment of terms of the Project Agreement identified below, conveys and grants to the State of Washington, individually and as the representative of all the people of the State, the right to use the real property described below forever for the aquatic access purposes described in the Project Agreement entered into between the Grantor and the State of Washington through the Department of Natural Resources entitled WHITMARSH/GAGES SLOUGH Project

Number 03-1190A signed by the Grantor on the 28th day of August, 2003 and by the State on the 8th day of August, 2003, and the application and supporting materials which are on file with the Grantor and the state in connection with the Project Agreement.

The Grantor will not make or permit to be made any use of the real property described in this deed, or any part of it, which is inconsistent with the right to use for public aquatic access herein granted unless the state, through the Department of Natural Resources or its successors, consents to the inconsistent use. Such consent shall be granted only upon conditions which will ensure that other aquatic access land, of at least equal fair market value at the time of change of use, and of as nearly as feasible equivalent usefulness and location for the public aquatic land access purposes for which state assistance was originally granted, shall be substituted for the original real property.

The real property covered by this deed is described as follows:

See attached Exhibit "A"

This deed shall in no way modify or extinguish the functions of the Grantor under the Project Agreement, including the Grantor's functions to operate and maintain the land as set out in the Project Agreement.

The rights and obligation of the state and Grantee shall be binding upon the respective successors and assignees.

Dated this 27th day of Dec, 2004.

GRANTOR:

SKAGIT COUNTY DIKE DISTRICT NO. 12,
(a/k/a SKAGIT COUNTY CONSOLIDATED
DIKE AND DRAINAGE DISTRICT NO. 12)

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

By: Marvin B. Cannon
Marvin B. Cannon, Commissioner

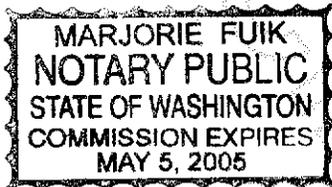
DEC 28 2004
Amount Paid's
Skagit Co. Treasurer
By [Signature] Deputy

By: Charles H. Bennett
Charles H. Bennett, Commissioner

STATE OF WASHINGTON)
) ss
COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that MARVIN B. CANNON is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as Commissioner of SKAGIT COUNTY DIKE DISTRICT NO. 12, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

GIVEN UNDER MY HAND AND OFFICIAL SEAL this 27th day of December, 2004.

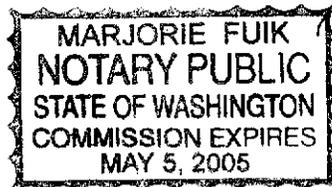


Marjorie Fulk
Printed Name: Marjorie Fulk
NOTARY PUBLIC in and for the State of
Washington
My Commission Expires: 5-5-05

STATE OF WASHINGTON)
) ss
COUNTY OF SKAGIT)

I certify that I know or have satisfactory evidence that CHARLES H. BENNETT is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as Commissioner of SKAGIT COUNTY DIKE DISTRICT NO. 12, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

GIVEN UNDER MY HAND AND OFFICIAL SEAL this 27th day of December, 2004.



Marjorie Fulk
Printed Name: Marjorie Fulk
NOTARY PUBLIC in and for the State of
Washington
My Commission Expires: 5-5-05



UNOFFICIAL DOCUMENT

Lot 4 "Plat of Minor's Estates" as per plat recorded in Volume 13 of
Plats, Page 25, records of Skagit County, WA.



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EXHIBIT "A"