

After recording return document to:

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



200604210088

Skagit County Auditor

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Document Title: Quitclaim Deed (Access Rights Only)

Reference Number of Related Document: N/A

Grantor(s): Cargill, Incorporated

Grantee(s): State of Washington, Department of Transportation

Legal Description: Ptn SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ 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)

**QUITCLAIM DEED
(ACCESS RIGHTS ONLY)**

FIRST AMERICAN TITLE CO.

69399-2

State Route 20, Fredonia to Pulver Rd. Vic.

The Grantor CARGILL, INCORPORATED, a Delaware corporation, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS, and other valuable consideration, hereby conveys and quitclaims to the **State of Washington, Department of Transportation**, all rights of ingress and egress (including all existing, future or potential easements of access, light, view and air) to, from and between State Route 20, Fredonia to Pulver Rd. Vic. and the following described real estate abutting thereon, and any after acquired interest therein, situated in Skagit County, State of Washington, under the imminent threat of the Grantee's exercise of its right of Eminent Domain:

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

QUITCLAIM DEED – Access Rights Only

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: February 16, 2006

CARGILL, INCORPORATED,
a Delaware corporation

By: *D.G. Cieslak*
David G. Cieslak
Its: Vice President of the
Cargill Animal Nutrition
Business Unit

¹⁸⁸⁶
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

APR 21 2006

Amount Paid \$ 0
Skagit Co. Treasurer
By *SP* Deputy

Accepted and Approved

STATE OF WASHINGTON,
Department of Transportation

By: *G. L. Gallinger*
Gerald L. Gallinger
Director, Real Estate Services

Date: April 18 2006



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QUITCLAIM DEED – Access Rights Only

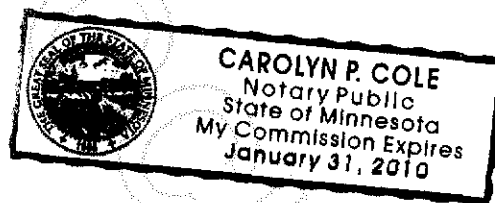
STATE OF MINNESOTA)
 : ss.
County of HENNEPIN)

On this 16th day of February, 2006, before me personally appeared David G. Cieslak to me known to be the Vice President * of the corporation that executed the 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 they were authorized to execute said instrument and that the seal affixed is the corporate seal of said corporation.

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

* of the Cargill Animal
Nutrition Business Unit

Carolyn P. Cole
Notary (print name) Carolyn P. Cole
Notary Public in and for the State of Minnesota,
residing at Hennepin County
My Appointment expires January 31, 2010



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QUITCLAIM DEED – Access Rights Only

EXHIBIT A

ACCESS RIGHTS ONLY in and to the following described parcel:

PARCEL A

An easement for "ingress, egress and operation of a scale", "parking" and "maneuvering" on that certain parcel of land lying between the west line of the below described property and the east line of the Avon-Allen Road as set forth more particularly described in that certain Decree entered November 26, 2003 in Skagit County Superior Court Cause No. 02-2-01905-9.

TRACT X

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:

Beginning at a point on the east line of said Section 2, distant northerly 441.72 feet from the southeast corner of said Section 2; thence South 63°27'50" West (bearing assumed for the purpose of this description) along a line parallel with and distant southeasterly, 150.0 feet from the centerline of the Burlington Northern and Sante Fe Railway Company's main line track, a distance of 448.8 feet to the easterly line of that certain parcel of land described in Deed dated November 24, 1997, from the Burlington Northern and Sante Fe Railway Company to Northwest Fuel Company, Inc., recorded under Auditor's File No. 9712110022, records of Skagit County, Washington, said easterly line of said Deed being parallel with and distant 275.0 feet northeasterly, as measured at right angles from the northwesterly extension of the northeasterly line of 60 foot wide Main Street, according to the recorded plat of Avon; thence North 28°52'18" West along the easterly line of said Deed, a distance of 126.10 feet to a line parallel with and distant southeasterly 24.0 feet from said centerline; thence North 63°27'50" East along said parallel line, a distance of 514.20 feet to said east line of Section 2; thence South 00°58'30" East along said east line, a distance of 139.67 feet to the point of beginning.

QUITCLAIM DEED – Access Rights Only

EXHIBIT A
(continued)

EXCEPT that portion thereof deeded to the State of Washington by Deed recorded as Auditor's File No, 9002090065

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 (hereinafter referred to as HES) 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. 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 HES 662+30, 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. Traffic using this approach will be limited to right in/right out movements.

Said approaches shall be maintained between the right of way line and the shoulder line of said Highway by the Grantor/Owner, their successors or assigns.

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 November 4, 2005.

