

Upon Recording Return To:  
Todd Walker  
Washington Department of Fish & Wildlife  
Real Estate Services  
600 Capitol Way North  
Olympia, Washington 98501-1091



200603140038  
Skagit County Auditor

3/14/2006 Page 1 of 3 9:30AM

Document Title: Deed Of Right To Use Land For Salmon and Conservation Purposes.  
Reference No. of Related Document: A.F. #200512020010 (McMoran property).  
Grantor: The State of Washington.  
Grantee: The State of Washington.  
Legal Description: Portion Gov't Lots 3 and 4, 31-35-3 EWM; and portion W1/2SW1/4, 32-35-3 EWM.  
Assessor's Parcel Nos.: 350331-0-001-0008, P35064; 350331-0-002-0007, P35065; 350331-3-008-0004, P35262;  
350332-0-024-0000, P35194; 350332-0-020-0004, P35186.

### DEED OF RIGHT TO USE LAND FOR SALMON RECOVERY AND CONSERVATION PURPOSES

The Grantor, the State of Washington, Department of Fish and Wildlife, for and in consideration of monies coming in whole or in part from the Salmon Recovery Funding Board of the State of Washington and in fulfillment of terms of the Project Agreement identified below, conveys and grants to the State of Washington individually and as the representative of the people of the State, the right to use the real property described below forever for salmon recovery and conservation purposes.

Those purposes are described in the Project Agreement entered into between the Grantor and the State of Washington through the Salmon Recovery Funding Board, titled Telegraph Slough Complex, Project Number IAC 03-1182A signed by the Grantor on the 31<sup>st</sup> day of August, 2005 and by the Salmon Recovery Funding Board on the 15<sup>th</sup> day of July, 2005 and the application and supporting materials which are on file with the Grantor and the State in connection with the Project Agreement.

The Grantor will not make or permit to be made any use of the real property described in this deed, or any part of it, which is inconsistent with the right to use for salmon recovery and conservation purposes herein granted unless the State, through the Salmon Recovery Funding Board or its successors, consents to the inconsistent use. This consent shall be granted only upon the following conditions, which will ensure other land will be substituted.

The conditions are that the substituted salmon recovery and conservation land must be: (1) of at least equal fair market value at the time of change of use and of as nearly as feasible equivalent (2) qualities, (3) characteristics and (4) location for salmon recovery and conservation purposes for which state assistance was originally granted.

The real property covered by this deed is described as follows:

PARCEL "A":

Government Lots 3 and 4 of Section 31, Township 35 North, Range 3 East, W.M., EXCEPT the four following described tracts:

- 1.) Begin at the Northeast corner of said Government Lot 3;  
thence South along the East line of said subdivision, 382 feet;  
thence West, 100 feet to the center of the county road as it existed on December 9, 1892;  
thence North 51°36' West, 615 feet, more or less, to the North line of said subdivision;  
thence East along said North line, 582 feet, more or less, to the point of beginning.
- 2.) The County Road right-of-way known as the Bayview-Edison Road across a Northeasterly portion of said Government Lot 3.

- 3.) The right-of-way condemned for Diking District No. 8 across the Northerly line of Government Lot 3 and across the Westerly lines of Government Lots 3 and 4.  
4.) That portion of said Government Lot 4, lying South of the centerline of that certain open drainage ditch, as said ditch existed on April 6, 1942, which is approximately 10 feet in width running in a slightly irregular, but in a general Easterly and Westerly direction through the South portion of said Government Lot 4, to Padilla Bay.

Situate in the County of Skagit, State of Washington.

PARCEL "B":

That portion of the West half of the Southwest quarter of Section 32, Township 35 North, Range 3 East, W.M., described as follows:

Begin at a point on the West line of said Southwest quarter, which is 801 feet South of the West quarter corner of said Section 32;  
thence East, 330.8 feet to the center of said County Road;  
thence Southerly along the centerline of the County Road to a point 403 feet North of the South line of said Section 32;  
thence West, 1045 feet, more or less, to the West line of said Section 32;  
thence North along said West line to the point of beginning,  
EXCEPT the County Road right-of-way known as the Bayview-Edison Road along the Easterly line thereof.

Situate in the County of Skagit, State of Washington.

PARCEL "C":

That portion of the Northwest quarter of the Southwest quarter of Section 32, Township 35 North, Range 3 East, W.M., more particularly described as follows:

Beginning at the intersection of the West line of said subdivision with the Westerly right-of-way line of County Road known as Bayview-Edison Road, which point is 455.37 feet South of the quarter corner between Sections 31 and 32;  
thence South along the West line of said subdivision, 345.63 feet;  
thence East, 315.19 feet to the Southerly right-of-way line of said road;  
thence North 50°10' West along said right-of-way line 354.61 feet;  
thence North 7°50' West along said right-of-way line, 114.31 feet to the point of beginning.

Situate in the County of Skagit, State of Washington.

This deed shall in no way modify or extinguish the functions of the Grantor under the Project Agreement, including the Grantor's functions to operate and maintain the land as set out in the Project Agreement.

Dated this 9 day of March, 2006.

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

MAR 14 2006

Amount Paid  
By [Signature] Skagit Co. Treasurer  
Deputy

The State of Washington, The Department of Fish and Wildlife

[Signature]

Mark Quinn, Lands Division Manager



200603140038  
Skagit County Auditor

