



200611200176
Skagit County Auditor

11/20/2006 Page 1 of 11 3:49PM

After recording return document to:

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

Document Title: Warranty Deed

Reference Number of Related Document: N/A

Grantor(s): FECO Properties L.L.C.

Grantee: State of Washington, Department of Transportation

Legal Description: Ptn SE¹/₄ of the NE¹/₄, and ptn NE¹/₄ of the SE¹/₄ of Section 1, T34N, R3E, WM

Additional Legal Description is on Page(s) 7, 8, 9, 10 & 11 of Document

Assessor's Tax Parcel Number(s): 340301-0-019-0005 (P20940); 340301-1-005-0009 (P20948); 340301-0-018-0006 (P20939); 340301-1-007-0000 (P85173); 340301-4-001-0100 (P123661)

#5959

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

WARRANTY DEED

NOV 20 2006

State Route 20, Fredonia to Pulver Rd. Vic.

Amount Paid
By Skagit Co. Treasurer

The Grantor, FECO PROPERTIES L.L.C., a Washington limited liability company, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS, and other valuable consideration, hereby conveys and warrants to the **State of Washington, Department of Transportation**, the following described real property 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.

WARRANTY DEED

Also, the Grantor requests the Assessor and Treasurer of said County to set over to the remainder of the hereinafter described TRACT "X", 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 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: 5-11, 2006

FECO PROPERTIES L.L.C.,
a Washington limited liability company

By: Kenneth D. Stremler,
Kenneth D. Stremler, Member

By: Lee E. Beld,
Lee E. Beld, Member

Lewis S. Stremler
Lewis S. Stremler, Member

By: Eldon D. Vander Ploeg,
Eldon D. Vander Ploeg, Member

Accepted and Approved
STATE OF WASHINGTON,
Department of Transportation

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

Date: 7/00/05, 2004



WARRANTY DEED

STATE OF WASHINGTON)
: ss.
County of Whatcom)

On this 11 day of May, 2006, before me personally appeared LEWIS S. STREMLER, to me known to be a Member of FECO PROPERTIES L.L.C., 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 he was authorized to execute said instrument.

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



Kristina Guzman
Notary (print name) Kristina Guzman
Notary Public in and for the State of Washington,
residing at Everett
My Appointment expires 3-6-10



WARRANTY DEED

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) 716+36.08 on the SR 20 line survey of SR 20, Fredonia to Pulver Rd. Vic., and 28.10 feet northwesterly therefrom; thence northeasterly to a point opposite HES 718+24.11 on said line survey and 25 feet northwesterly therefrom; thence northeasterly parallel with said line survey to a point opposite HES 719+35.19 thereon; thence northwesterly to a point opposite said HES 719+35.19 and 60 feet northwesterly therefrom; thence southwesterly to a point opposite HES 716+37.21 on said line survey and 63.08 feet northwesterly therefrom; thence southeasterly to the point of beginning

ALSO all that portion of the hereinafter described TRACT "X" lying easterly of a line drawn parallel with and 100 feet westerly of, when measured at right angles to, the PV line survey of SR 20, Fredonia to Pulver Rd. Vic.

TRACT "X"

Parcel A:

That portion of the south 30 rods of the southeast quarter of the northeast quarter of Section 1, Township 34 North, Range 3 East, W.M. in Skagit County, Washington, lying northerly of the right-of-way of Great Northern Railway Company, AND EXCEPT the north 20 feet thereof; AND EXCEPT the west 100 feet thereof; AND ALSO EXCEPT that portion thereof lying within the boundaries of the following described tract:

Beginning at the point of intersection of the railway right-of-way line of the Great Northern Railway Company with a line that is parallel with and 475.00 feet north of the south line of said southeast quarter of the northeast quarter; thence west parallel with the south line of said southeast quarter of the northeast quarter 521.00 feet; thence south 264.00 feet, more or less, to the north line of the Great Northern Railway Company right-of-way; thence northeasterly along the north line of said railroad right-of-way to the point of beginning.



WARRANTY DEED

EXHIBIT A
(continued)

Parcel B:

That portion of the southeast quarter of the northeast quarter of Section 1, Township 34 North, Range 3 East, W.M. in Skagit County, Washington, described as follows:

Beginning at the point of intersection on the northerly right-of-way line of the Great Northern Railway Co. Railroad with a line that is parallel with and a distance of 475.00 feet north of the south line of said southeast quarter of the northeast quarter; thence west parallel with the south line of said southeast quarter of the northeast quarter a distance of 294.00 feet to the True Point of Beginning; thence from said True Point of Beginning continue west parallel with the south line of said southeast quarter of the northeast quarter a distance of 227.00 feet; thence south a distance of 264.00 feet, more or less, to the northerly line of the Great Northern Railway right-of-way; thence northeasterly along the north line of said railway right-of-way to a point south of the point of beginning; thence north a distance of 150.00 feet, more or less, to the True Point of Beginning;

EXCEPT that portion thereof, described as follows:

Commencing at the point of intersection of the northerly right-of-way line of the Burlington Northern Railroad with a line that is parallel with and a distance of 475.00 feet north of the south line of said southeast quarter of the northeast quarter; thence South 89°13'02" West parallel with said south line a distance of 294.00 feet to the point of beginning of this description; thence continuing South 89°13'02" West a distance of 37.00 feet; thence South 01°37'41" East a distance of 158.61 feet to the northerly line of the Burlington Northern Railway right-of-way; thence North 60°27'29" East along said right-of-way line a distance of 36.84 feet; thence North 00°11'18" West parallel with the east line of said Section 1, a distance of 142.59 feet to the point of beginning of this description.

Parcel C:

That portion of the southeast quarter of the northeast quarter of Section 1, Township 34 North, Range 3 East, W.M. in Skagit County, Washington, described as follows:

Beginning at a point of the intersection of the northerly railroad right-of-way line of the Great Northern Railroad Company railroad with a line that is parallel with and 475.00



WARRANTY DEED

EXHIBIT A
(continued)

feet north of the south line of said southeast quarter of the northeast quarter; thence west parallel with the south line of said southeast quarter of the northeast quarter, 294.00 feet; thence south 150 feet, more or less, to the northerly line of said Great Northern Railroad right-of-way; thence northerly along the northerly line of said railway right-of-way to the point of beginning.

EXCEPT the county road right-of-way known as the Pulver Road along the east line thereof, as per deed recorded May 4, 1933 as Auditor's File No. 255997 in Volume 162 of Deeds, page 440.

Parcel D:

That portion of the southeast quarter of the northeast quarter of Section 1, Township 34 North, Range 3 East, W.M. in Skagit County, Washington, described as follows:

Beginning at the point of the intersection of the northerly right-of-way line of the Burlington Northern Railroad with a line that is parallel with and 475.00 feet north of the south line of said southeast quarter of the northeast quarter; thence South 89°13'02" West parallel with said south line a distance of 294.00 feet to the point of beginning of this description; thence continuing South 89°13'02" West a distance of 37 feet; thence South 01°37'41" East a distance of 158.61 feet to the northerly line of the Burlington Northern Railway right-of-way; thence North 63°27'29" East along said right-of-way line, a distance of 36.84 feet; thence North 00°11'18" West, parallel with the east line of said Section 1, a distance of 142.59 feet to the point of beginning of this description.

Parcel E:

All that portion of the Burlington Northern and Sante Fe Railway Company's (formerly Great Northern Railroad Company's) 100.00 wide Burlington to Anacortes, Washington Branch Line right-of-way, being 50 feet wide on each side of said railway company's Main Track Centerline, as originally located and constructed upon, over, and across of the southeast quarter of the northeast quarter of Section 1, Township 34 North, Range 3 East, W.M. in Skagit County, Washington, bounded between two lines drawn at right angles to said Main Track centerline, respectively, 589.00 feet and 889.00 feet southwesterly of the east line of said Section 1, as measured along said Main Track centerline,



200611200176

Skagit County Auditor

WARRANTY DEED

EXHIBIT A
(continued)

EXCEPTING THEREFROM, a 30.0 foot wide corridor, being 15.0 feet wide on each side of said Main Track centerline.

All of the above being a portion of those premises conveyed to the Seattle & Northern Railway Company by Deed recorded in May 1891, in Volume 19 of Deeds, page 311.

Parcel F:

That portion of the northeast quarter of the southeast quarter of Section 1, Township 34 North, Range 3 East, W.M. in Skagit County, Washington, lying northwesterly of the Burlington Northern Railroad.

ALSO, the Grantor herein conveys and grants to the State of Washington 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 remainder of said TRACT "X",

EXCEPT that the Grantor herein reserves for itself, its successors or assigns, the right of reasonable access to the PV Line connection of said Highway northerly of HES PV 109+74±.

ALSO EXCEPT that the state shall reconstruct the existing road approach to serve Farmers Equipment Company, not to exceed 50 feet in width, to the existing Railroad Crossing pursuant to the terms and conditions under the Private Roadway and Crossing Agreement No. CX88-16051 dated September 15, 1988, on the northwesterly side of said highway, at or near Highway Engineer's Station 718+39, as shown on Sheet 17 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, reserve a right of reasonable access for that purpose only. This approach has been provided to perpetuate an access to the property pursuant to the above mentioned Railroad crossing permit dated September 15, 1988. Should the Railroad revoke the crossing permit, this approach shall be permanently closed. Traffic using this road approach will be limited to right in/right out movements, and which approach shall be maintained between the right of way line and the shoulder line of said Highway by the Grantor, its successors or assigns. This approach will be



200611200176
Skagit County Auditor

WARRANTY DEED

EXHIBIT A
(continued)

limited to the use of a farm equipment business only. Should the type of use change, this approach will be deleted. The Grantor herein, its successors or assigns, agree to execute a conveyance instrument to be placed of record for the relinquishment of this approach if the type of use changes.

The Grantor herein further grants to the State of Washington, or its agents, the right to enter upon the Grantor's remaining lands where necessary to reconstruct said road approach.

The lands herein described contain an area of 11,250 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 May 19, 2006.

Grantor's Initials


