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



200602010106

Skagit County Auditor

2/1/2006 Page

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5 1:27PM

Document Title: Temporary Easement

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 of Document

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

TEMPORARY EASEMENT

FIRST AMERICAN TITLE CO.

70592-2

State Route 20, Fredonia to Pulver Rd. Vic.

The Grantor, TRANSMART PETROLEUM, L.L.C., a Washington limited liability company, for and in consideration of the Grantee realigning or reconnecting Grantor's existing driveways, hereby conveys and grants unto the **State of Washington, Department of Transportation** and its assigns under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and easement over, upon, and across the hereinafter described lands for the purpose of providing a work area for adjacent highway construction-related activities.

The Temporary rights herein granted shall terminate on December 31, 2009.

Said lands being situated in Skagit County, State of Washington, and described as follows:

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

TEMPORARY CONSTRUCTION EASEMENT

It is understood and agreed that delivery of this Easement 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 its Director of Real Estate Services.

Date: Dec 5, 2005

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

By: [Signature]

Its: Member/Manager

By: _____

Its: _____

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

FEB 01 2006

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

Accepted and Approved

STATE OF WASHINGTON,
Department of Transportation

By: [Signature]
for Gerald L. Gallinger
Director, Real Estate Services

Date: 1/20/06



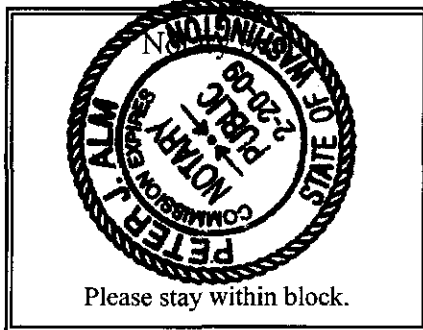
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TEMPORARY CONSTRUCTION EASEMENT

STATE OF WASHINGTON)
 : ss.
County of Whatcom)

On this 5th day of December, 2005, before me personally appeared Ed Lohrey 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

TEMPORARY CONSTRUCTION EASEMENT

EXHIBIT A

All that portion of the hereinafter described PARCEL "A" lying within a tract of land beginning at a point opposite Highway Engineer's Station (hereinafter referred to as HES) AV 10+71 on the AV line survey of SR 20, Fredonia to Pulver Rd. Vic. and 37 feet northeasterly therefrom; thence northwesterly to a point opposite HES AV 10+86.03 on said line survey and 30 feet northeasterly therefrom; thence northwesterly parallel with said line survey to a point opposite HES AV 11+39.30 thereon; thence northeasterly to a point opposite HES AV 11+38.49 on said line survey and 48 feet northeasterly therefrom; thence southeasterly parallel with said line survey to a point opposite HES AV 10+71 thereon; thence southwesterly to a point opposite said HES AV 10+71 and the point of beginning

ALSO all that portion of the hereinafter described PARCEL "A" lying within a tract of land beginning at a point opposite HES 661+50 on the SR 20 line survey of SR 20, Fredonia to Pulver Rd. Vic. and 25 feet northwesterly therefrom; thence northwesterly to a point opposite said HES 661+50 and 42 feet northwesterly therefrom; thence northeasterly parallel with said line survey to a point opposite HES 662+50 thereon; thence southeasterly to a point opposite said HES 662+50 and 25 feet northwesterly therefrom; thence southwesterly parallel with said line survey to the point of beginning.

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



TEMPORARY CONSTRUCTION EASEMENT

EXHIBIT "A" (Continued)

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.

The lands herein described contain an area of 2,106 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
