

Please Return To:

FM4, LLC

Attn: John Ellis

638 Sunset Park Drive, suite
215

Sedro Woolley, WA 98284



200606150100

Skagit County Auditor

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WASHINGTON STATE COUNTY AUDITOR/RECORDER/S INDEXING FORM

Document Title(s) (or transactions contained therein):

1. STATUTORY BARGAIN AND SALE DEED
- 2.

FIRST AMERICAN TITLE CO.

85309-1

Reference Number(s) of Documents assigned or released:

Additional reference number on page ____ of document

Recording No.

Grantor(s): (Last name first, then first name and initials)

1. FRED MEYER STORES, INC., an Ohio Corporation and successor in interest
2. to Roundup Co., Inc. a Washington Corporation
- 3.
- 4.

☐ Additional names on page ____ of document

Grantee(s): (Last name first, then first name and initials)

1. FM4, LLC.
- 2.

☐ Additional names on page ____ of document

Legal Description: (abbreviated form i.e. lot, block, plat name, section-township-range)

Lot 5, "FRED MEYER RETAIL STORE BINDING SITE PLAN", approved December 29, 1993 and recorded January 10, 1994, under Auditor's File No. 9401100038, Volume 11 of Short Plats, pages 41-48, inclusive, as Amended by document recorded November 3, 1997, as Auditor's File No. 9711030141, in Book 13 of Short Plats, page 57, being a portion of the Southwest 1/4 of the Northwest 1/4 of Section 5, Township 34 North, Range 4 East, W.M.

☐ Additional legal is on page ____ of document

Assessor's Property Tax Parcel Account Number(s):

8013-000-005-000(P104518)

The Auditor/Recorder will rely on the information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

FILED FOR RECORD AT REQUEST OF:

WHEN RECORDED RETURN TO:

FM4, LLC
Attn: John Ellis
638 Sunset Park Drive, suite 215
Sedro Woolley, WA 98284

STATUTORY BARGAIN AND SALE DEED

The Grantor, **FRED MEYER STORES, INC.**, an Ohio corporation and successor in interest to Roundup Co., for and in consideration of Ten Dollars and other valuable consideration in hand paid, as part of an IRC 1031 exchange, does hereby bargain, sell and convey to FM4, LLC, Grantee, the real estate described on **Exhibit A** hereto subject to the matters specified on **Exhibit B** hereto.

Dated: 6/13/06, 2006

GRANTOR:

2980
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

JUN 15 2006

Amount Paid \$3638.00
By Skagit Co. Treasurer
By [Signature]

FRED MEYER STORES, INC., an Ohio corporation and successor in interest to Roundup Co.

By: [Signature]
Name Robert Currey-Wilson
Title J.P.

FRED MEYER STORES, INC., an Ohio corporation and successor in interest to Roundup Co.

By: [Signature]
Name NONA M. SUTTER
Title VP + ASSISTANT SECRETARY



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STATE OF OREGON)
) ss.
COUNTY OF Multnomah)

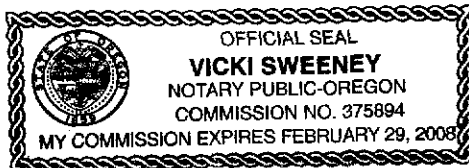
This instrument was acknowledged before me on May 30, 2006 by Robert L. Curry as Vice President of Fred Meyer Stores, Inc.



Ginger L. Pullen
(Notary Public - State of Oregon)
My commission expires: 3-25-2010

STATE OF OREGON)
) ss.
COUNTY OF Multnomah)

This instrument was acknowledged before me on May 30, 2006 by Nona M. Soltero as VP & Assistant Secretary of Fred Meyer Stores, Inc.



Vicki Sweeney
(Notary Public - State of Oregon)
My commission expires: February 29, 2008



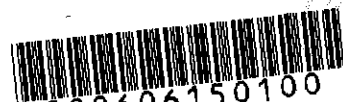
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EXHIBIT "A"

The land referred to in this report/policy is situated in the State of Washington, County of Skagit, and is described as follows:

LOT 5, "FRED MEYER RETAIL STORE BINDING SITE PLAN", approved December 29, 1993 and recorded January 10, 1994, under Auditor's File No. 9401100038, Volume 11 of Short Plats, pages 41-48, inclusive, as Amended by document recorded November 3, 1997, as Auditor's File No. 9711030141, in Book 13 of Short Plats, page 57, being a portion of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 5, Township 34 North, Range 4 East, W.M.



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EXHIBIT "B"

A. PROTECTIVE COVENANTS AND/OR EASEMENTS, BUT OMITTING RESTRICTIONS, IF ANY, BASED ON RACE, COLOR, RELIGION OR NATIONAL ORIGIN:

Recorded: September 10, 1993
Auditor's No.: 9309100062
Executed By: Roundup Co., a Washington corporation

ABOVE COVENANTS, CONDITIONS AND RESTRICTIONS WERE AMENDED AS FOLLOWS:

Declaration Dated: January 5, 1995
Recorded: October 16, 1996
Auditor's No.: 9610160077

B. AGREEMENT, AND THE TERMS AND PROVISIONS THEREOF:

Between: City of Burlington
And: Fred Meyer/Roundup Company
Dated: November 23, 1994
Recorded: November 30, 1994
Auditor's No.: 9411300063
Regarding: Sewer Fees

C. MATTERS DISCLOSED AND/OR DELINEATED ON THE FACE OF THE FOLLOWING PLAT/SUBDIVISION:

Plat/Subdivision Name: Amendment to Fred Meyer Retail Store Binding Site Plan
Recorded: November 3, 1997
Auditor's No.: 9711030141

Said matters include but are not limited to the following:

1. Easements are granted to Public Utility District No. 1 of Skagit County, Washington, a municipal corporation, its successors or assigns, the perpetual right, privilege and authority enabling the PUD to do all things necessary or proper in the construction and maintenance of a water line, lines or related facilities, including the right to construct, operate, maintain, inspect, improve, remove, restore, alter, replace, relocate, connect to and locate at any time a pipe or pipes, line or lines or related facilities, along with necessary appurtenances for the transportation of water over, across, along, in and under the lands as shown on this plat together with the right of ingress to and egress from said lands across adjacent lands of the grantor; also the right to cut and/or trim all brush, timber, trees or other growth standing or growing upon the lands of the grantor which, in the opinion of the district, constitutes a menace or danger to said line or to persons or property by reason of proximity to the line. The grantor agrees that title to all timber, brush, trees, other vegetation or debris trimmed, cut and removed from the easement pursuant to this agreement is vested in the District.



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EXHIBIT "B"

Grantor, its heirs, successors or assigns hereby conveys and agrees not to construct or permit to be constructed structures of any kind on the easement area without written approval of the general manager of the District. Grantor shall conduct its activities and all other activities on grantor's property so as not to interfere with, obstruct or endanger the usefulness of any improvements or other facilities, now or hereafter maintained upon the easements or in any way interfere with, obstruct or endanger the districts use of the easement.

2. Know all persons by these presents Roundup Co., Inc., a Washington Corporation, owners of the fee simple or contract purchasers and mortgage holders or lien holders, of the land hereby platted, declare this binding site plan and dedicate to the use of the public forever, Parcels A, B, C, D and E as shown on Sheet 3 of 8 of this binding site plan and the use thereof for all public purposes consistent with the use thereof for public highway purposes together with the right to make all necessary slope for cuts and fills upon the lots and blocks shown hereon in the original reasonable grading of all such streets and avenues shown hereon.

3. A 10-foot wide easement granted for telephone, power and cable line installation and maintenance conveyed to Contel of the Northwest, Puget Sound Power & Light Co., and TCI Cablevision, Inc., to extend 10 feet past end of each line as delineated on face of plat.

4. Easement for storm drain and detention

5. A 10-foot wide easement for gas line installation and maintenance

6. Easement for sanitary sewer



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