



200504270148

Skagit County Auditor

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200401270105

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AFTER RECORDING MAIL TO:

Ms. Mary Fogarty
#1 General Mills Blvd. Attn: Real Estate Department
Minneapolis, MN 55426

Filed for Record at Request of
Land Title Company Of Skagit County
Escrow Number: 108734-PE

LAND TITLE OF SKAGIT COUNTY**Statutory Warranty Deed**

** re-recorded to add Approval of Boundary line Adjustment
by Skagit County Planning and Permit Center*

Grantor(s): Russell Johnson and Tammy Johnson

Grantee(s): Small Planet Foods, Inc.

Abbreviated Legal: ptn Gov. Lot 2, 20-35-10 E W.M. & ptn gov. Lot 2, 29-35-10 E W.M.

Assessor's Tax Parcel Number(s): 351020-0-004-0009, P45378, 351020-0-004-0108, P45379, 351020-0-007-0006, P45382, 351029-0-002-0002, P45618, 351020-0-001-0200, P45374, 351029-0-001-0003, P45617

THE GRANTOR RUSSELL JOHNSON and TAMMY JOHNSON, husband and wife for and in consideration of **TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION** in hand paid, conveys and warrants to **SMALL PLANET FOODS, INC.**, a Washington corporation the following described real estate, situated in the County of Skagit, State of Washington.

That portion of Government Lot 2, Section 20, and Government Lot 2, Section 29, all in Township 35 North, Range 10 East, W.M., described as follows:

Beginning at the Southwest corner of Lot 1, Short Plat No. 96-054, recorded in Volume 12 of Short Plats, pages 138 and 139, records of Skagit County, Washington;

thence South 87°43'17" East along the South line of said Lot 1, also being the North line of Government Lot 2 in said Section 20 as shown on said Short Plat No. 96-054, a distance of 363.02 feet to the Northeast corner of Government Lot 2 in said Section 20;

thence South 01°40'53" West along the East line of Government Lot 2 in said Section 20, a distance of 641 feet, more or less, to the Southwest corner of the North ½ of Government Lot 1 in said Section 20 and the point of beginning of this description;

thence South 01°40'53" West along the East line of Government Lot 2 in said Section 20, a distance of 641 feet, more or less, to the Southeast corner of Government Lot 2 in said Section 20;

thence in said Section 29, South 01°40'53" West a distance of 307.93 feet to the North line of State Route 20 being a point on a non-tangent curve to the left from which the radius point bears South 29°59'50" East, a distance of 15,029.54 feet;

thence Southwesterly along the curve of the North line of State Route 20 through a central angle of 01°50'14" and an arc distance of 481.91 feet;

thence South 58°09'56" West along the North line of State Route 20, a distance of 254.10 feet to the point of curvature of a curve to the right having a radius of 3,969.99 feet;

thence Southwesterly along curve to the North line of State Route 20 through a central angle of 00°13'56" and an arc distance of 16.10 feet to a point hereinafter referred to as Point A;

thence North 07°55'07" West, a distance of 477.10 feet;

thence North 58°54'26" East, a distance of 481.69 feet to a point on the North line of said Section 29;

thence in said Section 20, North 58°54'26" East, a distance of 109.22 feet;

thence North 75°11'38" East, a distance of 207.53 feet to a point hereinafter referred to as Point B, which is 15 feet West, when measured at right angles, from the East line of Government Lot 2 in said Section 20;

thence North 01°40'53" East parallel with the East line of said Government Lot 2, a distance of 529 feet, more or less, to a point 20 feet North of the Westerly extension of the South line of the North ½ of Government Lot 1 of said Section 20;

thence South 88°19'07" East, a distance of 15.00 feet to the East line of Government Lot 2 in said Section 20;

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thence South 01°40'53" West along the East line of Government Lot 2 in said Section 20, a distance of 20.00 feet to the point of beginning of this line description.

TOGETHER WITH that portion, if any, of Government Lot 2 of said Section 29, lying East of the above described parcel, North of State Route 20 and West of the following described line:

Beginning at a point on the South line of Government Lot 1 of said Section 20 that is 15 feet East, when measured at right angles, from the West line thereof;
thence South 01°40'53" West, a distance of 297.98 feet to the North line of State Route 20 and terminal point of this line description.

TOGETHER WITH a 10 foot wide vegetation control easement lying Westerly and Northerly of, adjacent to and contiguous with that portion of the above described property beginning at the hereinabove described Point A and terminating at the hereinabove described Point B.

Situate in the County of Skagit, State of Washington.

Subject to: Schedule "B-1" attached hereto and made a part thereof.

Reserving unto the Grantor and his heirs, executors and assigns, an easement for ingress, egress and utilities over, under and through the East 15 feet of the above described property.

The above described property will be combined or aggregated with contiguous property owned by the Grantee, and more specifically described on Exhibit "B" attached hereto. This boundary adjustment is not for the purpose of creating an additional building lot.

Dated January 15, 2004

Russell Johnson
Russell Johnson

Tammy Johnson
Tammy Johnson

#1993
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

APR 27 2005

SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax

PAID # 3140
JAN 27 2004

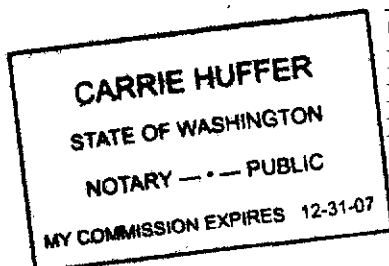
STATE OF Washington
COUNTY OF Skagit

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

Amount Paid \$ 1377.00
By [Signature] Skagit County Treasurer Deputy

I certify that I know or have satisfactory evidence that Russell Johnson and Tammy Johnson
the person(s) who appeared before me, and said person(s) acknowledged that they
signed this instrument and acknowledge it to be their free and voluntary act for the
uses and purposes mentioned in this instrument.

Dated: January 26, 2004



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



Skagit County Auditor

Exhibit "B"

PARCEL "A":

The North ½ of Government Lot 1, Section 20, Township 35 North, Range 10 East, W.M.

EXCEPT the East 300 feet thereof.

PARCEL "B":

That portion of the Northeast ¼ of the Southeast ¼ of Section 20, Township 35 North, Range 10 East, W.M., more particularly described as follows:

Beginning at the Northwest corner of the East 300 feet of Government Lot 1 in said Section 20;
thence North 87°43'17" West along the North line thereof, a distance of 549.32 feet to the TRUE POINT OF BEGINNING of this description;
thence North 07°04'55" West a distance of 62.84 feet;
thence North 87°43'17" West a distance of 143.22 feet;
thence South 01°31'32" West a distance of 62.01 feet;
thence South 87°43'17" East to the TRUE POINT OF BEGINNING.

PARCEL "C":

That portion of the Northeast ¼ of the Southeast ¼ of Section 20, Township 35 North, Range 10 East, W.M., more particularly described as follows:

Commencing at the Southeast corner of said subdivision;
thence North 87°43'17" West along the South line thereof, a distance of 759.12 feet to the TRUE POINT OF BEGINNING of this description;
thence continuing North 87°43'17" West a distance of 90.20 feet to the Southeast corner of that parcel described in Boundary Line Adjustment Deed to Philip Kahn and Esther J. Kahn under Auditor's File Number 8610170001;
thence North 07°04'55" West along the East line thereof, a distance of 62.84 feet;
thence South 87°43'17" East a distance of 99.78 feet;
thence South 01°40'53" West a distance of 62.00 feet to the TRUE POINT OF BEGINNING.

All situate in the County of Skagit, State of Washington.

BOUNDARY ADJUSTMENT

Reviewed and approved

in accordance with S.C.

Code Chapter 14.18

Joe Roeder

SKAGIT CO. PLANNING & PERMIT CNTR

Date: 4/26/2005



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EXCEPTIONS:

A. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Washington Telephone Co.
Purpose: The right, privilege and authority to construct, reconstruct, operate, inspect, maintain or remove lines of telephone and telegraph, or other signal or communication circuits, consisting of such underground conduits, cables, manholes, poles and other markers, fixtures and appurtenances as the grantee may from time to time require.
Area Affected: On the North side of Highway 20 beginning at the Conrad Road and running in and Easterly direction to the property line separating properties of Laura Johnson and Frances M. Clifford in Section 29, Township 35 North, Range 10 East, W.M., a distance of approximately 2800 feet.
Dated: October 11, 1967
Recorded: January 5, 1968
Auditor's No.: 708711
(Affects Parcel "A")

Said easement, among other things, contains the following:

"The Grantor for himself, his heirs, executors, administrators, successors and assigns hereby covenants that no digging will be done or permitted within five (5) feet of said lines which will in any manner disturb their solidity or unearth any portion thereof; and that no blasting or discharge of any explosives will be permitted within fifteen (15) feet of said lines. All conduit or cable laid under this grant shall be laid upon a route as now located, and shall be buried to such depth as not to interfere with the ordinary use of said land. The Grantee shall at all times have the right of free ingress to and egress from said property for all purposes herein mentioned."

B. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Ray Johnson and Laura Johnson, his wife
Purpose: For roadway for ingress and egress and for utilities
Area Affected: The East 15 feet over the present road constructed by Grantees on portions immediately West of the East 15 feet
Dated: April 1, 1975
Recorded: March 13, 1978
Auditor's No.: 875299
(Affects Parcel "A")

C. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Puget Sound Power & Light Company, a Washington corporation
Purpose: The right to construct, operate, maintain, repair, replace and enlarge an underground electric transmission and/or distribution system.
Area Affected: The East 15 feet
Dated: Not disclosed
Recorded: October 23, 1991
Auditor's No.: 9110230056
(Affects Parcel "A")



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EXCEPTIONS CONTINUED:

D. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Eugene B. Kahn
Purpose: For ingress, egress, and utilities
Area Affected: 30 feet on either side of the centerline of an existing road base lying within the East margin of Government Lot 2, Section 29 and the East margin of Lot 2, Section 20, both in Township 35 North, Range 10 East, W.M.
Dated: July 20, 2002
Recorded: August 1, 2002
Auditor's No.: 200208010103
(Affects Parcel "A")

E. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Eugene B. Kahn, Terrance Meyer and Erin Meyer, husband and wife, as tenants in common with Harlyn Meyer and James Meyer, husband and wife
Purpose: For utility purposes
Area Affected: The North 30 feet of the Seattle Municipal Railway
Dated: Not disclosed
Recorded: August 1, 2002
Auditor's No.: 200208010104
(Affects Parcel "A")

F. Matters disclosed by Record of Survey entitled ALTA/ACSM Land Title Survey for General Mills dated September 22, 2003 performed by John L. Abenroth of Skagit Surveyors & Engineers.

G. RESERVATION CONTAINED IN DEED:

Executed By: Peter Cuthbert (owner of 1/3 interest)
Dated: June 30, 1966
Recorded: June 30, 1966
Auditor's No.: 684927
As Follows: Excepting and reserving unto the Grantor all mineral rights in and to said premises
(Affects Parcel "B")

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EXCEPTIONS CONTINUED:

H. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Continental Telephone Co. of the Northwest, a Washington Corporation
Purpose: The right, privilege and authority to construct, reconstruct, operate, inspect, maintain or remove lines of telephone and telegraph, or other signal or communication circuits, consisting of such underground conduits, cables, manholes, poles and other markers, fixtures and appurtenances as the grantee may from time to time require.
Area Affected: A strip of land 5 feet in width upon and following the contours of the roadway as now exists
Dated: April 20, 1977
Recorded: May 3, 1977
Auditor's No.: 855704
(Affects Parcel "B")

I. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Puget Sound Power & Light Company, a Washington corporation
Purpose: An underground electric transmission and/or distribution system
Area Affected: The West 15 feet of Parcel "B"
Dated: September 17, 1991
Recorded: September 8, 1992
Auditor's No.: 9209080108

J. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Eugene B. Kahn, et al
Purpose: Ingress, egress and utilities
Area Affected: Parcel "B"
Dated: June 7, 1996
Recorded: June 17, 1996
Auditor's No.: 9606170014

K. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Cascadian Farm Inc., et al
Purpose: For ingress, egress and utilities
Area Affected: Parcel "B"
Dated: June 20, 1996
Recorded: June 24, 1996
Auditor's No.: 9606240076

L. TERMS AND CONDITIONS OF USE, MAINTENANCE, AND REPAIR COVENANTS:

By: Cascadian Farm, Inc.
Recorded: August 28, 1996
Auditor's No.: 9608280067
(Affects Parcel "B")

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EXCEPTIONS CONTINUED:

M. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Eugene B. Kahn
Purpose: For ingress, egress and utilities
Area Affected: Parcel "B"
Dated: September 11, 1996
Recorded: September 19, 1996
Auditor's No.: 9609190001

N. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: James Meyer and Davida Meyer, husband and wife
Purpose: For ingress, egress and utilities
Area Affected: Parcel "B"
Dated: September 11, 1996
Recorded: September 19, 1996
Auditor's No.: 9609190002

O. TITLE NOTIFICATION, AND THE TERMS AND CONDITIONS THEREOF

Between: Skagit County
And: Eugene Kahn
Recorded: October 19, 2000
Auditor's File No.: 200010190013
Regarding:

This parcel lies in or within 300 feet of land designated as resource lands by Skagit County. A variety of natural resource land activities occur in the area that may be inconvenient or cause discomfort to area residents. This may arise from the use of chemicals including herbicides, pesticides, and fertilizers, or from spraying, pruning, harvesting or extraction which occasionally generates dust, smoke, noise, and odor. Skagit County has established resource uses as priority uses on designated natural resource lands. Residents of such property should be prepared to accept such inconveniences or discomfort from normal, necessary natural resource lands operations when performed in compliance with best management practices and local, state and federal law. Resource lands include Rural Resource - NRL, Agriculture - NRL, Industrial Forest - NRL and Secondary Forest - NRL and Mineral Resource Overlay.
(Affects Parcel "B")

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