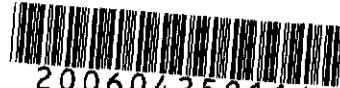


When recorded return to:

Jack Wallace
Po Box 405
Burlington, WA 98233

Recorded at the request of:
First American Title
File Number:



200604250116
Skagit County Auditor

4/25/2006 Page 1 of 9 1:49PM

Statutory Warranty Deed

THE GRANTOR Terminal Cold Storage, a Washington general partnership for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to G & D Wallace Inc. the following described real estate, situated in the County of Skagit, State of .

Abbreviated Legal:
Ptns. Section 34, Township 36, Range 3

FIRST AMERICAN TITLE CO.

1387631E

For Full Legal See Attached Exhibit "A"

Subject to covenants, conditions, restrictions and easements, if any, as per attached Exhibit "B"

Tax Parcel Number(s): P118489, P48639, P48650, P48649, P48646, P48657, 360334-4-001-0006, 360334-1-005-0008, 360334-4-002-0300, 360334-3-001-0008, 360334-2-005-0006, 360334-3-002-0007

Dated 04/20/06

Terminal Cold Storage

By Lowell C. Dayton, Managing Partner

1740
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

APR 25 2006

Amount Paid \$ 12821.00
By Skagit Co. Treasurer
Deputy

STATE OF Washington }
COUNTY OF Skagit } SS:

I certify that I know or have satisfactory evidence that Lowell C. Dayton is/are the person(s) who appeared before me, and said person(s) acknowledge he signed this instrument, on oath stated he is/are authorized to execute the instrument and acknowledge that as the Managing Partner of Terminal Cold Storage to be the free and voluntary act of such party(ies) for the uses and purposes mentioned in this instrument.

Dated: _____

Notary Public in and for the State of _____
Residing at _____
My appointment expires: _____

State of California

County of Riverside

On April 22, 2005 before me, Ashley Franz, Notary Public
(DATE) (NAME/TITLE OFFICER-I.E. "JANE DOE, NOTARY PUBLIC")
personally appeared Lowell C. Dayton
(NAME(S) OF SIGNER(S))

☐ personally known to me OR -

☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Witness my hand and official seal.

(SEAL)

(SIGNATURE OF NOTARY)

ATTENTION NOTARY

The information requested below and in the column to the right is **OPTIONAL**. Recording of this document is not required by law and is also optional. It could, however, prevent fraudulent attachment of this certificate to any unauthorized document.

THIS CERTIFICATE
MUST BE ATTACHED
TO THE DOCUMENT
DESCRIBED AT RIGHT:

Title or Type of Document Statutory Warranty Deed
Number of Pages 1 Date of Document April 20, 2005
Signature Other Than Named Above _____

RIGHT THUMBPRINT (Optional)



CAPACITY CLAIMED BY SIGNER(S)

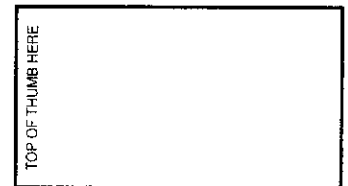
☐ INDIVIDUALS
☐ CORPORATE _____

OFFICER(S) _____
(TITLES)

☐ PARTNER(S) ☐ LIMITED
☐ GENERAL
☐ ATTORNEY IN FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER _____

SIGNER IS REPRESENTING:
(Name of Person(s) or Entity(ies))

RIGHT THUMBPRINT (Optional)



CAPACITY CLAIMED BY SIGNER(S)

☐ INDIVIDUALS
☐ CORPORATE _____

OFFICER(S) _____
(TITLES)

☐ PARTNER(S) ☐ LIMITED
☐ GENERAL
☐ ATTORNEY IN FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER _____

SIGNER IS REPRESENTING:
(Name of Person(s) or Entity(ies))



200604250116
Skagit County Auditor

EXHIBIT A

PARCEL "A":

Tract 1 of Short Plat No. 35-80, approved March 17, 1981 and recorded March 19, 1981 under Auditor's File No. 8103190003 in Volume 5 of Short Plats, page 38, records of Skagit County, Washington; being a portion of the Southeast $\frac{1}{4}$ and of the Northeast $\frac{1}{4}$ of Section 34, Township 36 North, Range 3 East, W.M., EXCEPT mineral rights as reserved in instrument recorded January 18, 1979 under Auditor's File No. 894954.

PARCEL "B":

Portions of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 34, Township 36 North, Range 3 East, W.M., described as follows:

The North ten acres of the South twenty-five acres of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 34, Township 36 North, Range 3 East, W.M., more particularly described as follows:

Beginning at a point on the West line of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section, Township and Range, 30 rods North of the Southwest corner of said Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$; thence East 80 rods; thence North 20 rods; thence West 80 rods; thence South 20 rods to the place of beginning,

TOGETHER WITH the following described parcel of land:

Commencing at a stake situated in the center of Section 34 in Township 36 North of Range 3 East, W.M. in said Skagit County, running thence East 80 rods; thence South 30 rods; thence West 80 rods; thence North 30 rods to the place of beginning, all in the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 34, Township 36 North, Range 3 East, W.M.,

TOGETHER WITH the following described parcel of land:

Beginning at a post 24 rods East of the center of the Southwest $\frac{1}{4}$ of Section 34, Township 36 North, Range 3 East, W.M.; thence North 80 rods; thence East 56 rods; thence South 60 rods; thence West 40 rods; thence South 20 rods; thence West 16 rods to the place of beginning,

TOGETHER WITH the following described parcel of land:

Beginning at the Southwest corner of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 34; thence running East on the subdivision line 80 rods; thence North 30 rods; thence West 80 rods; thence South 30 rods to the place of beginning.

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200604250116
Skagit County Auditor

EXCEPTING therefrom all that portion lying South and West of the following described line:

Commencing at the Southeast corner of said Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 34; thence North $89^{\circ}53'42''$ West along the South line thereof a distance of 828.00 feet to the true point of beginning of the aforementioned line; thence North $00^{\circ}58'16''$ East a distance of 294.18 feet; thence North $85^{\circ}10'08''$ West a distance of 140.67 feet; thence North $04^{\circ}25'22''$ East a distance of 36.68 feet; thence North $84^{\circ}17'44''$ West a distance of 29.62 feet; thence North $05^{\circ}27'07''$ East a distance of 4.11 feet; thence North $89^{\circ}53'42''$ West a distance of 339.75 feet to the West line of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 34 and the end of this line.

ALSO EXCEPT from all of the above, rights-of-way of Drainage District No. 18,

TOGETHER WITH and subject to access and utility easements described as follows:

All that portion of the Southeast $\frac{1}{4}$ of Section 34, Township 36 North, Range 3 East, W.M., described as follows:

Commencing at the Southwest corner of said Southeast $\frac{1}{4}$ of Section 34; thence North $00^{\circ}42'54''$ East along the West line thereof a distance of 65.37 feet to the North line of the Bow Hill County Road, said point being the true point of beginning; thence continuing North $00^{\circ}42'54''$ East a distance of 1265.83 feet; thence South $89^{\circ}53'42''$ East a distance of 6.47 feet; thence North $01^{\circ}05'49''$ East a distance of 315.33 feet to the beginning of a tangent curve to the right having a radius of 65.00 feet; thence Northeasterly along the arc of said curve passing through a central angle of $93^{\circ}48'11''$ for an arc distance of 106.42 feet; thence South $85^{\circ}06'00''$ East a distance of 263.28 feet; thence South $04^{\circ}54'00''$ West a distance of 20.00 feet; thence North $85^{\circ}06'00''$ West a distance of 81.53 feet; thence South $02^{\circ}46'24''$ West a distance of 10.01 feet to Reference Point "A"; thence North $85^{\circ}06'00''$ West a distance of 182.12 feet to the beginning of a tangent curve to the left having a radius of 35.00 feet; thence Southwesterly along the arc of said curve passing through a central angle of $93^{\circ}48'11''$ for an arc distance of 57.30 feet; thence South $01^{\circ}05'49''$ West a distance of 199.78 feet; thence South $89^{\circ}53'42''$ East a distance of 0.25 feet; thence South $00^{\circ}42'54''$ West a distance of 115.01 feet; thence North $89^{\circ}53'42''$ West a distance of 12.50 feet; thence South $00^{\circ}42'54''$ West a distance of 1273.45 feet to a point on said North line of the Bow Hill County Road, said point lying on a non-tangent curve to the right having a radius of 1061.35 feet the center of which bears North $16^{\circ}23'36''$ East; thence Northwesterly along the arc of said curve passing through a central angle of $01^{\circ}24'24''$ for an arc distance of 26.06 feet to the true point of beginning;

AND ALSO the following described parcel of land:

Beginning at Reference Point "A"; thence South $02^{\circ}46'24''$ West a distance of 51.30 feet; thence South $07^{\circ}13'26''$ East a distance of 47.57 feet; thence South $07^{\circ}10'59''$ West a distance of 83.51 feet; thence North $87^{\circ}33'42''$ West a distance of 179.80 feet to the beginning of a tangent curve to the left having a radius of 35.00 feet; thence Southwesterly along the arc of said curve passing through a central angle of $91^{\circ}20'29''$ for an arc distance of 55.80 feet; thence North $01^{\circ}05'49''$ East a distance of 65.84 feet; thence South $87^{\circ}33'42''$ East a distance of 151.90 feet to the beginning of a tangent curve to the left having a radius of 40.00 feet; thence Northeasterly along the arc of said curve passing through a central angle of $85^{\circ}15'19''$ for an arc distance of 59.52 feet; thence North $07^{\circ}10'59''$ East a distance of 15.29 feet; thence North $07^{\circ}13'26''$ West a distance of 46.40 feet; thence North $02^{\circ}46'24''$ East a distance of 55.04 feet; thence South $85^{\circ}06'00''$ East a distance of 30.02 feet to the point of beginning.

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PARCEL "C":

All that portion of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ and the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 34, Township 36 North, Range 3 East, W.M., described as follows:

Commencing at the Southeast corner of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 34, Township 36 North, Range 3 East, W.M.; thence North 20 rods; thence West 40 rods; thence South 20 rods; thence East 40 rods to the place of beginning,

TOGETHER WITH the West 37.50 feet of the South 115.00 feet of said Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 34.

TOGETHER WITH the West 25 feet of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 34, EXCEPT that portion thereof lying within the boundaries of the Bow Hill County Road.

EXCEPT from all of the above, rights-of-way of Drainage District No. 18.

SUBJECT TO AND TOGETHER WITH access and utility easements over, under and across the following described tracts of land:

All that portion of the Southeast $\frac{1}{4}$ of Section 34, Township 36 North, Range 3 East, W.M., described as follows:

Commencing at the Southwest corner of said Southeast $\frac{1}{4}$ of Section 34; thence North $00^{\circ}42'54''$ East along the West line thereof a distance of 65.37 feet to the North line of the Bow Hill County Road, said point being the true point of beginning; thence continuing North $00^{\circ}42'54''$ East a distance of 1265.83 feet; thence South $89^{\circ}53'42''$ East a distance of 6.47 feet; thence North $01^{\circ}05'49''$ East a distance of 315.33 feet to the beginning of a tangent curve to the right having a radius of 65.00 feet; thence Northeasterly along the arc of said curve passing through a central angle of $93^{\circ}48'11''$ for an arc distance of 106.42 feet; thence South $85^{\circ}06'00''$ East a distance of 263.28 feet; thence South $04^{\circ}54'00''$ West a distance of 20.00 feet; thence North $85^{\circ}06'00''$ West a distance of 81.53 feet; thence South $02^{\circ}46'24''$ West a distance of 10.01 feet to Reference Point "A"; thence North $85^{\circ}06'00''$ West a distance of 182.12 feet to the beginning of a tangent curve to the left having a radius of 35.00 feet; thence Southwesterly along the arc of said curve passing through a central angle of $93^{\circ}48'11''$ for an arc distance of 57.30 feet; thence South $01^{\circ}05'49''$ West a distance of 199.78 feet; thence South $89^{\circ}53'42''$ East a distance of 0.25 feet; thence South $00^{\circ}42'54''$ West a distance of 115.01 feet; thence North $89^{\circ}53'42''$ West a distance of 12.50 feet; thence South $00^{\circ}42'54''$ West a distance of 1273.45 feet to a point on said North line of the Bow Hill County Road, said point lying on a non-tangent curve to the right having a radius of 1061.35 feet the center of which bears North $16^{\circ}23'36''$ East; thence Northwesterly along the arc of said curve passing through a central angle of $01^{\circ}24'24''$ for an arc distance of 26.06 feet to the true point of beginning;

AND ALSO the following described parcel of land:

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Beginning at Reference Point "A"; thence South 02°46'24" West a distance of 51.30 feet; thence South 07°13'26" East a distance of 47.57 feet; thence South 07°10'59" West a distance of 83.51 feet; thence North 87°33'42" West a distance of 179.80 feet to the beginning of a tangent curve to the left having a radius of 35.00 feet; thence Southwesterly along the arc of said curve passing through a central angle of 91°20'29" for an arc distance of 55.80 feet; thence North 01°05'49" East a distance of 65.84 feet; thence South 87°33'42" East a distance of 151.90 feet to the beginning of a tangent curve to the left having a radius of 40.00 feet; thence Northeasterly along the arc of said curve passing through a central angle of 85°15'19" for an arc distance of 59.52 feet; thence North 07°10'59" East a distance of 15.29 feet; thence North 07°13'26" West a distance of 46.40 feet; thence North 02°46'24" East a distance of 55.04 feet; thence South 85°06'00" East a distance of 30.02 feet to the point of beginning.

PARCEL "D":

The South ½ of the Southeast ¼ of the Northwest ¼ of Section 34, Township 36 North, Range 3 East, W.M., EXCEPT Drainage District No. 18 rights-of-way.

PARCEL "E":

The Northeast ¼ of the Southwest ¼ of Section 34, Township 36 North, Range 3 East, W.M.,

EXCEPT Drainage District No. 18 rights-of-way,

ALSO EXCEPT the following described parcel of land:

Beginning at a post 24 rods East of the center of the Southwest ¼ of Section 34, Township 36 North, Range 3 East, W.M.; thence North 80 rods; thence East 56 rods; thence South 60 rods; thence West 40 rods; thence South 20 rods; thence West 16 rods to the place of beginning.



EXHIBIT "B"

EXCEPTIONS:

A. EASEMENT AND PROVISIONS THEREIN:

Grantee: Puget Sound Power & Light Company
Dated: October 9, 1926
Recorded: October 18, 1926
Auditor's No.: 197965, Volume 141, page 489
Purpose: Right to construct, operate, maintain, repair, replace and enlarge one or more electric transmission and/or distribution lines over and/or under the right of way;
Location: West 25 feet of the Southwest ¼ of the Southeast ¼ of Section 34, Township 36 North, Range 3 East, W.M.
Affects: Southerly strip of Parcel "C"

B. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Blanchard-Edison Water Association
Dated: August 16, 1956
Recorded: June 20, 1957
Auditor's No.: 552777
Purpose: The right to lay, maintain, operate, etc. pipes or lines for the transportation of water together with rights of ingress and egress
Area Affected: A portion of Parcels "B", "C" and "E"

C. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Blanchard-Edison Water Association
Dated: August 19, 1956
Recorded: June 20, 1957
Auditor's No.: 552778
Purpose: Water pipe lines and other rights
Area Affected: Portion of Parcel "A"

D. RESERVATION AND/OR EXCEPTIONS CONTAINED IN INSTRUMENT:

Executed by: Merle O. Drake
Recorded: January 18, 1979
Auditor's No.: 894954
As Follows:

Reserving to seller all interest in and to all of the oil, gas, and other mineral materials in and under and that may be produced from the described lands together with the right of ingress and egress at all times for the purpose of mining, drilling, exploring, operating and developing said lands for oil, gas, and other minerals, and storing, handling, transporting and marketing the same therefrom with the right to remove from said land all of seller's property and improvements placed thereon pursuant to such reservation. (Affects: Parcel "A")



200604250116

Skagit County Auditor

4/25/2006 Page

7 of

9 1:49PM

E. RESERVATION AND/OR EXCEPTIONS CONTAINED IN INSTRUMENT:

Executed by: Merle O. Drake
Recorded: January 18, 1979
Auditor's No.: 894954
As Follows:

Covenants to furnish water to the owners of Lots 8, 9 and 10, Block 6, "PLAT OF BOW", EXCEPT the North 50 feet of the East 60 feet of said Lots 9 and 10. (Affects: Parcel "A")

F. TERMS, COVENANTS, CONDITIONS, NOTES AND RESTRICTIONS CONTAINED IN SAID SHORT PLAT:

Short Plat No.: 35-80
As Follows:
(Affects: Parcel "A")

1. Sewage – Septic Tank.
2. Water – Blanchard-Edison Water.
3. All maintenance and construction of private roads are the responsibility of the lot owners.
4. Short Plat number and date of approval shall be included in all deeds and contracts.

G. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Kenneth P. Smith
Dated: February 26, 1998
Recorded: March 2, 1998
Auditor's No.: 9803020160
Purpose: Ingress, egress and utilities
Area Affected: Southerly strip of Parcel "C"

Said easement clarifies easement rights previously reserved in document recorded as Auditor's File No. 7902210033. (See Also Paragraph "I")

H. EASEMENT AND PROVISIONS CONTAINED THEREIN AS CREATED OR DISCLOSED INSTRUMENT:

In Favor Of: Larry G. Mowrer, et ux
Dated: April 27, 2001
Recorded: May 18, 2001
Auditor's No.: 200105180129
For: Ingress, egress and utilities
Affects: A portion of Parcel "C"
(See Also Paragraph "I")



200604250116
Skagit County Auditor

I. Easements for ingress, egress and utilities established of record over, across and under portions of Parcels "B" and "C" by documents recorded as Auditor's File Nos. 200109250104, 200109250105, 200109250106, 200109250107, 200109250108 and 200112040122. Said easements are all subject to the following:

AGREEMENT, AND THE TERMS AND PROVISIONS THEREOF:

Between: Terminal Cold Storage
And: Larry G. Mowrer, et ux
Dated: January 16, 2002
Recorded: January 24, 2002
Auditor's No.: 200201240197
Regarding: Road Maintenance

J. MATTERS AS DISCLOSED AND/OR DELINEATED ON THE FACE OF THE FOLLOWING RECORDED SURVEY:

Recorded: December 17, 2001
Auditor's No.: 200112170023

Said matters include but are not limited to the following:

1. Mislocated fences.
2. Mislocated stakes.
3. Ditch locations.

K. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Skagit County
Dated: December 1, 2003
Recorded: December 29, 2003
Auditor's No.: 200312290008
Purpose: Conservation easement purposes
Area Affected: Subject property



200604250116
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