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State of Washington
Department of Transportation
Real Estate Services Office
P O Box 47338
Olympia, WA 98504-7338



200602010105
Skagit County Auditor

2/1/2006 Page 1 of 5 1:27PM

Document Title: Warranty Deed

Reference Number of Related Document: N/A

Grantor(s): Transmart Petroleum, L.L.C.

Grantee: State of Washington, Department of Transportation

Legal Description: Ptn SE¹/₄ of the SE¹/₄ of Section 2, T34N, R3E, WM

Additional Legal Description is on Page(s) 4 & 5 of Document

Assessor's Tax Parcel Number(s): 340302-4-008-0000 (P85133)

WARRANTY DEED

FIRST AMERICAN TITLE CO.

State Route 20, Fredonia to Pulver Rd. Vic.

70592-1

The Grantor, TRANSMART PETROLEUM, L.L.C., a Washington limited liability company, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS, and other valuable consideration, hereby conveys and warrants to the **State of Washington, Department of Transportation**, the following described real property situated in Skagit County, State of Washington, under the imminent threat of the Grantee's exercise of its rights of Eminent Domain:

For legal description and additional conditions,
see Exhibit A attached hereto and made a part hereof.

Also, the Grantor requests the Assessor and Treasurer of said County to set over to the remainder of the hereinafter described PARCEL "A", the lien of all unpaid taxes, if any, affecting the real estate herein conveyed, as provided for by RCW 84.60.070.

WARRANTY DEED

It is understood and agreed that delivery of this deed is hereby tendered and that the terms and obligations hereof shall not become binding upon the State of Washington unless and until accepted and approved hereon in writing for the State of Washington, Department of Transportation, by the Director of Real Estate Services.

Date: 2/20/06, 2006

TRANSMART PETROLEUM, L.L.C.,
a Washington limited liability company

By: [Signature]

Its: Member / Manager

By: _____

Its: _____

Accepted and Approved

STATE OF WASHINGTON,
Department of Transportation

By: [Signature]

for Gerald L. Gallinger
Director, Real Estate Services

Date: 1/30/06



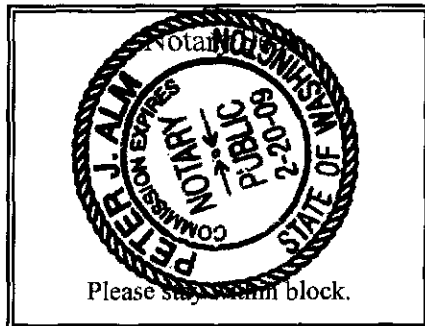
200602010105
Skagit County Auditor

WARRANTY DEED

STATE OF WASHINGTON)
 : ss.
County of Whatcom)

On this 5th day of December, 2005, before me personally appeared Ed Lowery and _____, to me known to be the member / manager and _____ of TRANSMART PETROLEUM, L.L.C., a Washington limited liability company, that executed the foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said limited liability company, for the uses and purposes therein mentioned, and on oath stated that he/she/they was/were authorized to execute said instrument.

GIVEN under my hand and official seal the day and year last above written.



Peter Alm
Notary (print name) Peter Alm
Notary Public in and for the State of Washington
residing at Seattle, WA
My Appointment expires 2-20-09

507
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

FEB 01 2006

Amount Paid \$ 0
By Lp Skagit Co. Treasurer Deputy



WARRANTY DEED

EXHIBIT A

All that portion of the hereinafter described PARCEL "A" lying southwesterly, and southeasterly of a line beginning at a point opposite Highway Engineer's Station (hereinafter referred to as HES) AV 11+39.30 on the AV line survey of SR 20, Fredonia to Pulver Rd. Vic., and 30 feet northeasterly therefrom; thence southeasterly parallel with said AV line survey to a point opposite HES AV 10+86.03 thereon; thence southeasterly, to a point opposite HES 659+60 on the SR 20 line survey on said highway and 25 feet northwesterly therefrom; thence northeasterly parallel with said SR 20 line survey to a point opposite HES 662+50 thereon and the end of said line description

PARCEL "A"

That portion of the two strips of land conveyed to the Seattle and Northern Railway Company by deeds recorded in Volume 9 of Deeds, at page 311, and Volume 16 of Deeds, at page 65, described as follows:

All that portion of the Burlington Northern and Sante Fe Railway Company's right-of-way in the southeast quarter of the southeast quarter of Section 2, Township 34 North, Range 3 East, W.M., described as follows:

The southeasterly 125.0 feet of the Burlington Northern and Sante Fe Railway Company's (formerly Great Northern Railway Company), 200 foot wide Station Ground property at Avon, Washington, being 50.0 feet wide on the northwesterly side and 150.0 feet wide on the southeasterly side of said railway company's main track centerline, as now located and constructed upon, over and across the southeast quarter of the southeast quarter of Section 2, Township 34 North, Range 3 East, W.M., lying between two lines drawn parallel with and distant respectively, 25.0 feet and 150.0 feet southeasterly, as measured at right angles from said main track centerline bounded on the southwest by the northwesterly extension of the northeasterly line of 60.0 foot wide Main Street, according to the recorded plat of Avon and bounded on the northeast by a line drawn parallel with and distant, 275.0 feet northeasterly, as measured at right angles from said northwesterly extension of the northeasterly line of 60.0 foot wide Main Street.

Also, the Grantor herein conveys and grants to the State of Washington all rights of ingress and egress (including all existing, future or potential easements of access, light, view and air) to, from and between SR 20, Fredonia to Pulver Rd. Vic. and the remainder of said PARCEL "A";



WARRANTY DEED

EXHIBIT "A" (Continued)

EXCEPT that the State shall construct on its right of way a Type "D" off and on approach, not to exceed 50 feet in width, for use necessary to the normal operation of a commercial establishment, on the northeasterly side of Avon Allen Road, at or near Highway Engineer's Station AV 11+02, as shown on Sheet 13 of 23 Sheets of the hereinafter mentioned map of definite location, and to which off and on approach only, the Grantor, its successors, or assigns, reserves a right of reasonable access, for that purpose only, which approach shall be maintained between the right of way line and the shoulder line of said Avon Allen Road by the Grantor, its successors or assigns. Said approach is to be used to serve more than one owner and/or utility.

ALSO EXCEPT that the State shall construct on its right of way a Type "D" off and on approach, not to exceed 50 feet in width, for use necessary to the normal operation of a commercial establishment, on the northwesterly side of SR 20, at or near Highway Engineer's Station 661+80, as shown on Sheet 13 of 23 Sheets of the hereinafter mentioned map of definite location, and to which off and on approach only, the Grantor, its successors, or assigns, reserves a right of reasonable access for that purpose only, which approach shall be maintained between the right of way line and the shoulder line of said SR 20 by said Grantor, its, successors or assigns. Traffic using this approach will be limited to right in/right out movements.

The lands herein described contain an area of 1,083 square feet, more or less, the specific details concerning all of which are to be found in that certain map of definite location now of record and on file in the office of the Secretary of Transportation at Olympia, and bearing date of approval June 3, 2005, revised July 1, 2005.

Grantor's Initials
E.A.

