

After recording return document to:

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



200604210089
Skagit County Auditor

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Document Title: Temporary Easement

Reference Number of Related Document: N/A

Grantor(s): Cargill, Incorporated

Grantee: State of Washington, Department of Transportation

Legal Description: Ptn SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 2 and ptn of the SW $\frac{1}{4}$ of Section 1, T34N, R3E, WM

Additional Legal Description is on Page(s) 4, 5 & 6 of Document

Assessor's Tax Parcel Number(s): 340301-0-012-0002 (P20933); 340302-4-009-0000 (P85134); 340302-4-008-0000 (P85133)

FIRST AMERICAN TITLE CO.

69399-3

TEMPORARY EASEMENT

State Route 20, Fredonia to Pulver Rd. Vic.

The Grantor, CARGILL, INCORPORATED, a Delaware corporation, for and 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: February 16, 2006

CARGILL, INCORPORATED,
a Delaware corporation

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

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

APR 21 2006

Amount Paid \$ 0
By  Deputy
Skagit Co. Treasurer

Accepted and Approved

STATE OF WASHINGTON,
Department of Transportation

By: 
Gerald L. Gallinger
Director, Real Estate Services

Date: 4/21/2006



TEMPORARY CONSTRUCTION EASEMENT

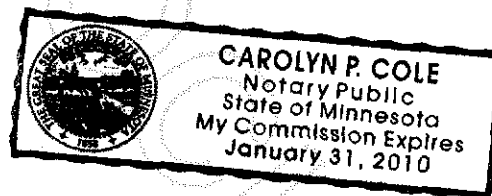
STATE OF MINNESOTA)
 : SS.
County of HENNEPIN)

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 he/she/they was/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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Skagit County Auditor

TEMPORARY CONSTRUCTION EASEMENT

EXHIBIT A

All that portion of the hereinafter described TRACT "X" 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 AV line survey and 30 feet northeasterly therefrom; thence northwesterly parallel with said AV 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 AV line survey and 48 feet northeasterly therefrom; thence southeasterly parallel with said AV line survey to a point opposite HES AV 10+71 thereon; thence southwesterly to the point of beginning.

ALSO all that portion of the hereinafter described TRACT "X" lying within a tract of land beginning at a point opposite HES 661+50 on the SR 20 line survey of said Highway 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 SR 20 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 SR 20 line survey to the point of beginning.

ALSO all that portion of the hereinafter described TRACT "X" lying within a tract of land beginning at a point opposite HES 664+90 on the SR 20 line survey of said Highway and 24.29 feet northwesterly therefrom; thence northwesterly to a point opposite said HES 664+90 and 35 feet northwesterly therefrom; thence northeasterly parallel with said SR 20 line survey to a point opposite HES 665+55 thereon; thence southeasterly to a point opposite said HES 665+55 and 22.90 feet northwesterly therefrom; thence southwesterly to the point of beginning.

ALSO, all that portion of the hereinafter described TRACT "X" lying within a tract of land beginning at a point opposite HES 667+73 on the SR 20 line survey of said Highway and 25.00 feet northwesterly therefrom; thence northwesterly to a point opposite said HES 667+73 and 39 feet northwesterly therefrom; thence northeasterly parallel with said SR 20 line survey to a point opposite HES 670+25 thereon; thence southeasterly to a point opposite said HES 670+25 and 25.00 feet northwesterly therefrom; thence southwesterly parallel with said SR 20 line survey to the point of beginning.



TEMPORARY CONSTRUCTION EASEMENT

EXHIBIT A (continued)

TRACT "X"

PARCEL A

That portion of the southwest quarter of Section 1, Township 34 North, Range 3 East, W.M., in Skagit County, Washington, lying between the south line of the Great Northern Railroad right-of-way and the north line of the State Highway right-of-way as said right-of-way is shown on that certain map approved May 20, 1944, entitled SR 20, Bayview-Burlington Naval Access Road, on Sheet 1 of 2 on file with the State of Washington, Department of Transportation;

EXCEPT mineral rights, as reserved by the United States of America by Deed recorded under Auditor's File No. 370956, records of Skagit County, Washington.

PARCEL B

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., in Skagit County, Washington, 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



TEMPORARY CONSTRUCTION EASEMENT

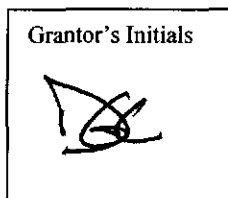
EXHIBIT A (continued)

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.

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

TOGETHER WITH 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 above 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.

The lands herein described contain an area of 5,022 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 November 4, 2005.



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