



200505110014

Skagit County Auditor

5/11/2005 Page

1 of

11 9:40AM

**NOTICE OF CONTINUANCE**

LAND CLASSIFIED AS CURRENT USE OR FOREST LAND

Chapter 84.34 and 84.33 Revised Code of Washington

Grantor(s) Pacifica Poplars, Inc.Grantee(s) Triton America, LLC

Legal Description

See attached Exhibit "A" for legal description

S 2  
T 34  
R 2340201-0-002-0005/P19663; 340202-0-003-0003/P19669; 340212-0-014-0100/P112018;Assessor's Property Tax Parcel or Account Number 340307-0-004-0006/P21166Reference Numbers of Documents Assigned or Released 761330

If the new owner(s) of land that is classified as current use or designated as forest land wish to continue the classification or designation of this land, the new owner(s) must sign below. All new owners must sign. If the new owner(s) do(es) not desire to continue the classification or designation, all additional or compensating tax calculated pursuant to RCW 84.34.108 or RCW 84.33.140, shall be due and payable by the seller or transferor at the time of sale. To determine if the land qualifies to continue classification or designation, the county assessor may be consulted.

Name of New Owner(s)

Address Triton America, LLC  
1004 Commercial Avenue #249  
Anacortes, WA 98221Phone No. 360-293-5969

Excise Tax No. \_\_\_\_\_

File No. \_\_\_\_\_

Levy Code \_\_\_\_\_

Date of Sale or Transfer \_\_\_\_\_

Date of Notice \_\_\_\_\_

Interest in Property: ☒ Fee Owner ☐ Contract Purchaser ☐ Other

For tax assistance, visit <http://dor.wa.gov> or call (800) 647-7706. To inquire about the availability of this document in an alternate format for the visually impaired, please call (360) 486-2342. Teletype (TTY) users may call (800) 451-7985.

A. **CLASSIFICATION UNDER CHAPTER 84.34 RCW.** I/we request that this land retain the current use classification as ☐ Open Space Land, ☒ Farm and Agricultural Land, ☐ Timberland, and I am/we are aware of the following land use classifications;

1. **OPEN SPACE LAND MEANS EITHER:**

- a. any land area so designated by an official comprehensive land use plan adopted by any city or county and zoned accordingly; or
- b. any land area, the preservation of which in its present use would: (i) conserve and enhance natural or scenic resources; (ii) protect streams or water supply; (iii) promote conservation of soils, wetland, beaches, or tidal marshes; (iv) enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries or other open space; (v) enhance recreation opportunities; (vi) preserve historic sites; (vii) preserve visual quality along highway, road, and street corridors or scenic vistas; or (viii) retain in its natural state tracts of land not less than one acre situated in an urban area and open to public use on such conditions as may be reasonably required by the legislative body granting the open space classification; or
- c. any land that meets the definition of farm and agricultural conservation land. "Farm and agricultural conservation land is either; (i) land that was previously classified as open space farm and agricultural land that no longer meets the criteria of farm and agricultural land, and that is reclassified as open space and under RCW 84.34.020(1); or (ii) land that is traditional farmland that is not classified under chapter 84.33 or 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and that has a high potential for returning to commercial agriculture.

2. **FARM AND AGRICULTURAL LAND MEANS EITHER:**

- a. any parcel of land or contiguous parcels of land in the same ownership of twenty or more acres: (i) devoted primarily to the production of livestock or agricultural commodities, for commercial purposes; or (ii) enrolled in the federal conservation reserve program or its successor administered by the United States department of agriculture; or (iii) other similar commercial activities as may be established by rule; or
- b. any parcel of land or contiguous parcels of land in the same ownership of at least five acres but less than twenty acres devoted primarily to agricultural uses which has produced a gross income equal to two hundred dollars or more per acre per year for three out of the five calendar years preceding the date of application for classification under chapter 84.34 RCW; or
- c. any parcel of land that is less than five acres devoted primarily to agricultural uses which has produced a gross income equal to fifteen hundred dollars or more per year for three out of the five calendar years preceding the date of application for classification under chapter 84.34 RCW; or
- d. any land on which the principal place of residence of the farm operator or owner of land or housing for employees is sited if the farm and agricultural land is classified pursuant to RCW 84.34.020 (e) if the residence or housing is on or contiguous to the classified parcel, and the use of the residence or housing is integral to the use of the classified land for agricultural purposes.

Agricultural land also includes (i) land on which appurtenances necessary for the production, preparation, or sale of commercial agricultural products are situated when the appurtenances are used in conjunction with the land(s) producing agricultural products, (ii) land incidentally used for an activity or enterprise that is compatible with commercial agricultural purposes as long as the incidental use does not exceed twenty percent of the classified land, and (iii) any noncontiguous parcels of land from one to five acres in size that constitutes an integral part of the commercial agricultural operations of a classified parcel of farm and agricultural land.



3. **TIMBER LAND MEANS** any parcel or contiguous parcels of land in the same ownership of five or more acres devoted primarily to the growing and harvesting of forest crops for commercial purposes. Timber land means the land only.

I/we declare that I am/we are aware of the liability of withdrawal or removal of this land from classification to the following extent:

1. If the owner has filed the proper notice of request to withdraw the classified land and the land has been classified for a minimum of ten years he/she shall pay an amount equal to the difference between the tax computed on the basis of "current use" and the tax computed on the basis of true and fair value plus interest at the same statutory rate charged on delinquent property taxes. The additional tax and interest shall be paid for the preceding seven years.
2. If land is removed from classification because of a change to a non-conforming use, land is removed prior to the minimum ten year period, or land is removed because the owner(s) failed to comply with the two year notice of withdrawal he/she shall be liable to pay the additional tax and interest described in 1 above plus a penalty of twenty percent of the additional tax and interest. The additional tax, interest, and penalty shall be paid for the preceding seven years.
3. The additional tax, interest, and/or penalty shall not be imposed if the withdrawal or removal from classification resulted solely from:
  - a. transfer to a government entity in exchange for other land located within the state of Washington;
  - b. a taking through the exercise of the power of eminent domain, or sale or transfer to an entity having the power of eminent domain in anticipation of the exercise of this power, said entity having manifested its intent in writing or by other official action;
  - c. a natural disaster such as a flood, windstorm, earthquake, or other calamity rather than by virtue of the act of the landowner changing the use of the classified land;
  - d. official action by an agency of the state of Washington or by the county or city within which the land is located that disallows the present classified use of the land;
  - e. transfer of land to a church when the land would qualify for exemption pursuant to RCW 84.36.020;
  - f. acquisition of property interests by a state or federal agency, county, city, town, metropolitan park district; metropolitan municipal corporation, nonprofit historic preservation corporation as defined in RCW 64.04.130, or nonprofit nature conservancy corporation or association as defined in RCW 84.34.250;
  - g. removal of classified farm and agricultural land on which the principal residence of the farm operator or owner or housing for employees;
  - h. removal of land from classification after enactment of a statutory exemption that qualifies the land for exemption and receipt of notice from the owner to remove the land from classification;
  - i. the creation, sale, or transfer of forestry riparian easements under RCW 76.13.120;
  - j. the creation, sale, or transfer of a fee interest or a conservation easement for the riparian open space program under RCW 76.09.040;
  - k. the sale or transfer of land within two years after the death of the owner of at least a fifty percent interest in the land if the land has been assessed and valued as designated forest land under chapter 84.33 RCW, or classified under this chapter 84.34 continuously since 1993;
  - l. the sale or transfer of land after the death of the owner of at least a fifty percent interest in the land if the land has been assessed and valued as designated forest land under chapter 84.33 RCW, or classified under this chapter 84.34 RCW continuously since 1993 and the sale or transfer takes place within two years after July 22, 2001, and the death of the owner occurred after January 1, 1991; or
  - m. the date of death shown on a death certificate is the date used.



B. CLASSIFICATION UNDER CHAPTER 84.33 RCW. I/we request that this land retains its designation as forest land and I am/we are aware of the following definition of forest land.

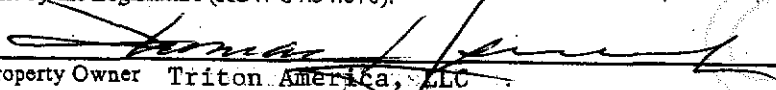
FOREST LAND is synonymous with designated forest land and means all contiguous land in the same ownership of at least twenty acres that is primarily devoted to and used for growing and harvesting timber and means the land only.

I/we declare that I am/we are aware of the liability of removal of this land from designated forest land and upon removal a compensating tax shall be imposed that shall be equal to the difference between the amount of tax last levied on the land as forest land and an amount equal to the new assessed valuation of the land multiplied by the dollar rate of the last levy extended against the land, multiplied by a number, not greater than nine, equal to the number of years the land was designated as forest land.

The compensating tax shall not be imposed if the removal of designation resulted solely from:

- a. transfer to a government entity in exchange for other forest land located within the state of Washington;
- b. a taking through the exercise of the power of eminent domain, or sale or transfer to an entity having the power of eminent domain in anticipation of the exercise of this power;
- c. a donation of fee title, development rights, or the right to harvest timber, to a government agency or organization qualified under RCW 84.34.210 and 64.04.130 for the purposes enumerated in those sections or the sale or transfer of fee title to a governmental entity or a nonprofit nature conservancy corporation, as defined in RCW 64.04.130, exclusively for the protection and conservation of lands recommended for state natural area preserve purposes by the natural heritage council and natural heritage plan as defined in chapter 79.70 RCW. At such time as the land is not used for the purposes enumerated, the compensating tax specified in subsection (11) of this section shall be imposed upon the current owner;
- d. the sale or transfer of fee title to the parks and recreation commission for park and recreation purposes;
- e. official action by an agency of the state of Washington or by the county or city within which the land is located that disallows the present use of such land;
- f. the creation, sale, or transfer of forestry riparian easements under RCW 76.13.120;
- g. the creation, sale, or transfer of a fee interest or a conservation easement for the riparian open space program under RCW 76.09.040;
- h. the sale or transfer of land within two years after the death of the owner of at least a fifty percent interest in the land if the land has been assessed and valued as designated forest land under chapter 84.33 RCW, or classified under chapter 84.34 continuously since 1993;
- i. the sale or transfer of land after the death of the owner of at least a fifty percent interest in the land if the land has been assessed and valued as designated forest land under chapter 84.33 RCW, or classified under chapter 84.34 RCW continuously since 1993 and the sale or transfer takes place within two years after July 22, 2001, and the death of the owner occurred after January 1, 1991; or
- j. the date of death shown on the death certificate is the date used.

The agreement to tax according to use of the property is not a contract and can be annulled or canceled at any time by the Legislature (RCW 84.34.070).

|  |        |
|--|--------|
|  | 050505 |
| Property Owner Triton America, LLC   | Date   |
| 1004 Commercial Avenue #249, Anacortes, WA 98221                                     |        |
| Address  |        |
|  |        |
| Property Owner   | Date   |
| Address  |        |
|  |        |
| Property Owner   | Date   |
| Address  |        |
|  |        |



**EXHIBIT "A"**

**LEGAL DESCRIPTION**

**DESCRIPTION:**

**PARCEL "A":**

That portion of Government Lot 1 and Government Lot 2 of Section 7, Township 34 North, Range 3 East, W.M., lying Westerly of Telegraph Slough and Northerly of the Great Northern Railway Company right of way,

EXCEPT THEREFROM that portion lying outside the existing dike rights of way and between the water line and the outside toe of said existing dikes, being those portions conveyed to C.S. Cumins, as Trustee of Swinomish Gun Club, Inc. by Deed recorded September 7, 1955, under Auditor's File No. 523710.

Situate in the County of Skagit, State of Washington.

**PARCEL "B":**

Government Lot 2 and that portion of Government Lot 3 of Section 1, Township 34 North, Range 2 East, W.M., lying East of the North and South centerline of the Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of said Section.

Situate in the County of Skagit, State of Washington.

**PARCEL "C":**

That portion of the North  $\frac{1}{2}$  of Section 12, Township 34 North, Range 2 East, W.M., lying Northerly of the Great Northern Railway Company right of way and Easterly of the following described line:

Beginning on the centerline of said Great Northern Railway at a point which bears North  $7^{\circ}59'30''$  West a distance of 291.30 feet from the meander corner between Sections 2 and 11, Township 34 North, Range 2 East, W.M.;

thence North  $34^{\circ}06'$  East 76.00 feet;  
thence North  $85^{\circ}22'$  East 284.48 feet;  
thence North  $76^{\circ}40'$  East, 460.28 feet;  
thence South  $70^{\circ}38'30''$  East, 224.70 feet;  
thence South  $87^{\circ}47'30''$  East, 140.89 feet;  
thence North  $71^{\circ}40'30''$  East, 147.00 feet;  
thence North  $63^{\circ}06'30''$  East 245.64 feet;  
thence North  $54^{\circ}04'30''$  East, 286.47 feet;  
thence North  $19^{\circ}00'30''$  East 209.60 feet;  
thence South  $84^{\circ}47'$  East, 224.55 feet;  
thence South  $16^{\circ}45'$  East, 260.23 feet;  
thence South  $21^{\circ}10'30''$  East, 427.25 feet;  
thence South  $61^{\circ}10'30''$  East, 221.25 feet;



200505110014

Skagit County Auditor

DESCRIPTION CONTINUED:

PARCEL "C" continued:

thence North 81°04'30" East, 154.04 feet;  
thence North 27°45'30" West, 43.45 feet;  
thence North 62°14'30" East, 191.50 feet;  
thence South 20°44'30" East, 507.75 feet;  
thence South 15°13'30" West, 262.25 feet;  
thence South 35°11'30" West, 300.00 feet;  
thence South 14°52'30" West, 500.00 feet to the centerline of the Great Northern Railway and the terminus of said line.

(All bearings are based on the centerline of the Westerly tangent of the Great Northern Railway, as bearing South 58° East.)

EXCEPT THEREFROM the six following described tracts:

EXCEPTION #1: That portion of the above described premises lying outside the existing dike rights of way and between the water line and the outside toe of said existing dikes being those portions conveyed to C.S. Cumins, as Trustee of Swinomish Gun Club, Inc., by Deed recorded September 7, 1955, under Auditor's File No. 523710.

EXCEPTION #2:

That portion of the Southwest ¼ of the Northeast ¼ of said Section 12, Township 34 North, Range 2 East, W.M., described as follows:

Beginning at the Southeast corner of Section 12;  
thence North along the Section line, 3012.1 feet to the intersection with the centerline of the Great Northern Railway;  
thence North 75°17'40" West, 2161.14 feet;  
thence at right angles North 14°42'20" East, 50 feet to the true point of beginning;  
thence North 14°42'20" East, 136.00 feet;  
thence South 76°21'40" East, 278.40 feet;  
thence South 9°58'20" West, 54.60 feet;  
thence South 38°43'40" East, 145.50 feet;  
thence North 75°17'40" West, 399.59 feet to the true point of beginning.

EXCEPTION #3:

That portion of the Northeast ¼ of Section 12, Township 34 North, Range 2 East, W.M., described as follows:

Beginning at the Southeast corner of said Section 12;  
thence North along the East line of said Section 12, a distance of 3012.1 feet to the centerline of the Great Northern Railway right of way;  
thence North 75°17'40" West along the centerline of said Great Northern Railway right of way a distance of 1308.04 feet;



200505110014

Skagit County Auditor

DESCRIPTION CONTINUED:

PARCEL "C", Exception #3 continued:

thence North 7°47'20" East a distance of 50.37 feet to the Northerly boundary of said Great Northern Railway right of way and the true point of beginning;  
thence continue North 7°47'20" East a distance of 147.00 feet;  
thence North 75°17'40" West a distance of 115.00 feet;  
thence South 7°47'20" West a distance of 147.00 feet to the Northerly boundary of said Great Northern Railway right of way;  
thence South 75°17'40" East a distance of 115.00 feet to the true point of beginning.

EXCEPTION #4:

That portion of the Northeast ¼ of Section 12, Township 34 North, Range 2 East, W.M., described as follows:

Beginning at the Southeast corner of said Section 12;  
thence North along the East line of said Section 12, a distance of 3012.1 feet to the centerline of the Great Northern Railway right of way;  
thence North 75°17'40" West along the centerline of said Great Northern Railway right of way a distance of 1463.34 feet;  
thence North 7°47'20" East a distance of 50.37 feet to the Northerly boundary of said Great Northern Railway right of way and the true point of beginning;  
thence continue North 7°47'20" East a distance of 198.00 feet;  
thence North 75°17'40" West a distance of 115.00 feet;  
thence South 7°47'20" West a distance of 198.00 feet to the Northerly boundary of said Great Northern Railway right of way;  
thence South 75°17'40" East a distance of 115.00 feet to the true point of beginning.

EXCEPTION #5:

That portion of the Northeast ¼ of Section 12, Township 34 North, Range 2 East, W.M., described as follows:

Beginning at the Southeast corner of said Section 12;  
thence North 0°35'50" East, 3057.51 feet (called 3012.1 feet in previous descriptions) to the centerline of the Burlington Northern Railroad (formerly Great Northern Railway) right of way;  
thence North 74°39'44" West (called North 75°17'40" West in previous descriptions), 1463.34 feet;  
thence North 8°25'16" East (called North 7°47'20" East in previous descriptions) 50.37 feet to the Northerly margin of said Burlington Northern Railroad right of way and being the true point of beginning;  
thence continue North 8°25'16" East, 198.00 feet;  
thence North 74°39'44" West, 115.00 feet parallel with said Northerly margin of the Burlington Northern Railroad right of way;  
thence North 8°25'16" East, 825.00 feet;  
thence North 89°24'10" East, 1380.28 feet to the East line of said Northeast ¼ of Section 12, Township 34 North, Range 2 East, W.M.;



200505110014  
Skagit County Auditor

**DESCRIPTION CONTINUED:**

PARCEL "C" Continued:

thence South 0°35'50" West, 1413.27 feet along said East line to said Northerly margin of the Burlington Northern Railway right of way at a point bearing South 74°39'44" East from the true point of beginning; thence North 74°39'44" West, 1456.25 feet along said Northerly margin to the true point of beginning.

EXCEPTION #6:

That portion of the Southwest ¼ of the Northeast ¼ of Section 12, Township 34 North, Range 2 East, W.M., described as follows:

Beginning at the Northwest corner of Lot 1, Short Plat No. 97-0056, approved September 8, 1997, recorded September 17, 1997 in Volume 13 of Short Plats, pages 36 to 38, inclusive, under Auditor's File No. 9709170034;

thence South 8°25'16" West a distance of 284.00 feet along the West line of said Lot 1 to the true point of beginning;

thence continuing South 8°25'16" West 16.00 feet to a corner of said Lot 1, said point also being the Northwest corner of a tract conveyed to Don L. Baldwin, et ux, by deed recorded October 11, 1983, under Auditor's File No. 8310110031;

thence South 7°47'20" West, along the Westerly line of said Baldwin tract, a distance of 198.00 feet to the Northerly boundary of the Great Northern right of way;

thence North 75°17'40" West, along the Northerly line of said right of way, a distance of 10.00 feet; thence Northeasterly, in a straight line, to the true point of beginning.

Situate in the County of Skagit, State of Washington.

PARCEL "D":

That portion of Government Lots 3 and 4, Section 1, and of Government Lot 1, Section 2, and of Government Lot 1, Section 11, and of the North ½ of the Northwest ¼, Section 12, all in Township 34 North, Range 2 East, W.M., lying Northerly of the right of way of the Great Northern Railway and Southerly and Westerly of the following described line:

Beginning on the centerline of said Great Northern Railway at a point which bears North 7°59'30" West a distance of 291.3 feet from the meander corner between Sections 2 and 11, Township 34 North, Range 2 East W.M.;

thence North 34°06' East, 76.00 feet;  
thence North 85°22' East, 284.48 feet;  
thence North 76°40' East, 460.28 feet;  
thence South 70°38'30" East, 224.70 feet;  
thence South 87°47'30" East, 140.89 feet;  
thence North 71°40'30" East, 147.00 feet;  
thence North 63°06'30" East, 245.64 feet;  
thence North 54°04'30" East, 286.47 feet;  
thence North 19°00'30" East, 209.60 feet;  
thence South 84°47' East, 224.55 feet;



200505110014

Skagit County Auditor



DESCRIPTION CONTINUED:

PARCEL "D" continued:

thence South 16°45' East, 260.23 feet;  
thence South 21°10'30" East, 427.25 feet;  
thence South 61°10'30" East, 221.25 feet;  
thence North 81°04'30" East, 154.04 feet;  
thence North 27°45'30" West 43.45 feet;  
thence North 62°14'30" East, 191.50 feet;  
thence South 20°44'30" East, 507.75 feet;  
thence South 15°13'30" West, 262.25 feet;  
thence South 35°11'30" West, 300.00 feet;  
thence South 14°52'30" West, 500.00 feet to the centerline of Great Northern Railway and the terminus of said line.

(All bearings are based on the centerline of the Westerly tangent of the Great Northern Railway, as bearing South 58° East.)

EXCEPT THEREFROM the four following described tracts:

EXCEPTION #1:

That portion of the above described premises lying outside the existing dike rights of way and between the water line and the outside toe of said existing dikes being those portions conveyed to C.S. Cumins, as Trustee of Swinomish Gun Club, Inc. by Deed recorded June 20, 1955, under Auditor's File No. 537672.

EXCEPTION #2:

Those portions of Government Lot 1, Section 2, and of Government Lot 1, Section 11, and of the Northwest ¼ of the Northwest ¼ of Section 12, lying Northerly of the right of way of the Great Northern Railway, all in Township 34 North, Range 2 East, W.M., described as follows:

Beginning at a point on the centerline of said Great Northern Railway, which point bears North 7°59'30" West, a distance of 291.30 feet from the meander corner between said Sections 2 and 11;  
thence North 34°06'00" East a distance of 76.00 feet;  
thence North 85°22'00" East a distance of 284.48 feet;  
thence North 76°40'00" East a distance of 460.28 feet;  
thence South 70°38'30" East a distance of 207.08 feet;  
thence South 17°50'16" West a distance of 637.96 feet to a point on the centerline of Great Northern Railway;  
thence North 58°00'00" West along the centerline of said Great Northern Railway a distance of 385.62 feet to a point on the South line of said Government Lot 1 of said Section 2, which point bears South 88°44'16" West a distance of 655.30 feet from that section corner common to Sections 1, 2, 11 and 12, and bears North 88°44'16" East a distance of 406.55 feet from the meander corner between Sections 2 and 11;  
thence North 58°00'00" West along the centerline of said Great Northern Railway, a distance of 527.15 feet to the point of beginning, EXCEPT the right of way of the Great Northern Railway.



200505110014

Skagit County Auditor

DESCRIPTION CONTINUED:

PARCEL "D" continued:

EXCEPTION #3:

A strip of land being 30.00 feet in width and lying adjacent to and Northerly of the right of way of the Great Northern Railway in said Government Lot 1, Section 11, and said Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 12, Township 34 North, Range 2 East, W.M., described as follows:

Beginning at the point of intersection of the centerline of said Great Northern Railway with the South line of said Government Lot 1 of Section 2, which point bears North  $88^{\circ}44'16''$  East a distance of 406.55 feet from the meander corner between Sections 2 and 11;  
thence South  $58^{\circ}00'00''$  East along the centerline of said Great Northern Railway, a distance of 385.62 feet to the true point of beginning of this description;  
thence South  $58^{\circ}00'00''$  East along said centerline of said Great Northern Railway, a distance of 779.73 feet;  
thence North  $32^{\circ}00'$  East a distance of 80.00 feet;  
thence North  $58^{\circ}00'00''$  West along a line which is parallel to and 80.00 feet measured at right angles to and Northerly of said centerline of said Great Northern Railway, a distance of 799.92 feet;  
thence South  $17^{\circ}50'16''$  West, a distance of 82.51 feet to that point on said centerline of said Great Northern Railway, which point is the true point of beginning of this description;

EXCEPT THEREFROM the right of way of the Great Northern Railway.

EXCEPTION #4:

A strip of land being 55.00 feet in width and lying adjacent to and Northerly of the right of way of the Great Northern Railway in said Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 12, Township 34 North, Range 2 East, W.M., described as follows:

Beginning at the point of intersection of the centerline of said Great Northern Railway with the South line of said Government Lot 1 of Section 2, which bears North  $88^{\circ}44'16''$  East a distance of 406.55 feet from the meander corner between Sections 2 and 11;  
thence South  $58^{\circ}00'00''$  East along the centerline of said Great Northern Railway, a distance of 1165.35 feet to the true point of beginning of this description;  
thence South  $58^{\circ}00'00''$  East along said centerline of Great Northern Railway, a distance of 301.28 feet to the point of beginning of a  $2^{\circ}00'$  Spiral Curve to the left;  
thence along said  $2^{\circ}00'$  Spiral Curve to the left an arc distance of 200.00 feet as measured by five 40 foot chords to the point on the centerline of said Great Northern Railway at the point of ending of said  $2^{\circ}00'$  Spiral Curve and the point of beginning of a  $2^{\circ}00'$  curve to the left, at which point the tangent to the curve bears South  $60^{\circ}00'00''$  East;  
thence along the centerline of said Great Northern Railway and on a  $2^{\circ}00'$  curve to the left, having a central angle of  $12^{\circ}35'54''$  and a total curve length of 629.91 feet, an actual arc distance of 550.24 feet to a point on the centerline of said Great Northern Railway, at which point the tangent to the curve bears South  $71^{\circ}00'18''$  East;



200505110014

Skagit County Auditor

DESCRIPTION CONTINUED:

PARCEL "D", Exception #4 continued:

thence North 18°59'42" East a distance of 105.00 feet;  
thence Westerly and Northerly along a line which is parallel to and 105.00 feet measured at right angles to  
and Northerly of said centerline of said Great Northern Railway to a point which bears North 32°00'00" East  
from the true point of beginning;  
thence South 32°00'00" West a distance of 105.00 feet to that point on said centerline of said Great Northern  
Railway, which point is the true point of beginning of this description;

EXCEPT THEREFROM the right of way of the Great Northern Railway.

EXCEPTING FROM ALL OF THE ABOVE those portions conveyed to Skagit County Diking District No.  
12 by Deeds recorded May 19, 1998 and March 3, 1999, under Auditor's File Nos. 9805190069 and  
9903030019.

Situate in the County of Skagit, State of Washington.

PARCEL "E":

Tract 2 of Skagit County Short Plat No. 97-0056, approved September 8, 1997, recorded September 17,  
1997, in Volume 13, pages 36 to 38, inclusive of Short Plats, under Auditor's File No. 9709170034, being a  
portion of the Northeast ¼ of Section 12, Township 34 North, Range 2 East, W.M.

TOGETHER WITH an easement for ingress, egress and utilities over, under and across the South 60 feet of  
Lot 1 of said Short Plat.

Situate in the County of Skagit, State of Washington.



200505110014

Skagit County Auditor