



200510310225  
Skagit County Auditor

After recording, return to:  
STATE OF WASHINGTON, Dept. of Natural Resources  
Special Lands Acquisition  
P.O. Box 47014, Olympia, WA 98504-7014

Reference No.: Escrow IMV 1326 MKP **CHICAGO TITLE CO. 1029617**  
Grantor: **SECRET HARBOR**, a Washington non-profit corporation  
Grantee: **STATE OF WASHINGTON**, acting by and through the Department of Natural Resources  
Legal Description (abbreviated): Ptn SW4 of Sec. 4, T35N, R1E, W.M.  
Skagit Co. ID: P31231, Ptn. P31225, P31228, P31208

**STATUTORY WARRANTY DEED**

**THE GRANTOR, SECRET HARBOR**, a Washington non-profit corporation, which acquired title as Johnson-Gallagher Foundation, a Washington non-profit corporation; Secret Harbor School, a Washington corporation; and Secret Harbor School, a Washington non-profit corporation,

for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, in hand paid, the receipt and sufficiency of which is hereby acknowledged, conveys and warrants to **STATE OF WASHINGTON**, acting by and through the Department of Natural Resources, the following described real estate, situated in the county of Skagit, State of Washington:

See legal description attached hereto and by reference made a part hereof, as shown on attached Exhibit "A"

**SUBJECT TO:** Schedule B-1 attached hereto and by reference made a part hereof. Also subject to: Reserved Interim Use License as shown on attached Exhibit C and attached Reserved Interim use map Exhibit C-1.

This deed, recorded under Auditor's File Number 200510310225 is linked together with deed recorded under Auditor's File Number 200510310224 for sale price purposes.

6103  
SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

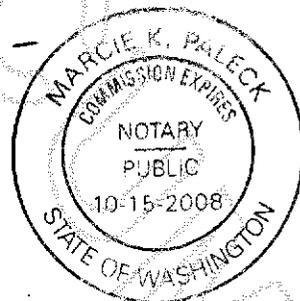
Dated: October 31 2005

OCT 31 2005

SECRET HARBOR, a Washington non-profit corporation

Amount Paid \$ 46018.-  
Skagit Co. Treasurer  
Deputy

By: Brian Carroll, President and CEO



**ACKNOWLEDGMENT**

STATE OF WASHINGTON )  
COUNTY OF SKAGIT )ss

On this 31 day of OCTOBER, 2005, personally appeared before me BRIAN CARROLL to me known to be the PRESIDENT & CEO of the Washington non-profit corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he/she/was they were authorized to execute said instrument for said corporation and that the seal affixed is the corporate seal of the said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

MARCIE K. PALECK

Marcie Paleck  
Notary Public in and for the State of  
Washington, residing at Argent View  
My appointment expires Oct. 15 2008

EXHIBIT "A"

LEGAL DESCRIPTION

PARCEL C:

The E ½ of the NE ¼ of the SW ¼ of Section 4, Township 35 North, Range 1 East, Willamette Meridian, Skagit County, Washington, according to U.S. Government subdivision procedures.

PARCEL D-1:

Tidelands of the second class as conveyed by the State of Washington by instruments recorded under Auditor's File Nos. 76080 and 87224, records of Skagit County, Washington, situated in front of, adjacent to or abutting upon that portion of Government Lot 1 of Section 4, Township 35 North, Range 1 East, Willamette Meridian, Skagit County, Washington, said portion as measured along the government meander line more particularly described as follows:

Beginning at the meander corner to said Section 4 and Section 33, being the Northeast corner of said Section 4;

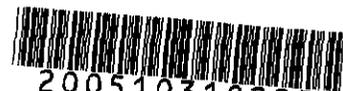
Thence along the government meander line South 52 1/2° West a distance of 8.45 chains;

Thence along said meander line South 63° West a distance of 10 chains to the True Point of Beginning;

Thence Southwesterly to the line between Government Lots 1 and 2 of said Section 4;

TOGETHER WITH the second class tidelands situated in front of, adjacent to or abutting upon Government Lots 2 and 4 of said Section 4.

continued.....



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**EXHIBIT 'A' continued:**

**PARCEL E:**

Tidelands of the second class, to the line of mean low tide, situated in front of, adjacent to or abutting upon that portion of Government Lot 1 of Section 4, Township 35 North, Range 1 East, Willamette Meridian, Skagit County, Washington, said portion being described along the government meander line as follows:

Beginning at the meander corner common to said Section 4 and Section 33, being the Northeast corner of said Section 4; thence along the government meander line South 52°30' West a distance of 8.45 chains; thence along said meander line South 63° West a distance of 10 chains.

**PARCEL F:**

Lots 1, 2 and 3 of Skagit County Short Plat No. 127-78, as recorded March 20, 1979 in Book 3 of Short Plats at page 83, under Auditor's File No. 7903200011, Records of Skagit County Washington, being situated within Government Lot 4 of Section 4, Township 35 North, Range 1 East, Willamette Meridian, Skagit County, Washington,

EXCEPT that portion of said Lot 1 described as follows:

Beginning at the Southwest corner of said Lot 1; thence North along the West line thereof a distance of 170 feet; thence East parallel with the South line of said Short Plat a distance of 80 feet; thence South parallel with the West line of said Lot 1 a distance of 170 feet to the South line of said Short plat; thence West along said South line a distance of 80 feet to the point of beginning.

- END OF EXHIBIT "A" -



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EXHIBIT "B"

1. Easement, including the terms, covenants, and provisions thereof, disclosed by Judgment Upon Remittitur  
Dated: January 23, 1956  
Cause No.: 22110, Superior Court of Skagit County  
In favor of: Government Lots 1, 2, and 3, Section 4, Township 35 North, Range 1 East of the Willamette Meridian, EXCEPT for a small tract owned by the Pacific American Fisheries  
For: Easement over a footpath  
Affects: The exact location of said easement is not disclosed of record

2. Easement delineated on the face of said Short Plat;  
For: Private Road  
Affects: 60 foot strip as delineated

Notes contained on the face of Short Plat as follows:

Water of sufficient quantity and/or quality for normal domestic purposes is not provided at the time of filing the plat the buyer should inquire as to availability of said water.

Road must be constructed to Skagit County standards before or at the time ferry service is extended to Cypress Island. The construction and maintenance of private road will be the responsibility of the lot owners.

Easement delineated on the face of said short plat;  
For: Purpose is undisclosed  
Affects: 10 foot and a 20 foot strip adjacent and Southerly of delineated private road affecting Lot 6

3. Easement, including the terms and conditions thereof, granted by instrument  
Recorded: October 12, 1994  
Auditor's No.: 9410120063, records of Skagit County, WA  
In favor of: Lots 1 through 10, inclusive SHORT PLAT NO. 127-78  
Recorded in Volume 3 of Short Plats, page 82  
For: Ingress, egress, utilities, pedestrians and use of boat ramp

Said easement was amended by instrument recorded February 15, 2001 under Auditor's File No. 200102150133



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4. Easement, including the terms and conditions thereof, granted by instrument  
Recorded: November 13, 1995  
Auditor's No.: 9511130019, records of Skagit County, WA  
In favor of: Lots 1 through 6  
For: utilities, pedestrians, vehicles, ingress, egress, boat  
house use, loading and off loading on ramp and dock together  
with the right of owners of Lots 1, 2, 3 and 7-10 to moor boats  
on dock  
Said easement contains, among other things, provisions for maintenance by the common  
users.

Said easement was amended by instrument recorded February 15, 2001 under  
Auditor's File No. 200102150130.

5. Easement, including the terms and conditions thereof, granted by instrument  
Recorded: April 5, 2000  
Auditor's No.: 200004050002, records of Skagit County, WA  
In favor of: Secret Harbor School  
For: Ingress, egress and utilities  
Affects: Said premises and other property

Said easement contains, among other things, provisions for maintenance by the  
common users.

Said easement was amended by instruments recorded February 15, 2001, August  
14, 2001 and August 30, 2001 under Auditor's File Nos. 200102150131,  
200108140043 and 200108300131.

6. Covenants, restrictions and easements contained in Conditional Agreement for  
Sewage System  
By: Joachim Richter  
And between: Skagit County  
Recorded: June 11, 1985  
Auditor's No.: 8506110001, records of Skagit County, WA  
Affects: Lot 2

7. Terms, conditions, and restrictions of that instrument entitled Covenants and  
restrictions contained in Special Use Permit;  
Recorded: April 24, 1998  
Auditor's No(s): 9804240007, records of Skagit County, Washington



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8. Easement, including the terms and conditions thereof, granted by instrument;  
Recorded: April 11, 1969  
Auditor's No.: 725284, records of Skagit County, Washington  
In favor of: Puget Sound Power & Light Company  
For: Underground electric system, together with  
necessary appurtenances  
Affects: Tidelands
9. Exceptions and reservations contained in Deed whereby the Grantor excepts and reserves all oils, gases, coal, ores, minerals, fossils, etc., and the right of entry for opening, developing and working mines, etc., provided that no rights shall be exercised until provision has been made for full payment of all damages sustained by reason of such entry;  
**Together With** the right, upon paying reasonable compensation, to acquire rights of way for transporting and moving products from other lands, contained in Deed  
From: The State of Washington  
Recorded: October 20, 1911; and April 3, 1915  
Auditor's No.: 87224 and 107270, records of Skagit County, Washington  
Affects: Tidelands
10. Exceptions and reservations as contained in Deed;  
Recorded: February 24, 1961  
Auditor's No.: 604565, records of Skagit County, Washington  
Executed By: Pacific American Fisheries, Inc.  
As Follows: Reserving however, to the grantor, its successors and assigns, the right to use for commercial fishing purposes the tidelands herein described and the tidelands abutting the uplands herein described  
Affects: Tidelands
11. Terms, conditions, and restrictions of that instrument entitled Order on Special Use Permit Request SU 01 0777;  
Recorded: June 20, 2002  
Auditor's No(s): 200206200085, records of Skagit County, Washington
12. Record of Survey under Skagit County Auditor's File No. 200207080137, records of Skagit County, Washington.
13. Covenants, conditions, and restrictions contained in instrument(s);  
Recorded: August 7, 2002  
Auditor's No(s): 200208070076, records of Skagit County, Washington  
Executed By: Secret Harbor School  
As Follows: Well protection zone  
Affects: Parcel F



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EXHIBIT C

Interim Use License Reservation to Secret Harbor

Seller reserves unto itself, its successors and assigns a temporary license for the use of certain areas and items located on Parcel 1 (identified on attached map): water system composed of water well, water tank and water lines, for backup supply and emergency purposes only; septic drainfield; and floating dock (collectively referred to as Licensed Improvements) as more specifically identified by location on attached map subject to the following conditions:

(i) Use is limited to Seller's continuing residential treatment purposes and will expire upon transfer of Parcel 2 (identified on attached map) to State but no later than November 15, 2006;

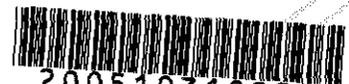
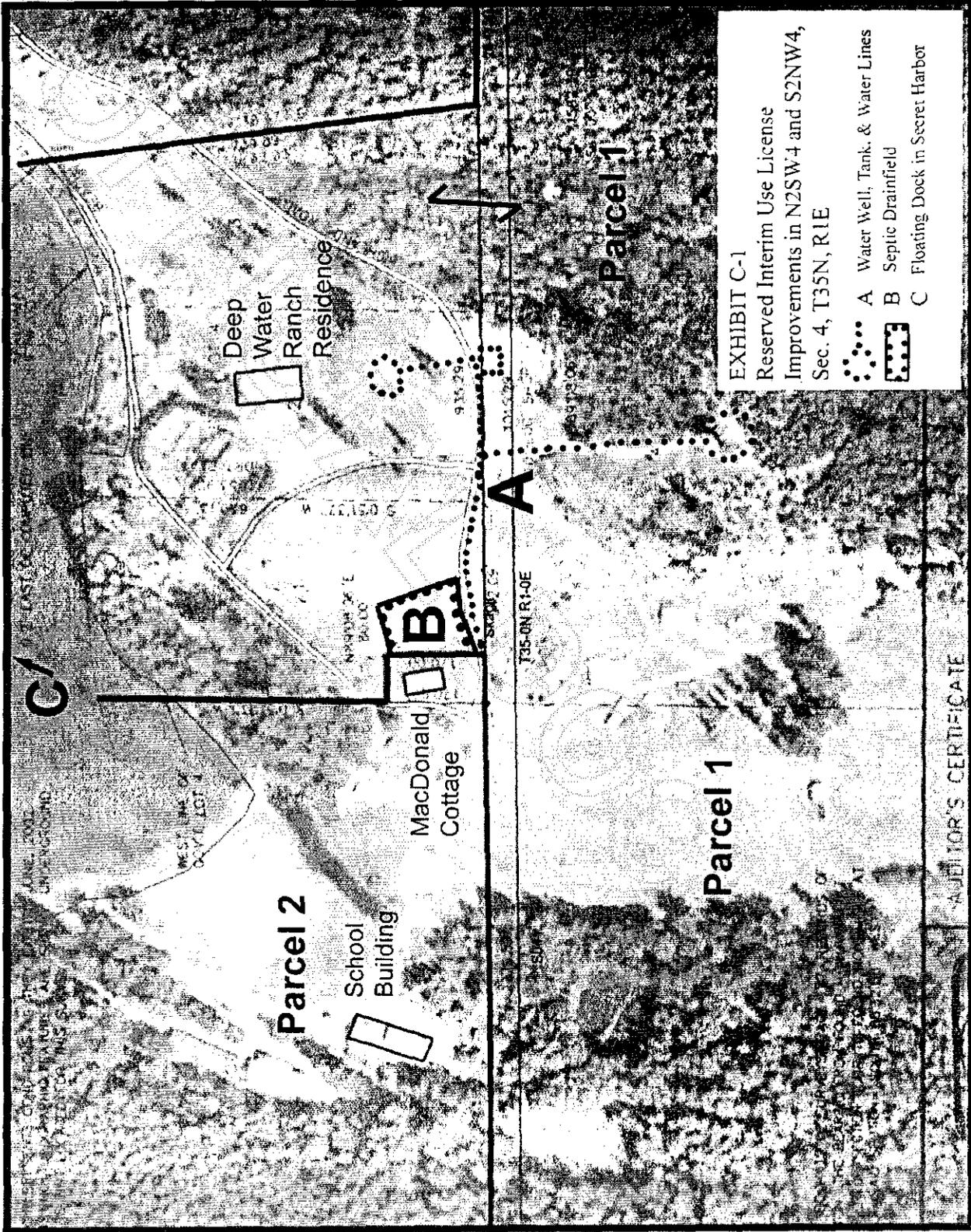
(ii) Seller assumes responsibility for all use of the Licensed Improvements by Seller, including but not limited to supervision and control of Seller's agents, employees, and invitees to prevent injury or damage, as well as maintenance, repair, and operation of the Licensed Improvements; and,

(iii) Special Restrictions in Section 5 and the Indemnity and Insurance Requirements in Section 7 of the Leasehold Reservation dated October 31, 2005 and recorded under Auditor's File No. \* shall apply equally to all Seller's activities conducted in association with all Licensed Improvements and are incorporated into this license by reference.

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