



200605180130

Skagit County Auditor

5/18/2006 Page 1 of 5 1:54PM

After recording return document to:

City of Mount Vernon
P.O. Box 809
Mount Vernon, WA 98273

Document Title: Warranty Deed

Grantor: College Way Retail, LLC, a Washington limited liability company

Grantee: City of Mount Vernon, a Municipal Corporation of the State of Washington

Legal Description: Section 17, Township 34, Range 4; Ptn. NW SW

Additional Legal Description is on: Exhibit A

Assessor's Tax Parcel Number: P25596

#2392
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

MAY 18 2006

In the Matter of: URBAN AVENUE EXTENSION PROJECT

Amount Paid \$
Skagit Co. Treasurer
By Deputy

WARRANTY DEED

The Grantor, **College Way Retail, LLC, a Washington limited liability company**, for and in consideration of **no monetary consideration, mutual benefits only**, hereby conveys and warrants to the **City of Mount Vernon**, a Municipal Corporation of the State of Washington, the following described real property situated in Skagit County, State of Washington, under the imminent threat of the Grantee's exercise of its rights of Eminent Domain:

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

Also, the Grantor requests the Assessor and Treasurer of said County to set over to the remainder of the parent parcel hereinafter described in Exhibit "B", the lien of all unpaid taxes, if any, affecting the real estate herein conveyed, as provided for by RCW 84.60.070.

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 City of Mount Vernon unless and until accepted and approved hereon in writing for the City of Mount Vernon.

Dated this 12th day of May, 2006

GRANTOR:

COLLEGE WAY RETAIL, LLC

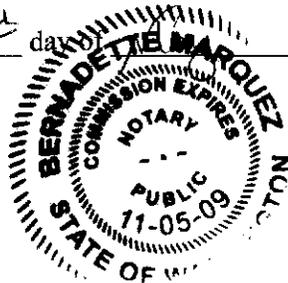
By: [Signature]

Its: Manager

STATE OF WASHINGTON }
COUNTY OF SKAGIT } ss.

On this day 12th of May, before me personally appeared John Graham to me known to be the Manager of COLLEGE WAY RETAIL, LLC, 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 authorized to execute said instrument.

DATED this 12th day of May, 2006.



Bernadette Marquez
Notary Public
Residing at Seattle
My appointment expires 11/05/09

CITY OF MOUNT VERNON

[Signature]
Bud Norris, Mayor

Approved as to Form:

[Signature]
Kevin Rogerson, City Attorney

Attest:

[Signature]
Alicia Huschka, Finance Director



EXHIBIT "A"

February 1, 2006

LEGAL DESCRIPTION FOR: City of Mount Vernon

Urban Avenue Improvement – Right of Way Acquisition

College Way Retail, LLC Tract

All that portion of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 17, Township 34 North, Range 4 East, W.M., more particularly described as follows:

Beginning at the intersection of the South right-of-way line of College Way with the East line of the right-of-way of the Pacific Northwest Traction Co., as said point is shown on Short Plat No. MV-8-80, as approved July 7, 1980 and recorded July 8, 1980 in Volume 4 of Short Plats, pages 135 and 136, under Auditor's File No. 8007080001, records of Skagit County, Washington; thence South $89^{\circ}37'00''$ East along said South right-of-way line, 70.65 feet; thence South $41^{\circ}35'55''$ West, 36.27 feet; thence South $04^{\circ}37'00''$ East, 69.93 feet to the beginning of a curve to the right, said curve having a radius of 525.00 feet; thence Southerly, following said curve to the right through a central angle of $20^{\circ}01'11''$ for an arc distance of 183.44 feet to its end; thence South $15^{\circ}24'11''$ West, 38.65 feet; thence North $74^{\circ}35'49''$ West, 45.63 feet to said East line; thence Northerly along said East line to the TRUE POINT OF BEGINNING; containing 16,824 square feet, more or less..

EXCEPT those portions, if any, conveyed to the State of Washington for highway purposes by Deed recorded July 30, 1951, and September 13, 1991, under Auditor's File Nos. 463811 and 9109130066.

SUBJECT TO and TOGETHER WITH easements, reservations, restrictions, covenants, liens, leases, court causes and other instruments of record.

Situate in the City of Mount Vernon, County of Skagit, State of Washington.

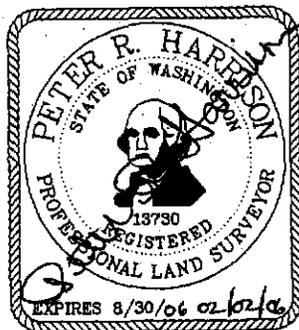
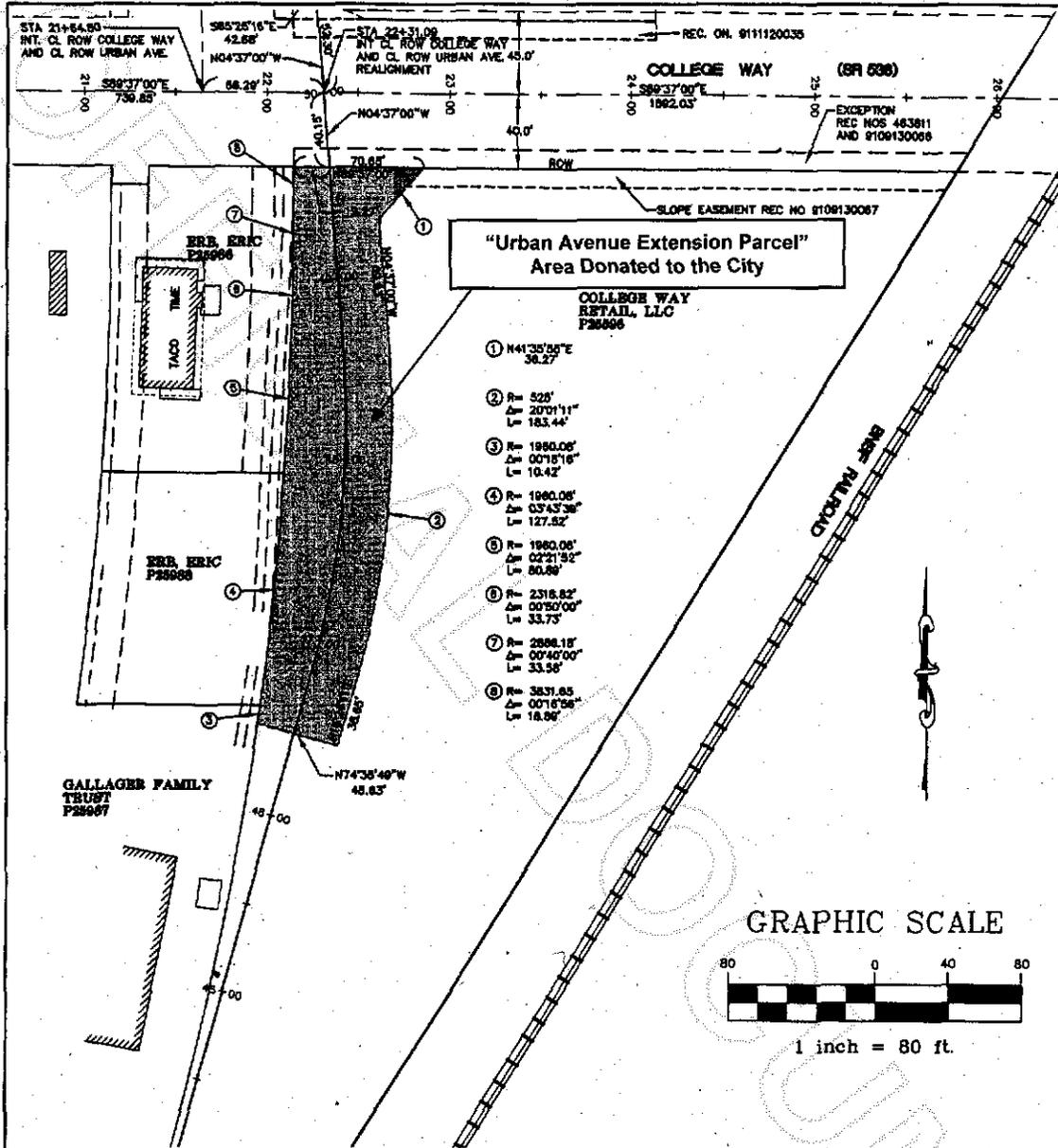


EXHIBIT "A"



- ① N41°35'55"E 36.27'
- ② P = 526'
A = 20°01'11"
L = 183.44'
- ③ P = 1980.08'
A = 0°15'18"
L = 10.42'
- ④ P = 1980.08'
A = 0°43'38"
L = 127.82'
- ⑤ P = 1980.08'
A = 0°21'32"
L = 80.89'
- ⑥ P = 2316.82'
A = 0°50'00"
L = 33.73'
- ⑦ P = 2898.18'
A = 0°40'00"
L = 33.58'
- ⑧ P = 3831.65'
A = 0°16'56"
L = 18.86'

ADDITIONAL RIGHT-OF-WAY				
PARCEL NO.	NAME	BEFORE AREA ACRES	APPROX. AREA TAKEN ACRES (S.F.)	APPROX. AREA REMAINING ACRES
P25596	COLLEGE WAY RETAIL, LLC	2.80	0.386 (18,824 S.F.)	2.41

R&E REICHHARDT & EBE
ENGINEERING, INC.
423 Front St, Ste 201 Lynden, WA 98264
Phone 360-354-3687 FAX 360-354-0407

05004 SP10
SCALE: 1"=80'
2-3-06

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200605180130
Skagit County Auditor

EXHIBIT "B"

**PARENT PARCEL LEGAL DESCRIPTION
P25596**

620 E. College Way

THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHERE THE SOUTH RIGHT-OF-WAY LINE OF THE FURBER ROAD NO. 208, NOW KNOWN AS STATE ROUTE 538, AS SAID ROAD EXISTED ON AUGUST 25, 1921, INTERSECTS THE WEST RIGHT-OF-WAY LINE OF THE GREAT NORTHERN RAILWAY COMPANY, THE SAID POINT BEING 30 FEET SOUTH AND 1,158.95 FEET EAST ALONG THE EAST AND WEST CENTER LINE FROM THE WEST QUARTER CORNER OF SECTION 17, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M.;

THENCE SOUTH 58° 41' WEST ALONG THE WEST LINE OF THE RIGHT-OF-WAY OF THE GREAT NORTHERN RAILWAY COMPANY A DISTANCE OF 759.6 FEET, MORE OR LESS, TO THE NORTH LINE OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 17;

THENCE WEST ALONG SAID NORTH LINE A DISTANCE OF 63.5 FEET, MORE OR LESS, TO THE EAST LINE OF THE RIGHT-OF-WAY OF THE PACIFIC NORTHWEST TRACTION CO.;

THENCE NORTH ALONG THE EAST LINE OF THE RIGHT-OF-WAY OF THE PACIFIC NORTHWEST TRACTION CO. A DISTANCE OF 654.4 FEET, MORE OR LESS, TO THE SOUTH LINE OF THE RIGHT-OF-WAY OF SAID FURBER ROAD NO. 208;

THENCE EAST ALONG THE SOUTH LINE OF SAID RIGHT-OF-WAY OF SAID FURBER ROAD NO. 208 A DISTANCE OF 368.61 FEET TO THE POINT OF BEGINNING;

EXCEPT THAT PORTION CONVEYED TO THE STATE OF WASHINGTON FOR HIGHWAY PURPOSES BY DEED RECORDED UNDER AUDITOR'S FILE NO. 463811;

ALSO EXCEPT ALL PORTION OF SAID PREMISES LYING NORTHERLY OF A LINE DRAWN PARALLEL WITH AND 40 FEET SOUTHERLY OF, WHEN MEASURED AT RIGHT ANGLES, THE SR 538 SURVEY LINE OF SR 538, JCT. SR 5 TO LAVENTURE ROAD, AS CONVEYED BY RIGHT-OF-WAY DEED RECORDED UNDER AUDITOR'S FILE NO. 9109130066.

