

Upon Recording Return To:  
Todd Walker  
Washington Department of Fish & Wildlife  
Real Estate Services  
600 Capitol Way North  
Olympia, Washington 98501-1091



200707180091  
Skagit County Auditor

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**Document Title: Deed Of Right To Use Land For Public Conservation Purposes.**  
**Reference No. of Related Document: A.F. #200706200152.**  
**Grantor: The State of Washington.**  
**Grantee: The State of Washington.**  
**Legal Description: Portion SE Section 6 & portion NE Section 7, Township 34 N., Range 3 EWM.**  
**Assessor's Parcel Nos.: 340307-0-014-0004, Property No. P21175; 340307-0-018-0000, Property No. P21179;**  
**and 340306-0-009-0002, Property No. P21151.**

## DEED OF RIGHT TO USE LAND FOR PUBLIC CONSERVATION PURPOSES

The Grantor, State of Washington, Department of Fish and Wildlife, for and in consideration of monies coming in whole or in part from the Habitat Conservation Account of the General Fund of the State of Washington and in fulfillment of terms of the Project Agreement identified below, conveys and grants to the State of Washington individually and as the representative of all the people of the State, the right to use the real property described below forever for the conservation purposes described in the Project Agreement entered into between the Grantor and the State of Washington through the Interagency Committee for Outdoor Recreation entitled Aquatic Lands Enhancement Account Project #03-1182A signed by the Grantor on the 31st day of August, 2005, and by the Interagency Committee on the 15th day of July, 2005, and the application and supporting materials which are on file with the Grantor and the State in connection with the Project Contract.

PROJECT TITLE: Telegraph Slough Complex -- Erickson Farms, Inc. Property

The Grantor will not make or permit to be made any use of the real property described in this deed, or any part of it, which is inconsistent with the right to use for conservation purposes herein granted unless the state, through the Interagency Committee for Outdoor Recreation or its successors, consents to the inconsistent use, which consent shall be granted only upon conditions which will ensure that other conservation land of at least equal fair market value at the time of change of use and of as nearly as feasible equivalent usefulness and location for the conservation purposes for which state assistance was originally granted will be substituted in the manner provided in RCW 43.99.100 for marine recreation land, whether or not the real property covered by this deed is marine recreation land. RCW 43.99.100 reads as follows:

"Marine recreation land with respect to which money has been expended under RCW 43.99.080 shall not, without the approval of the committee, be converted to uses other than those for which such expenditure was originally approved. The committee shall only approve any such conversion upon conditions which will assure the substitution of other marine recreation land of at least equal fair market value at the time of conversion and of as nearly as feasible equivalent usefulness and location."

The real property covered by this deed is described as follows:

Government Lot 9 in Section 6, and Government Lots 6 and 9 in Section 7, all in Township 34 North, Range 3 East of the Willamette Meridian;

ALSO, tidelands or shore lands of the second class, as conveyed by the State of Washington, fronting upon and adjacent to the following described portions of the meander line in Lots 6 and 9, Section 7:

Beginning at the meander corner to Sections 7 and 8, which corner is 4.76 chains, more or less, South of the Northeast corner of Section 7;  
Thence running North  $73\frac{1}{2}^{\circ}$  West 2 chains;  
Thence South  $72\frac{1}{4}^{\circ}$  West 2 chains;

Beginning at the meander corner to Sections 6 and 7, which corner is 28.3 chains, more or less, West of the Northeast corner of Section 7;  
Thence running South  $20^{\circ}$  East 7 chains;  
Thence South  $9\frac{1}{2}^{\circ}$  East 4.7 chains;  
Thence South  $12\frac{1}{2}^{\circ}$  West 5.2 chains;  
Thence South  $27^{\circ}$  East 1.15 chains to the true point of beginning;  
Thence South  $27^{\circ}$  East 4.85 chains;  
Thence South  $25\frac{1}{2}^{\circ}$  West 1.15 chains;

EXCEPT roads;

AND EXCEPT rights of way for dike and drainage ditches;

AND ALSO EXCEPT a 60 foot wide tract as conveyed to Skagit County Diking District No. 12 by instrument recorded October 14, 1997, under Auditor's File No. 9710140072, records of Skagit County, Washington, the limits of said 60.00 foot wide tract being 25.00 feet left and 35.00 feet right of the following described line:

Commencing at the Southeast corner of said Section 7, Township 34 North, Range 3 East of the Willamette Meridian;

Thence North  $0^{\circ}59'13''$  East 3,186.57 feet along the East line of said Section 7, to the true point of beginning of said line; (said true point of beginning also being South  $0^{\circ}59'13''$  West 2,177.61 feet from the Northeast corner of said Section 7);

Thence North  $71^{\circ}12'22''$  West 108.08 feet;

Thence South  $53^{\circ}47'55''$  West 59.31 feet;

Thence South  $52^{\circ}07'11''$  West 46.27 feet;

Thence South  $64^{\circ}47'54''$  West 56.20 feet;

Thence North  $81^{\circ}40'44''$  West 138.68 feet;

Thence North  $83^{\circ}59'07''$  West 128.46 feet;

Thence North  $62^{\circ}26'32''$  West 61.43 feet;

Thence North  $65^{\circ}57'40''$  West 202.53 feet;

Thence North  $76^{\circ}44'32''$  West 62.49 feet;

Thence South  $86^{\circ}58'43''$  West 85.00 feet;

Thence South  $59^{\circ}19'06''$  West 61.30 feet;

Thence South  $37^{\circ}30'47''$  West 86.07 feet;

Thence South  $29^{\circ}14'59''$  West 100.34 feet;

Thence South  $46^{\circ}47'25''$  West 47.76 feet;

Thence South  $69^{\circ}57'58''$  West 51.00 feet;

Thence North  $37^{\circ}16'33''$  West 42.62 feet;

Thence North  $13^{\circ}11'59''$  West 44.19 feet;

Thence North  $3^{\circ}42'33''$  East 175.45 feet;

Thence North  $4^{\circ}14'30''$  West 44.21 feet;

Thence North  $12^{\circ}34'32''$  West 101.14 feet;

Thence North  $23^{\circ}58'50''$  West 100.17 feet;

Thence North  $30^{\circ}39'22''$  West 66.13 feet;

Thence North  $40^{\circ}31'21''$  West 35.51 feet;

Thence North  $43^{\circ}44'33''$  West 61.86 feet;

Thence North  $55^{\circ}19'38''$  West 71.00 feet;

Thence North  $75^{\circ}45'18''$  West 75.91 feet;

Thence North  $83^{\circ}20'19''$  West 116.72 feet to a point of curvature;

Thence along the arc of said curve to the right having a radius of 25.00 feet, through a central angle of  $94^{\circ}29'02''$ , an arc distance of 41.23 feet to a point of tangency;



Thence North 11°08'43" East 144.62 feet;  
Thence North 4°58'08" East 77.01 feet;  
Thence North 12°49'52" West 113.25 feet;  
Thence North 31°48'29" West 153.96 feet;  
Thence North 7°46'04" West 184.30 feet;  
Thence North 11°22'54" East 50.17 feet;  
Thence North 3°59'18" East 108.26 feet;  
Thence North 0°15'56" East 192.00 feet;  
Thence North 8°53'16" West 189.38 feet;  
Thence North 20°10'14" West 126.44 feet;  
Thence North 25°06'56" West 196.42 feet;  
Thence North 27°10'32" West 55.83 feet;  
Thence North 11°08'17" West 64.76 feet to a point on the North line of said Section 7;  
Thence continue into Section 6, Township 34 North, Range 3 East of the Willamette Meridian,  
North 11°08'17" West 162.03 feet;  
Thence North 0°23'42" West 114.58 feet;  
Thence North 7°49'25" West 74.56 feet;  
Thence North 14°04'25" West 215.98 feet;  
Thence North 11°34'44" East 22.57 feet;  
Thence North 79°21'02" East 31.98 feet;  
Thence South 74°03'41" East 161.98 feet;  
Thence South 43°53'46" East 50.65 feet;  
Thence South 19°57'18" East 166.32 feet;  
Thence South 1°16'49" East 64.01 feet;  
Thence South 9°37'39" East 15.96 feet;  
Thence South 31°49'26" East 48.89 feet;  
Thence South 62°15'59" East 52.41 feet;  
Thence South 68°28'05" East 99.15 feet;  
Thence South 77°00'52" East 100.40 feet;  
Thence South 83°16'10" East 83.96 feet;  
Thence North 86°24'25" East 121.27 feet;  
Thence North 82°57'50" East 107.76 feet;  
Thence North 64°44'23" East 101.14 feet;  
Thence South 75°53'57" East 40.92 feet;  
Thence South 31°08'50" East 139.16 feet;  
Thence South 11°27'57" East 65.71 feet to a point on the South line of said Section 6;  
Thence continue into Section 7, Township 34 North, Range 3 East of the Willamette Meridian,  
South 11°27'57" East 63.43 feet;  
Thence South 1°35'24" East 106.31 feet;  
Thence South 42°52'58" East 106.99 feet;  
Thence South 60°40'03" East 129.11 feet;  
Thence South 74°52'20" East 289.53 feet;  
Thence South 89°19'46" East 44.43 feet;  
Thence North 74°05'57" East 103.99 feet;  
Thence North 57°44'17" East 135.65 feet;  
Thence North 76°57'11" East 29.50 feet;  
Thence South 83°38'19" East 144.78 feet to a terminus point on the East line of said Section 7,  
said terminus point being South 0°59'13" East 298.11 feet from the Northeast corner of said Sec-  
tion 7. (Sidelines of said 60.00 foot tract to be lengthened or shortened as necessary to conform  
with property lines).

Situated in Skagit County, Washington.

This deed of right shall in no way modify or extinguish the functions of the Grantor under the Project Contract, including the Grantor's functions to operate and maintain the land as set out in section 19 of the Project Contract.

Dated this \_\_\_\_ day of July, 2007.



The State of Washington, the Department of Fish and Wildlife

*Mark Quinn*

Mark Quinn, Lands Division Manager

STATE OF WASHINGTON )  
 ) ss  
County of Thurston )

THIS IS TO CERTIFY that on this 17<sup>th</sup> day of July, 2007, before me the undersigned Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Mark Quinn, to me personally known to be the Lands Division Manager for the Washington State Department of Fish and Wildlife, and that he executed the foregoing instrument and acknowledged to me that he signed the same as the free and voluntary act and deed of said State of Washington and on oath stated that he is authorized to execute said instrument.

*David D. Budd*

Notary Public in and for the State of Washington, residing in Olympia.

My Commission Expires April 30, 2011



SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

JUL 18 2007

Amount Paid \$ 0  
Skagit Co. Treasurer  
By *SP* Deputy



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Skagit County Auditor