



200712170105

Skagit County Auditor

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Prepared by: Tammy Herndon
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COVER SHEET

Document Title: Partial Release

Reference Number(s) of Document assigned or released: Filed 03/30/1915, Book 64 Mtgs., Pg. 393
Additional reference numbers on page 1 **of document(s)**

Grantor(s) (Last name first, then first name and initials): Citibank, N.A.
Additional names on page 1 **of document(s)**

Grantee(s) (Last name first, then first name and initials): BNSF Railway Company
Additional names on page 1 **of document(s)**

Legal Description (abbreviated: i.e., lot, block, plat or section, township, range):
Additional legal on page 6 **of document(s)**
That portion of the 100 ft. wide RR ROW, commonly known as the Northern Pacific Railway, running N and S through the NE ¼ of the NW ¼ of Section 17, Township 33 N, Range 5 E W.M., which lies W of the centerline of said ROW and within the S1/2 of said subdivision.

Assessor's Property Tax Parcel/Account Number(s): P 102620, P18107, P 18102, P 108141, P 108142, P 108143, P 102614

PARTIAL RELEASE

THIS INDENTURE made on JUN 26 2006, by and among, CITIBANK, N.A. (successor by merger to First National City Trust Company) a national banking association, as trustee, party of the first part, U.S. BANK TRUST NATIONAL ASSOCIATION, a national banking association organized and existing under the laws of the United States of America, as Trustee (successor to Morgan Guaranty Trust Company of New York), party of the second part and The Burlington Northern and Santa Fe Railway Company, now BNSF RAILWAY COMPANY (successor by merger to Northern Pacific Railway Company), a corporation organized under the laws of the State of Delaware, party of the third part, WITNESSETH:

WHEREAS, the property described in Exhibit "A" attached hereto and by this reference made a part hereof is subject to the lien of that certain mortgage known as the General Lien Mortgage of Northern Pacific Railway Company, dated November 10, 1896, made by Northern Pacific Railway Company to The Farmers' Loan and Trust Company, Trustee of which mortgage Citibank, N.A., party of the first part, is trustee. On June 28, 1929, The Farmers' Loan and Trust Company, a New York corporation, became known as City Bank Farmers Trust Company, and at the close of business on January 30, 1959, said corporation was converted into a national banking association under the title "First National City Trust Company." Said First National City Trust Company as of the close of business on January 15, 1963, was merged with First National City Bank, a national banking association, and on March 1, 1976, First National City Bank became known as Citibank, N.A.; and

WHEREAS, the property described in said Exhibit "A" is also subject to the lien of that certain mortgage known as the Consolidated Mortgage of Burlington Northern Inc., dated March 2, 1970, made by Burlington Northern Inc. to U.S. Bank Trust National Association, as corporate trustee, and to Laura Roberson (successor to W. A. Johnson), as an individual trustee, party of the second part, and

WHEREAS, said mortgages were filed for record, among other places, in the office of the Auditor, County of **Skagit**, State of **Washington**, as a real estate mortgage, as follows:

<u>Mortgage</u>	<u>Filed</u>	<u>Book</u>	<u>Page</u>	<u>Document No.</u>
General Lien	03/30/1915	64 Mtgs.	393	N/A
Consolidated	03/03/1970	43	112	736513

WHEREAS, by virtue of and as a result of an agreement of merger which became effective March 2, 1970, Northern Pacific Railway Company, the mortgagor named in said General Lien



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Mortgage, was merged into and with Great Northern Pacific & Burlington Lines, Inc., the name of which company was changed to Burlington Northern Inc. on March 2, 1970; and

WHEREAS, by Indenture, dated March 2, 1970, supplemental to said General Lien Mortgage, Burlington Northern Inc. assumed and agreed to be bound by all the covenants and conditions of the said General Lien Mortgage therein agreed to be kept and performed by Northern Pacific Railway Company and succeeded to and was substituted for Northern Pacific Railway Company in said mortgage; and

WHEREAS, subsequent to the name change of Burlington Northern Inc. to Burlington Northern Railroad Company on May 14, 1981, by two Supplemental Indentures each dated May 14, 1981, Burlington Northern Railroad Company assumed and agreed to be bound by all of the covenants of said General Lien Mortgage and said Consolidated Mortgage and supplements thereto; and

WHEREAS, in accordance with permissive authorization to merge as set forth in the Interstate Commerce Commission decision effective as of September 22, 1995 and by Agreement and Plan of Merger dated December 31, 1996, The Atchison, Topeka and Santa Fe Railway Company merged with and into Burlington Northern Railroad Company and the corporate name of said company was changed to The Burlington Northern and Santa Fe Railway Company;

WHEREAS, in connection with the merger of The Atchison, Topeka and Santa Fe Railway Company with and into Burlington Northern Railroad Company and the name change of Burlington Northern Railroad Company to The Burlington Northern and Santa Fe Railway Company on December 31, 1996, by two Supplemental Indentures, both dated as of December 31, 1996, The Burlington Northern and Santa Fe Railway Company has ratified, confirmed and continued uninterrupted all obligations enforceable as of December 31, 1996 in the General Lien Mortgage of Northern Pacific Railway Company and the Consolidated Mortgage of Burlington Northern Inc. and all supplements to such mortgages and has succeeded to and been substituted for Northern Pacific Railway Company and Burlington Northern Inc., respectively, in said mortgages; and

WHEREAS, by amendment to its Certificate of Incorporation in the State of Delaware the corporate name of The Burlington Northern and Santa Fe Railway Company was changed to BNSF Railway Company and the name change was reflected in a Supplemental Indenture dated as of January 20, 2005 to the General Lien Mortgage and the Twenty-Seventh Supplemental Indenture dated as of January 20, 2005 to the Burlington Northern Inc. Consolidated Mortgage and whereas in said supplemental indentures the Company continues uninterrupted the obligations under the General Lien Mortgage and the Consolidated Mortgage enforceable as of January 20, 2005 and BNSF Railway Company has been substituted for Northern Pacific Railway Company and Burlington Northern Inc., respectively, in said Mortgages.

WHEREAS, The Burlington Northern and Santa Fe Railway Company, now BNSF Railway Company duly and in accordance with the provisions of said mortgages, has made application to the Trustees thereof for the release of said property from the lien thereof;

WHEREAS, the property more fully described in Exhibit "A", hereto attached was quiet titled by John H. Weppner, et al. and the interests of The Burlington Northern and Santa Fe Railway Company now BNSF Railway Company, as owner, were thereby extinguished; and



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WHEREAS, John H. Wepler, et al. failed to name Citibank, N.A., as trustee of the General Lien Mortgage and U. S. Bank Trust National Association, as trustee of the Consolidated Mortgage, as parties to the condemnation action, thus necessitating that The Burlington Northern and Santa Fe Railway Company now BNSF Railway Company, duly and in accordance with the provisions of said General Lien Mortgage and said Consolidated Mortgage, request, Citibank, N.A. and U. S. Bank Trust National Association to execute this Partial Release in order to release the lien established by the recordation of said General Lien Mortgage and said Consolidated Mortgage and the supplements thereto;

NOW THEREFORE, THIS INDENTURE WITNESSETH that, Citibank, N.A., Trustee of said General Lien Mortgage, party of the first part, and U. S. Bank Trust National Association, Trustee of said Consolidated Mortgage, party of the second part, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, do hereby forever release and discharge from the lien of said mortgages and all supplements thereto, respectively, all of their respective rights, title and interest, as such trustees, in and to the property situate in the County of **Skagit**, State of **Washington**, more fully described in said Exhibit "A" hereto attached.

TO HAVE AND TO HOLD said property unto said party of the third part, its successors and assigns, free and clear and discharged of and from all liens and claims under said mortgages.

The recitals made herein are to be taken only as recitals made by The Burlington Northern and Santa Fe Railway Company, now BNSF Railway Company and not by any of the mortgage trustees. The reservations and exceptions, if any, set forth in said Exhibit "A" are intended to be for the benefit of the mortgage trustees as well as The Burlington Northern and Santa Fe Railway Company, now BNSF Railway Company and the liens of the aforesaid mortgages on the rights and interests so reserved and excepted, if any, are not released, and nothing herein contained shall anyway affect, alter or diminish the liens or encumbrances of the aforesaid mortgages on any of the properties covered by them respectively which are not hereby specifically released. This release is executed by said mortgage trustees without covenants or warranties, either expressed or implied, and shall be without recourse against such trustees or any of them in any event whatsoever.

IN WITNESS WHEREOF, said mortgage trustees have caused this indenture to be signed and acknowledged or approved by their respective authorized officers, and have caused their respective corporate seals to be hereunto affixed and the same to be attested by the signatures of their respective authorized officers, all as of the day and year first above written.



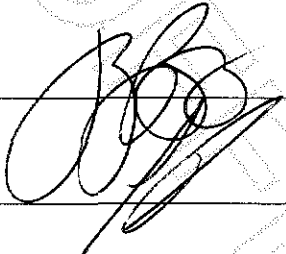
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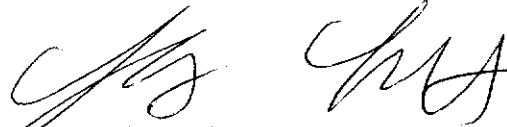
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Signed, sealed and delivered on
behalf of Citibank, N.A.,
as Trustee, in presence of:


CITIBANK, N.A., as Trustee under the General Lien
Mortgage of the Northern Pacific Railway Company,
dated November 10, 1896



By



ATTEST:




WAFAA ORFY
VICE PRESIDENT

STATE OF NEW YORK)
COUNTY OF NEW YORK)§
CITY OF NEW YORK)

On July 7, 2006, before me, Esperanza Oquendo, a
notary public, personally appeared Wafaa Orfy, to me known to be
VICE PRESIDENT of Citibank, N.A., as Trustee, one of the corporations which
executed the foregoing instrument, and who being duly sworn did say that the seal affixed to said
instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in
behalf of said corporation by authority of its Board of Directors, and acknowledged said instrument to
be the free act and deed of said corporation.

Given under my hand and official seal on _____



Notary Public

ESPERANZA OQUENDO
Notary Public, State of New York
No. 010Q5038073
Qualified in Kings County
Commission Expires Jan. 17, 2011



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Signed, sealed and delivered on
behalf of U. S. Bank Trust
National Association,
in presence of:

U. S. BANK TRUST NATIONAL ASSOCIATION
as Trustee under the Consolidated Mortgage of
Burlington Northern, Inc., dated March 2, 1970

Wayne Grima
Wayne Grima

Elvis S. Wood
Elvis S. Wood

By Beverly A. Freney
Vice President
Beverly A. Freney

ATTEST:
Geraldo Cruz
Trust Officer
Geraldo Cruz

STATE OF NEW YORK)
COUNTY OF NEW YORK) §
CITY OF NEW YORK)

On this June 26, 2006, before me, Patricia V. Cowart,
a notary public, personally appeared Beverly A. Freney, to me known to be a Vice
President of U.S. Bank Trust National Association, as Trustee, one of the corporations which executed
the foregoing instrument, and who being duly sworn did say that the seal affixed to said instrument is
the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said
corporation by authority of its Board of Directors, and acknowledged said instrument to be the free act
and deed of said corporation.

Given under my hand and official seal on June 26, 2006.

Patricia V. Cowart
Notary Public, City, County and
State of New York
My commission expires:

Patricia V. Cowart
Notary Public, State of New York
No. 0100568536
Qualified in Kings County
Commission Expires Sept 29, 2009



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Clear Lake to Arlington, Skagit County, Washington - Former Northern Pacific Railway Company property quieting title to John H. Wepler, et al.

Exhibit "A"

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, running North and South through the Northeast 1/4 of the Northwest 1/4 of Section 17, Township 33 North, Range 5 East W.M., which lies West of the centerline of said right-of-way and within the South 1/2 of said subdivision.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, running North and South through the Northeast 1/4 of the Northwest 1/4 of Section 17, Township 33 North, Range 5 East W.M., which lies West of the centerline of said right-of-way and within the North 1/2 of said subdivision.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, running North and South through the Northeast 1/4 of the Northwest 1/4 of Section 17, Township 33 North, Range 5 East W.M., which lies East of the centerline of said right-of-way and within said subdivision.

ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway, running Northwesterly and Southeasterly through the South 1/2 of the Southwest 1/4 and through the South 1/2 of the North 1/2 of the Southwest 1/4 of Section 8, Township 33 North, Range 5 East W.M., which lies West of the centerline of said right-of-way and within said subdivisions; TOGETHER WITH that portion of said right-of-way lying East of the centerline and within the Southwest 1/4 of the Southwest 1/4 of said Section 8.



ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, running Northwesterly and Southeasterly through the South 1/2 of the Northwest 1/4 of the Southwest 1/4 of Section 8, Township 33 North, Range 5 East W.M., which lies East of the centerline of said right-of-way and within said subdivision.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, running Northwesterly and Southeasterly through the North 1/2 of the Northwest 1/4 of the Southwest 1/4 of Section 8, Township 33 North, Range 5 East W.M., which lies within said subdivision and Southeasterly of those premises conveyed to the State of Washington by Deed recorded 5/4/81, as AF #8105040044.

ALSO,

That portion of the 140 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, running Northwesterly and Southeasterly through the South 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 7, Township 33 North, Range 5 East W.M., which lies between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of that certain tract conveyed to Stan Fox, et al., by Treasurer's Deed dated 1/18/79 as AF #894969, EXCEPT that portion thereof, if any, lying within those premises conveyed to the State of Washington by Deed recorded 5/5/81 as AF #8105040044.

ALSO,

That portion of the 140 foot railroad right-of-way, commonly known as the Northern Pacific Railway, running Northwesterly and Southeasterly through the South 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 7, Township 33 North, Range 5 East W.M., which lies between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of that certain tract conveyed to Frank S. Follman and Donald R. Follman by deed recorded as AF #8811150007.



That portion of the 140 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, running Northwesterly and Southeasterly through the South 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 7, Township 33 North, Range 5 East W.M., which lies between the Northeasterly extension of the Northwesterly line of that certain tract conveyed to Frank S. Follman and Donald R. Follman by deed recorded under AF #8811150007 and the West line of said subdivision.

ALSO,

That portion of the 140 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, running Northwesterly and Southeasterly through Government Lot 1 of Section 7, Township 33 North, Range 5 East W.M., which lies Southeasterly of the Northeasterly extension of Tract 19 of the "Assessor's Plat of Sunnyside Big Lake Tracts," as per plat recorded in Volume 9 of Plats, page 13, records of Skagit County, Washington, and within said subdivision.

ALSO,

That portion of the 140 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, running Northwesterly and Southeasterly through Government Lot 1 of Section 7, Township 33 North, Range 5 East W.M., which lies between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of Tract 16 of the "Assessor's Plat of Sunnyside Big Lake Tracts," as per the plat recorded in Volume 9 of Plats, page 13, records of Skagit County, WA.

ALSO,

That portion of the 140 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, running Northwesterly and Southeasterly through Government Lot 1 of Section 7, Township 33 North, Range 5 East W.M., which lies between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of Tract 15 of the "Assessor's Plat of Sunnyside Big Lake Tracts," as per plat recorded in Volume 9 of Plats, page 13, records of Skagit County, Washington.



ALSO,

That portion of the 140 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, running Northwesterly and Southeasterly through Government Lot 1 of Section 7, Township 33 North, Range 5 East W.M., which lies between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of Tract 14 of the "Assessor's Plat of Sunnyside Big Lake Tracts," as per plat recorded in Volume 9 of Plats, page 13, records of Skagit County, WA.

ALSO,

That portion of the 140 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, running Northwesterly and Southeasterly through Government Lot 1 of Section 7, Township 33 North, Range 5 East W.M., which lies between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of Tract 13 of the "Assessor's Plat of Sunnyside Big Lake Tracts," as per plat recorded in Volume 9 of Plats, page 13, records of Skagit County, WA.

ALSO,

That portion of the 140 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, running Northwesterly and Southeasterly through Government Lot 1 of Section 7, Township 33 North, Range 5 East W.M., which lies between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of Tract 12 of the "Assessor's Plat of Sunnyside Big Lake Tracts," as per plat recorded in Volume 9 of Plats, page 13, records of Skagit County, WA.

ALSO,

That portion of the 140 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, running Northwesterly and Southeasterly through Government Lot 1 of Section 7, Township 33 North, Range 5 East W.M., which lies between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of Tract 11 of the "Assessor's Plat of Sunnyside Big Lake Tracts," as per plat recorded in Volume 9 of Plats, page 13, records of Skagit County, WA.



ALSO,

That portion of the 140 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, running Northwesterly and Southeasterly through Government Lot 1 of Section 7, Township 33 North, Range 5 East W.M., which lies between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of Tract 10 of the "Assessor's Plat of Sunnyside Big Lake Tracts," as per plat recorded in Volume 9 of Plats, page 13, records of Skagit County, WA

ALSO,

That portion of the 140 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, running Northwesterly and Southeasterly through Government Lot 1 of Section 7, Township 33 North, Range 5 East W.M., which lies between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of Tract 9 of the "Assessor's Plat of Sunnyside Big Lake Tracts," as per plat recorded in Volume 9 of Plats, page 13, records of Skagit County, WA.

ALSO,

That portion of the 140 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, running Northwesterly and Southeasterly through Government Lot 1 of Section 7, Township 33 North, Range 5 East W.M., which lies between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of Tract 8 of the "Assessor's Plat of Sunnyside Big Lake Tracts," as per plat recorded in Volume 9 of Plats, page 13, records of Skagit County, WA.

ALSO,

That portion of the 140 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, running Northwesterly and Southeasterly through Government Lot 1 of Section 7, Township 33 North, Range 5 East W.M., which lies between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of Tract 7 of the "Assessor's Plat of Sunnyside Big Lake Tracts," as per plat recorded in Volume 9 of Plats, page 13, records of Skagit County, WA.



ALSO,

That portion of the 140 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway running Northwesterly and Southeasterly through Government Lot 1 of Section 7, Township 33 North, Range 5 East W.M., which lies between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of Tract 8 of the "Assessor's Plat of Sunnyside Big Lake Tracts," as per plat recorded in Volume 9 of Plats, page 13, records of Skagit County, WA.

ALSO,

That portion of the 140 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway running Northwesterly and Southeasterly through Government Lot 1 of Section 7, Township 33 North, Range 5 East W.M., which lies between the Northeasterly extensions of both the Northwesterly line of Tract 4 and the Southeasterly line of Tract 5 of the "Assessor's Plat of Sunnyside Big Lake Tracts," as per plat re-corded in Volume 9 of Plats, page 13, records of Skagit County, Washington, EXCEPT that portion of the Northeasterly 50 feet of said right-of-way which lies between the Northeasterly extension of the Northwesterly line of said Tract 4 and a line drawn at right angles to the centerline of said right-of-way from the Southerlymost point of that portion of said Government Lot 1 which lies Easterly of said right-of-way and Westerly of the Montborne McMurray Road commonly known as State Highway No. 9. ALSO EXCEPT that portion thereof conveyed to James A. Smith and Cindy Seidler, a partnership, by deed recorded August 15, 1991, as AF #9108150048.

ALSO,

That portion of the 140 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway running Northwesterly and Southeasterly through Government Lot 1 of Section 7, Township 33 North, Range 5 East W.M., which lies between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of Tract 3 of the "Assessor's Plat of Sunnyside Big Lake Tracts," as per plat recorded in Volume 9 of Plats, page 13, records of Skagit County, Washington,



EXCEPT the Northeasterly 50 feet of said right-of-way and ALSO EXCEPT that portion thereof lying within that certain tract conveyed to James A. Smith and Cindy Seidler, a partnership, by deed recorded August 15, 1991, as AF #9108150048.

ALSO,

That portion of the 140 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, running Northwesterly and Southeasterly through Government Lot 1 of Section 7, Township 33 North, Range 5 East W.M., which lies between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of Tract 2 of the "Assessor's Plat of Sunnyside Big Lake Tracts," as per plat recorded in Volume 9 of Plats, page 13, records of Skagit County, WA.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, running Northerly and Southerly through Government Lot 1 of Section 7, Township 33 North, Range 5 East W.M., and through Government Lot 9 of Section 6, Township 33 North, Range 5 East W.M., which lies Easterly of the centerline of said right-of-way and Northerly of a line drawn at right angles to the centerline of said right-of-way from the Southerlymost point of that portion of said Government Lot 1 which lies Easterly of said right-of-way and Westerly of the Montborne McMurray Road commonly known as State Highway No. 9; EXCEPT that portion thereof lying within the County road right-of-way across the North 30 feet of said Government Lot 9.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway running Northerly and Southerly through Government Lot 9 of Section 6, Township 33 North, Range 5 East W.M., which lies Westerly of the centerline of said right-of-way and Southeasterly of the Northeasterly extension of the Northwesterly line of Lot 26, "Sulphur Springs Lake Tracts, Skagit County, Wash." as per plat recorded in Volume 5 of Plats, page 13, records of Skagit County, WA, and Northerly of the South line of said Government Lot 9.



ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, running Northerly and Southerly through Government Lot 9 of Section 6, Township 33 North, Range 5 East W.M., which lies West of the centerline of said right-of-way and between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of Lot 25, "Sulphur Springs Lake Tracts, Skagit County, Wash." as per plat recorded in Volume 5 of Plats, page 13, records of Skagit County, Washington.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, running Northerly and Southerly through Government Lot 9 of Section 6, Township 33 North, Range 5 East W.M., which lies West of the centerline of said right-of-way and between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of Lot 24, "Sulphur Springs Lake Tracts, Skagit County, Wash." as per plat recorded in Volume 5 of Plats, page 13, records of Skagit County, Washington.

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, running Northerly and Southerly through Government Lot 9 of Section 6, Township 33 North, Range 5 East W.M., which lies West of the centerline of said right-of-way and between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of Lot 23, "Sulphur Springs Lake Tracts, Skagit County, Wash." as per plat recorded in Volume 5 of Plats, page 13, records of Skagit County, Washington.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, running Northerly and Southerly through Government Lot 9 of Section 6, Township 33 North, Range 5 East W.M., which lies West of the centerline of said right-of-way and between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of Lot 21 of "Sulphur Springs Lake Tracts, Skagit County, Wash.", as per plat recorded in Volume 5 of Plats, page 13, records of Skagit County, Washington.



ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, running Northerly and Southerly through Government Lot 9 of Section 6, Township 33 North, Range 5 East W.M., which lies West of the centerline of said right-of-way and between the Northeasterly extensions of both the Northwesternly line of Lot 19 and the Southeasterly line of Lot 20 of "Sulphur Springs Lake Tracts, Skagit County, Wash." as per plat recorded in Volume 5 of Plats, page 13, records of Skagit County, Washington.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, running Northerly and Southerly through Government Lot 9 of Section 6, Township 33 North, Range 5 East W.M., which lies West of the centerline of said right-of-way and between the Northeasterly extensions of both the Northwesternly and Southeasterly lines of Lot 18, "Sulphur Springs Lake Tracts, Skagit County, Wash." as per plat recorded in Volume 5 of Plats, page 13, records of Skagit County, Washington.

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, running Northerly and Southerly through Government Lot 9 of Section 6, Township 33 North, Range 5 East W.M., which lies West of the centerline of said right-of-way and between the Northeasterly extensions of both the Northwesternly and Southeasterly lines of Lot 17, "Sulphur Springs Lake Tracts, Skagit County, Wash." as per plat recorded in Volume 5 of Plats, page 13, records of Skagit County, Washington.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, running Northerly and Southerly through Government Lot 9 of Section 6, Township 33 North, Range 5 East W.M., which lies West of the centerline of said right-of-way and between the Northeasterly extensions of both the Northwesternly and Southeasterly lines of Lot 16 of "Sulphur Springs Lake Tracts, Skagit County, Wash.", as



per plat recorded in Volume 5 of Plats, page 13, records of Skagit County, Washington.

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, running Northerly and Southerly through Government Lot 9 of Section 6, Township 33 North, Range 5 East W.M., which lies West of the centerline of said right-of-way and between the Northeasterly extensions of the Southeasterly and Northwesterly lines of Lot 15 of "Sulphur Springs Lake Tracts, Skagit County, Wash.", as per plat recorded in Volume 5 of Plats, page 13, records of Skagit County, Washington.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway running Northerly and Southerly through Government Lot 9 of Section 6, Township 33 North, Range 5 East W.M., which lies West of the centerline of said right-of-way and between the Easterly extensions of the Southerly and Northerly lines of Lot 14-1/2 of "Sulphur Springs Lake Tracts, Skagit County, Wash.", as per plat recorded in Volume 5 of Plats, page 13, records of Skagit County, Washington.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, running Northerly and Southerly through Government Lot 9 of Section 6, Township 33 North, Range 5 East W.M., which lies West of the centerline of said right-of-way and between the Easterly extensions of both the North and South lines of the South 1/2 of Lot 14, "Sulphur Springs Lake Tracts, Skagit County, Wash." as per plat recorded in Volume 5 of Plats, page 13, records of Skagit County, Washington.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, running Northerly and Southerly through Government Lot 9 of Section 6, Township 33 North, Range 5 East W.M., which lies West of the centerline of said right-of-way and between the Easterly extensions of both the North and



South lines of the North 1/2 of Lot 14, "Sulphur Springs Lake Tracts, Skagit County, Wash." as per plat recorded in Volume 5 of Plats, page 13, records of Skagit County, Washington.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, running Northerly and Southerly through Government Lot 9 of Section 6, Township 33 North, Range 5 East W.M., which lies West of the centerline of said right-of-way and between the Easterly extensions of both the North and South lines of Lot 13 of "Sulphur Springs Lake Tracts, Skagit County, Wash.", as per plat recorded in Volume 5 of Plats, page 13, records of Skagit County, Washington.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, running Northerly and Southerly through Government Lot 9 of Section 6, Township 33 North, Range 5 East W.M., which lies West of the centerline of said right-of-way and between the Easterly extensions of both the North line of Lot 11 and the South line of Lot 12 of "Sulphur Springs Lake Tracts, Skagit County, Wash." as per plat recorded in Volume 5 of Plats, page 13, records of Skagit County, Washington.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, running Northerly and Southerly through Government Lot 9 of Section 6, Township 33 North, Range 5 East W.M., which lies West of the centerline of said right-of-way and between the Easterly extensions of both the North and South lines of Lot 10, "Sulphur Springs Lake Tracts, Skagit County, Wash." as per plat recorded in Volume 5 of Plats, page 13, records of Skagit County, Washington.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, running Northerly and Southerly through Government Lot 9 of Section 6, Township 33 North, Range 5 East W.M.,



which lies West of the centerline of said right-of-way and between the Easterly extensions of both the North line of Lot 8 and the South line of Lot 9 of "Sulphur Springs Lake Tracts, Skagit County, Wash.", as per plat recorded in Volume 5 of Plats, page 13, records of Skagit County, Washington.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, running Northerly and Southerly through Government Lot 9 of Section 6, Township 33 North, Range 5 East W.M., which lies West of the centerline of said right-of-way and between the Easterly extensions of both the North and South lines of of Lot 7, "Sulphur Springs Lake Tracts, Skagit County, Wash." as per plat recorded in Volume 5 of Plats, page 13, records of Skagit County, Washington.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, running Northerly and Southerly through Government Lot 9 of Section 6, Township 33 North, Range 5 East W.M., which lies West of the centerline of said right-of-way and between the Easterly extensions of both the North line of Lot 5 and the South line of Lot 6 of "Sulphur Springs Lake Tracts, Skagit County, Wash." as per plat recorded in Volume 5 of Plats, page 13, records of Skagit County, Washington.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, running Northerly and Southerly through Government Lot 9 of Section 6, Township 33 North, Range 5 East W.M., which lies West of the centerline of said right-of-way and between the Easterly extensions of both the North and South lines of Lot 4, "Sulphur Springs Lake Tracts, Skagit County, Wash." as per plat recorded in Volume 5 of Plats, page 13, records of Skagit County, Washington.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway.



running Northerly and Southerly through Government Lot 9 of Section 6, Township 33 North, Range 5 East W.M., which lies West of the centerline of said right-of-way and between the Easterly extensions of both the North and South lines of Lot 3, "Sulphur Springs Lake Tracts, Skagit County, Wash." as per plat recorded in Volume 5 of Plats, page 13, records of Skagit County, Washington.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, running Northerly and Southerly through Government Lot 9 of Section 6, Township 33 North, Range 5 East W.M. which lies West of the centerline of said right-of-way and between the Easterly extensions of both the North and South lines of the South 40 feet of Lot 2 of "Sulphur Springs Lake Tracts, Skagit County, Wash.", as per plat recorded in Volume 5 of Plats, page 13, records of Skagit County, Washington.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, running Northerly and Southerly through Government Lot 9 of Section 6, Township 33 North, Range 5 East W.M., which lies West of the centerline of said right-of-way and between the Easterly extensions of both the North and South lines of Lot 1, "Sulphur Springs Lake Tracts, Skagit County, Wash." as per plat recorded in Volume 5 of Plats, page 13, records of Skagit County, Washington.

ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), adjoining the Westerly line of Block 2 of the vacated plat of "Reserve Add. to the Town of Montborne," as per plat recorded in Volume 2 of Plats, page 59, records of Skagit County, Washington, which lies Northerly of the Southerly line of said Block 2 extended West to the centerline of the last mainline track of the Northern Pacific Railway as it existed in 1970, and Easterly of said centerline, and Southerly of the centerline of vacated Alder Street extended West to said railway centerline;



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Skagit County Auditor

TOGETHER WITH Lots 1, 2, 3, 4, 5, 6, 7 and 8, Block 2 of the vacated plat of "Reserve Add. to the Town of Montborne," as per plat recorded in Volume 2 of Plats, page 59, records of Skagit County, Washington TOGETHER WITH that portion of vacated Alder Street which has reverted thereto by operation of law;

TOGETHER WITH Lots 1, 2, 3, 4, 9 and 10, Block 51, of the vacated plat of "The Town of Montborne," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington;

TOGETHER WITH that portion of vacated Alder Street which has reverted thereto by operation of law;

EXCEPT from all of the above those portions thereof lying within the South 650 feet of Government Lot 6 of Section 6, Township 33 North, Range 5 East W.M.; ALSO EXCEPT those portions thereof, if any, lying within the South 1/2 of said Government Lot 6.

TOGETHER WITH a 15 foot wide sewer line easement, the exact location of which shall be determined later, over and across Parcels "A" and "B" of Parcel No. 62 of this action, which is owned by Marvin H. Sims and Barbara A. Sims, husband and wife.

ALSO

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway) lying between the Easterly extensions of the Northerly and Southerly lines of that portion of Block 55, "Plat of the Town of Montborne," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, conveyed to Knute C. Figenshow by deed recorded as AF #8610170025 and Westerly of the centerline of said right-of-way; EXCEPT that portion thereof conveyed to Sylvia Jensen to the North, AND ALSO EXCEPT those portions thereof, if any, conveyed to Helmer Loy, et ux, by AF #8403200053 and quieted in Helmer Loy et ux, by decree entered November 8, 1988, in Skagit County Superior Court cause #87-2-00748-3.

ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), lying between the Easterly extensions of the Northerly and Southerly lines of that portion of Block 55, "Plat of the Town of Mor



recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, conveyed to Robert G. Miller, et ux, by deed recorded August 19, 1987, as AF #8708190025, and lying Westerly of Line "RR" described below; EXCEPT that portion thereof, if any, along the North line thereof conveyed to Marion P. Neale, by a deed recorded July 6, 1977, as AF #859950. AND ALSO EXCEPT those portions thereof, if any, conveyed to Helmer Loy, et ux, by AF #8403200053 and quieted in Helmer Loy et ux, by decree entered November 8, 1988, in Skagit County Superior Court cause #87-2-00748-3.

Line "RR": Begin at a point on the North line of the South 1/2 of Government Lot 6 of Section 6, Township 33 North, Range 5 East W.M., which is midway between the centerline of the original 100 foot wide right-of-way of the Seattle Lake Shore and Eastern Railway and the centerline of the last mainline track of the Northern Pacific Railway as it existed in 1970; thence Northerly on a line drawn midway between the centerline of the original 100 foot wide right-of-way and the centerline of the above described mainline track to the point of intersection of said centerlines, said point being the terminus of this line description.

ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), lying between the Easterly extensions of the Northerly and Southerly lines of that portion of Block 55, "Plat of the Town of Montborne," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, conveyed to Marion P. Neale, by deed recorded March 27, 1964, as AF #648400, and Westerly of Line "RR" described below; EXCEPT that portion thereof, if any, along the South line thereof conveyed to Robert Gay Miller, et ux, by a deed recorded October 18, 1976, as AF #844525.

Line "RR": Begin at a point on the North line of the South 1/2 of Government Lot 6 of Section 6, Township 33 North, Range 5 East W.M., which is midway between the centerline of the original 100 foot wide right-of-way of the Seattle Lake Shore and Eastern Railway and the centerline of the last mainline track of the Northern Pacific Railway as it existed in 1970; thence Northerly on a line drawn midway between the centerline of the original 100 foot wide right-of-way and the centerline of the above

described mainline track to the point of intersection of said centerlines, said point being the terminus of this line description.

ALSO,

Parcel "A": That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), lying between the Northeasterly extensions of the Northwesterly and Southeasterly lines of the following described Tract "X" and Westerly of Line "RR" described below:

Tract "X":

That portion of Block 55 and vacated Lakeside Boulevard abutting, of "Plat of the Town of Montborne," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, lying within the following described tract: Commencing at the Northeasterly corner of Lot 1, Block 43 of said "Plat of the Town of Montborne"; thence North 47°25'45" East along a projection of the Northerly line of said Lot 1, a distance of 50.22 feet; thence South 37°10'00" East, parallel with the Easterly line of said Block 43 and along the original centerline of the Northern Pacific Railroad a distance of 236.94 feet to the point of beginning; thence continuing South 37°10'00" East along said parallel line and along centerline a distance of 133.05 feet to a point of curvature in said centerline; thence along the arc of said curve to the right having a radius of 1146.28 feet, through a central angle of 1°35'49", an arc distance of 31.95 feet; thence South 59°11'37" West 119 feet, more or less, to the shoreline of Big Lake; thence Northwesterly along said shoreline 166 feet, more or less, to a point which is South 60°10'00" West from the point of beginning; thence North 60°10'00" East 115 feet, more or less, to the point of beginning.

Line "RR": Begin at a point on the North line of the South 1/2 of Government Lot 6 of Section 6, Township 33 North, Range 5 East W.M., which is midway between the centerline of the original 100 foot wide right-of-way of the Seattle Lake Shore and Eastern Railway and the centerline of the last mainline track of the Northern Pacific Railway as it existed in 1970; thence Northerly on a line drawn midway between the centerline of the original 100 foot wide right-of-way and the centerline of the above described mainline track to the point of intersection of said centerlines, said point being the terminus of this line description.



Parcel "B": That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), adjoining the Westerly line of Block 2 of the vacated plat of "Reserve Add. to the Town of Montborne," as per plat recorded in Volume 2 of Plats, page 59, records of Skagit County, Washington, which lies Northerly of the Southerly line of said Block 2 extended West to the centerline of the last mainline track of the Northern Pacific Railway as it existed in 1970, and Westerly of said centerline, and Southerly of the centerline of vacated Alder Street extended West to said railway centerline;

TOGETHER WITH Lots 1, 2, 3, 4, 5, 6, 7 and 8, Block 2 of the vacated plat of "Reserve Add. to the Town of Montborne," as per plat recorded in Volume 2 of Plats, page 59, records of Skagit County, WA, TOGETHER WITH that portion of vacated Alder Street which has reverted thereto by operation of law;

TOGETHER WITH Lots 1, 2, 3, 4, 9 and 10, Block 51, of the vacated plat of "The Town of Montborne," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, TOGETHER WITH that portion of vacated Alder Street which has reverted thereto by operation of law;

EXCEPT from all of the above those portions thereof lying within the South 650 feet of Government Lot 6 of Section 6, Township 33 North, Range 5 East W.M.; ALSO EXCEPT those portions thereof, if any, lying within the South 1/2 of said Government Lot 6.

EXCEPT that portion thereof lying Westerly of the following described Line "RR":

Line "RR": Begin at a point on the North line of the South 1/2 of Government Lot 6 of Section 6, Township 33 North, Range 5 East W.M., which is midway between the centerline of the original 100 foot wide right-of-way of the Seattle Lake Shore and Eastern Railway and the centerline of the last mainline track of the Northern Pacific Railway as it existed in 1970; thence Northerly on a line drawn midway between the centerline of the original 100 foot wide right-of-way and the centerline of the above described mainline track to the point of intersection of said centerlines, said point being the terminus of this line description.

Said Parcels "A" and "B" being subject to a 15 foot wide sewer line easement, the exact location of which shall be determined later, in favor of Ray Kemp, the owner of Parcel No. 56 of this action.



ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), lying Westerly of Line "RR" described below and between the Northeasterly extensions of the Northwesterly and Southeasterly line of the following described Tract "A":

Tract "A": All those portions of Blocks 43 and 55 and vacated Lakeside Boulevard, "Plat of the Town of Montborne," as per plat recorded in Volume 2, page 80, records of Skagit County, Washington, lying within the boundaries of the following described tract: Commencing at the Northeasterly corner of Lot 1, Block 43, "Plat of the Town of Montborne"; thence North 47°25'45" East along a projection of the Northerly line of said Lot 1, a distance of 50.22 feet; thence South 37°10' East parallel to the Easterly line of said Block 43, a distance of 236.94 feet to the true point of beginning of this description; thence North 37°10' West a distance of 127.00 feet; thence South 77°17'17" West a distance of 98.87 feet to the Southeasterly corner of that certain tract conveyed to Fred West and Cecile C. West, husband and wife, by instrument dated April 1, 1963, ad recorded April 23, 1963, under AF #634911; thence continuing South 77°17'17" West along the Southerly line of said West tract a distance of 99.98 feet, more or less, to the shore of Big Lake; thence Southeasterly along the shore of Big Lake a distance of 170.00 feet, more or less, to a point that bears South 69°10' West from the point of beginning; thence North 60°10' West a distance of 115.00 feet, more or less, to the true point of beginning; EXCEPT that portion thereof, if any, lying within that center 40 foot roadway conveyed to Skagit County by deed dated October 9, 1946, recorded under AF #397033. ALSO EXCEPT that portion, if any, lying within the Northern Pacific Railroad right-of-way.

Parcel "B": Lots 1, 2, 12 and 13, Block 4, "Plat of the Reserve Addition to the Town of Montborne," as per plat recorded in Volume 2 of Plats, page 59, records of Skagit County, WA.

Parcel "C": Lots 10 through 14, inclusive, Block 3, "Plat of the Reserve Addition to the Town of Montborne," as per plat recorded in Volume 2 of Plats, page 59, records of Skagit County, WA.

Parcel "D": That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific



Railway (and originally conveyed to the Seattle Lakeshore and Eastern Railway) lying Easterly of Line "RR" described below and between the Southwesterly extension of the Northwesterly line of Lot 12, Block 4, "Plat of the Reserve Addition to the Town of Montborne," as per plat recorded in Volume 2 of Plats, page 59, records of Skagit County, Washington, and the Southwesterly extension of the Southeasterly line of Lot 14, Block 3, of said Plat.

Line "RR": Begin at a point on the North line of the South 1/2 of Government Lot 6 of Section 6, Township 33 North, Range 5 East W.M., which is midway between the centerline of the original 100 foot wide right-of-way of the Seattle Lake Shore and Eastern Railway and the centerline of the last mainline track of the Northern Pacific Railway as it existed in 1970; thence Northerly on a line drawn midway between the centerline of the original 100 foot wide right-of-way and the centerline of the above described mainline track to the point of intersection of said centerlines, said point being the terminus of this line description.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway) lying Easterly of Line "RR" described below and lying Southeasterly of the Southwesterly extension of the Northwesterly line of Lot 15, Block 3, "Plat of the Reserve Addition to Montborne," as per plat recorded in Volume 2 of Plats, page 59, records of Skagit County, Washington, and lying Northerly of the centerline of Alder Street extended Westerly; TOGETHER WITH Lots 13 through 20, inclusive, of said Block 3; TOGETHER WITH those portions of vacated Alder and Division Streets which have reverted thereto by operation of law.

Line "RR": Begin at a point on the North line of the South 1/2 of Government Lot 6 of Section 6, Township 33 North, Range 5 East W.M., which is midway between the centerline of the original 100 foot wide right-of-way of the Seattle Lake Shore and Eastern Railway and the centerline of the last mainline track of the Northern Pacific Railway as it existed in 1970; thence Northerly on a line drawn midway between the centerline of the original 100 foot wide right-of-way and the centerline of the above described mainline track to the point of



intersection of said centerlines, said point being the terminus of this line description.

ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), lying Westerly of Line "RR" described below and between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of that certain tract of land in Block 43 and vacated Lakeside Boulevard of "The Town of Montborne," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, sold by Real Estate Contract recorded as AF #634911 to Fred West, et ux.

ALSO that portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), lying Westerly of Line "RR" described below and between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of that certain tract of land in Block 43 and vacated Lakeside Boulevard of "The Town of Montborne," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, conveyed to Fred West, et ux, by deed recorded January 27, 1982, as AF # 8201270005.

Line "RR": Begin at a point on the North line of the South 1/2 of Government Lot 6 of Section 6, Township 33 North, Range 5 East W.M., which is midway between the centerline of the original 100 foot wide right-of-way of the Seattle Lake Shore and Eastern Railway and the centerline of the last mainline track of the Northern Pacific Railway as it existed in 1970; thence Northerly on a line drawn midway between the centerline of the original 100 foot wide right-of-way and the centerline of the above described mainline track to the point of intersection of said centerlines, said point being the terminus of this line description.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway) lying Westerly of Line "RR" described below and between the Northeasterly extension of



both the Northwesterly and Southeasterly lines of that certain tract of land in Block 43 and vacated Lakeside Boulevard of "The Town of Montborne," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, conveyed to Brent Frederic Gardner, et al, by Deed recorded 12/24/73 as AF #794867.

Line "RR": Begin at a point on the North line of the South 1/2 of Government Lot 6 of Section 6, Township 33 North, Range 5 East W.M., which is midway between the centerline of the original 100 foot wide right-of-way of the Seattle Lake Shore and Eastern Railway and the centerline of the last mainline track of the Northern Pacific Railway as it existed in 1970; thence Northerly on a line drawn midway between the centerline of the original 100 foot wide right-of-way and the centerline of the above described mainline track to the point of intersection of said centerlines, said point being the terminus of this line description.

ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), lying Westerly of Line "RR" described below and between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of that certain tract of land in Block 43 and vacated Lakeside Boulevard of "The Town of Montborne," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, conveyed to Charles K. Noyes by deed recorded May 4, 1972, as AF #767822.

Line "RR": Begin at a point on the North line of the South 1/2 of Government Lot 6 of Section 6, Township 33 North, Range 5 East W.M., which is midway between the centerline of the original 100 foot wide right-of-way of the Seattle Lake Shore and Eastern Railway and the centerline of the last mainline track of the Northern Pacific Railway as it existed in 1970; thence Northerly on a line drawn midway between the centerline of the original 100 foot wide right-of-way and the centerline of the above described mainline track to the point of intersection of said centerlines, said point being the terminus of this line description.

ALSO,



That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), lying Westerly of Line "RR" described below and between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of that certain tract of land in Block 43 and vacated Lakeside Boulevard of "The Town of Montborne," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, conveyed to J. Warren Clancy, et ux, by deeds recorded April 2, 1979, and September 2, 1981 as AF #7904020017 and #8109020024.

Line "RR": Begin at a point on the North line of the South 1/2 of Government Lot 6 of Section 6, Township 33 North, Range 5 East W.M., which is midway between the centerline of the original 100 foot wide right-of-way of the Seattle Lake Shore and Eastern Railway and the centerline of the last mainline track of the Northern Pacific Railway as it existed in 1970; thence Northerly on a line drawn midway between the centerline of the original 100 foot wide right-of-way and the centerline of the above described mainline track to the point of intersection of said centerlines, said point being the terminus of this line description.

ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), lying Westerly of Line "RR" described below and between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of the following described tract:

That portion of Lots 8, 9 and 10, Block 43, "Plat of the Town of Montborne," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, and that portion of vacated Lakeside Boulevard adjoining said lots described as follows: Beginning at the intersection of the Southwesterly line of that certain 40 foot roadway conveyed to Skagit County by deed dated October 9, 1946, and recorded October 15, 1946, as AF #397033 in Volume 213 of Deeds, page 368, and the Southeasterly line of said Lot 8; thence Northwesterly along the Southwesterly line of said 40 foot roadway, a distance of 75 feet to a point 5 feet Southeasterly of the Southeasterly line of said Lot 10; thence Southwesterly in a straight line to an intersection of the shoreline of Big Lake with the Southeast line of the Northwesterly 20 feet of said Lot 10 extended



Southwesterly to the shoreline of Big Lake; thence Southeasterly along the shoreline of Big Lake to an intersection of the said shoreline with the Northwesterly line of the Southeasterly 10 feet of said Lot 9 extended Southwesterly to the shoreline of Big Lake; thence Northeasterly in a straight line to the point of beginning.

ALSO that portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), lying Westerly of Line "RR" described below and between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of that certain tract of land in Block 43 and vacated Lakeside Boulevard of "The Town of Montborne," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, conveyed to Woodrow White, et ux, by deed recorded September 25, 1987, as AF #8709250034.

Line "RR": Begin at a point on the North line of the South 1/2 of Government Lot 6 of Section 6, Township 33 North, Range 5 East W.M., which is midway between the centerline of the original 100 foot wide right-of-way of the Seattle Lake Shore and Eastern Railway and the centerline of the last mainline track of the Northern Pacific Railway as it existed in 1970; thence Northerly on a line drawn midway between the centerline of the original 100 foot wide right-of-way and the centerline of the above described mainline track to the point of intersection of said centerlines, said point being the terminus of this line description.

ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), lying Westerly of Line "RR" described below and between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of that certain tract of land in Block 43 and vacated Lakeside Boulevard of "The Town of Montborne," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, conveyed to Jean Nelson by deed recorded October 11, 1972, as AF #775205.

Line "RR": Begin at a point on the North line of the South 1/2 of Government Lot 6 of Section 6, Township 33 North, Range 5 East W.M., which is midway between the



centerline of the original 100 foot wide right-of-way of the Seattle Lake Shore and Eastern Railway and the centerline of the last mainline track of the Northern Pacific Railway as it existed in 1970; thence Northerly on a line drawn midway between the centerline of the original 100 foot wide right-of-way and the centerline of the above described mainline track to the point of intersection of said centerlines, said point being the terminus of this line description.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway) lying Westerly of Line "RR" described below and between the Northeasterly extension of both the Northwesterly and Southeasterly lines of that certain tract of land in Block 43 and vacated Lakeside Boulevard of "The Town of Montborne," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, conveyed to Betty L. Molitor by Deed recorded May 24, 1984 as AF #8405240019.

Line "RR": Begin at a point on the North line of the South 1/2 of Government Lot 6 of Section 6, Township 33 North, Range 5 East W.M., which is midway between the centerline of the original 100 foot wide right-of-way of the Seattle Lake Shore and Eastern Railway and the centerline of the last mainline track of the Northern Pacific Railway as it existed in 1970; thence Northerly on a line drawn midway between the centerline of the original 100 foot wide right-of-way and the centerline of the above described mainline track to the point of intersection of said centerlines, said point being the terminus of this line description.

ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), lying Westerly of Line "RR" described below and between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of that certain tract of land in Block 43 and vacated Lakeside Boulevard of "The Town of Montborne," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, conveyed to R. Elaine



Pedersen, et ux, by deed recorded December 27, 1983, as AF #8312270023.

Line "RR": Begin at a point on the North line of the South 1/2 of Government Lot 6 of Section 6, Township 33 North, Range 5 East W.M., which is midway between the centerline of the original 100 foot wide right-of-way of the Seattle Lake Shore and Eastern Railway and the centerline of the last mainline track of the Northern Pacific Railway as it existed in 1970; thence Northerly on a line drawn midway between the centerline of the original 100 foot wide right-of-way and the centerline of the above described mainline track to the point of intersection of said centerlines, said point being the terminus of this line description.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway) lying Westerly of Line "RR" described below and between the Northeasterly extension of both the Northwesterly and Southeasterly lines of that certain tract of land in Block 43 and vacated Lakeside Boulevard of "The Town of Montborne," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, conveyed to Elmer S. Jamison, et ux., by Deed recorded May 7, 1979 as AF #7905070062

Line "RR": Begin at a point on the North line of the South 1/2 of Government Lot 6 of Section 6, Township 33 North, Range 5 East W.M., which is midway between the centerline of the original 100 foot wide right-of-way of the Seattle Lake Shore and Eastern Railway and the centerline of the last mainline track of the Northern Pacific Railway as it existed in 1970; thence Northerly on a line drawn midway between the centerline of the original 100 foot wide right-of-way and the centerline of the above described mainline track to the point of intersection of said centerlines, said point being the terminus of this line description.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and



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UNFO
Eastern Railway) lying Westerly of Line "RR" described below and Southeasterly of the centerline of vacated Hancock Street and Northwesterly of the Northeasterly extension of the Southeasterly line of that certain tract of land in Block 43 and vacated Lakeside Boulevard of "The Town of Montborne," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, conveyed to Hugh M. Fike, et ux, by Deed recorded 7/12/61 as AF #609880.

Line "RR": Begin at a point on the North line of the South 1/2 of Government Lot 6 of Section 6, Township 33 North, Range 5 East W.M., which is midway between the centerline of the original 100 foot wide right-of-way of the Seattle Lake Shore and Eastern Railway and the centerline of the last mainline track of the Northern Pacific Railway as it existed in 1970; thence Northerly on a line drawn midway between the centerline of the original 100 foot wide right-of-way and the centerline of the above described mainline track to the point of intersection of said centerlines, said point being the terminus of this line description.

ALSO,

That portion of the 100 foot wide railroad right-of way, commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway) lying Westerly of Line "RR" described below and Northwesterly of the centerline of vacated Hancock Street and Southeasterly of the Northeasterly extension of the Northwesterly line of that certain tract of land in Block 42 and vacated Lakeside Boulevard of "The Town of Montborne," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, conveyed to Robert K. Oliver, et ux, by Deed recorded April 9, 1987, as AF #8704090017.

Line "RR": Begin at a point on the North line of the South 1/2 of Government Lot 6 of Section 6, Township 33 North, Range 5 East W.M., which is midway between the centerline of the original 100 foot wide right-of-way of the Seattle Lake Shore and Eastern Railway and the centerline of the last mainline track of the Northern Pacific Railway as it existed in 1970; thence Northerly on a line drawn midway between the centerline of the original 100 foot wide right-of-way and the centerline of the above described mainline track to the point of intersection of said centerlines, said point being the terminus of this line description.



ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), lying Westerly of Line "RR" described below and between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of that certain tract of land in Block 42 and vacated Lakeside Boulevard of "The Town of Montborne," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, conveyed to Milo F. Hicks, et ux, by deed recorded December 30, 1985, as AF #8512300020.

Line "RR": Begin at a point on the North line of the South 1/2 of Government Lot 6 of Section 6, Township 33 North, Range 5 East W.M., which is midway between the centerline of the original 100 foot wide right-of-way of the Seattle Lake Shore and Eastern Railway and the centerline of the last mainline track of the Northern Pacific Railway as it existed in 1970; thence Northerly on a line drawn midway between the centerline of the original 100 foot wide right-of-way and the centerline of the above described mainline track to the point of intersection of said centerlines, said point being the terminus of this line description.

ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), lying Westerly of Line "RR" described below and between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of that certain tract of land in Block 42 and vacated Lakeside Boulevard of "The Town of Montborne," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, conveyed to Clarence M. Vandergriend, Jr., et ux, by deed recorded July 18, 1977, as AF #860833.

Line "RR": Begin at a point on the North line of the South 1/2 of Government Lot 6 of Section 6, Township 33 North, Range 5 East W.M., which is midway between the centerline of the original 100 foot wide right-of-way of the Seattle Lake Shore and Eastern Railway and the centerline of the last mainline track of the Northern Pacific Railway as it existed in 1970; thence Northerly



on a line drawn midway between the centerline of the original 100 foot wide right-of-way and the centerline of the above described mainline track to the point of intersection of said centerlines, said point being the terminus of this line description.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway) lying Westerly of Line "RR" described below and lying Westerly of that portion, if any, of the centerline of said right-of-way lying Northerly of Line "RR" and lying between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of that certain tract of land in Block 42 and vacated Lakeside Boulevard of "The Town of Montborne," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, conveyed to C. K. Ash, et ux, by Deed recorded June 13, 1972, as AF #769577.

Line "RR": Begin at a point on the North line of the South 1/2 of Government Lot 6 of Section 6, Township 33 North, Range 5 East W.M., which is midway between the centerline of the original 100 foot wide right-of-way of the Seattle Lake Shore and Eastern Railway and the centerline of the last mainline track of the Northern Pacific Railway as it existed in 1970; thence Northerly on a line drawn midway between the centerline of the original 100 foot wide right-of-way and the centerline of the above described mainline track to the point of intersection of said centerlines, said point being the terminus of this line description.

ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), lying Westerly of Line "RR" described below and between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of that certain tract of land in Block 42 and vacated Lakeside Boulevard of "The Town of Montborne," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, conveyed to Jeffery P. Bell, et ux, by deed recorded July 31, 1986, as AF #8407310016.



Line "RR": Begin at a point on the North line of the South 1/2 of Government Lot 6 of Section 6, Township 33 North, Range 5 East W.M., which is midway between the centerline of the original 100 foot wide right-of-way of the Seattle Lake Shore and Eastern Railway and the centerline of the last mainline track of the Northern Pacific Railway as it existed in 1970; thence Northerly on a line drawn midway between the centerline of the original 100 foot wide right-of-way and the centerline of the above described mainline track to the point of intersection of said centerlines, said point being the terminus of this line description.

ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), lying Westerly of the centerline of said right-of-way and between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of that certain tract of land in Block 42 and vacated Lakeside Boulevard of "The Town of Montborne," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, conveyed to Roger A. Dalseg, et ux, by deed recorded May 13, 1982 as AF #8205130072.

ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), lying Westerly of the centerline of said right-of-way and between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of that certain tract of land in Block 42 and vacated Lakeside Boulevard of "The Town of Montborne," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, conveyed to Roger A. Dalseg, et ux, by deed recorded May 13, 1982, as AF #8205130072.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and



Eastern Railway) lying Westerly of the centerline of said right-of-way and between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of that certain tract of land in Block 42 and vacated Lakeside Boulevard of "The Town of Montborne," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, conveyed to Baxter A. Sims and Beverley Sims, husband and wife, by Deed recorded May 25, 1989 as AF #8905250070.

ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), lying Westerly of the centerline of said right-of-way and between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of that certain tract of land in Block 42 and vacated Lakeside Boulevard of "The Town of Montborne," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, sold to Vernon O. Teeters, et ux, by Contract recorded June 18, 1964, as AF #652046.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway) lying Westerly of the centerline of said right-of-way and between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of that certain tract of land in Block 42 and vacated Lakeside Boulevard of "The Town of Montborne," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, conveyed to John E. Colburn, et ux, by Contract recorded April 18, 1973, as AF #783662.

ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), lying Westerly of the centerline of said right-of-way and between the Northeasterly extensions of both the Northwesterly and Southeasterly



lines of that certain tract of land in Block 42 and vacated Lakeside Boulevard of "The Town of Montborne," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, conveyed to Doralee F. Floe by deed recorded 11/23/66 as AF #691271

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), lying Westerly of the centerline of said right-of-way and between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of that certain tract of land in Block 42 and vacated Lakeside Boulevard of "The Town of Montborne," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, conveyed to Doralee F. Hammond by deed recorded 10/30/72 as AF #775999.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway) lying Westerly of the centerline of said right-of-way and between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of that certain tract of land in Block 42 and vacated Lakeside Boulevard of "The Town of Montborne," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, conveyed to James Haley by Deed recorded 10/23/73 as AF #792368.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway) lying Westerly of the centerline of said right-of-way and between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of that certain tract of land in Block 42 and vacated Lakeside Boulevard of "The Town of Montborne," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, conveyed to James Berk Kelley, et ux, by Deed recorded 5/21/87 as AF #8705210048.

ALSO,



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That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), lying Westerly of the centerline of said right-of-way and between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of that certain tract of land in Block 42 and vacated Lakeside Boulevard of "The Town of Montborne," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, conveyed to Richard S. Eskola by deed recorded 3/29/90 as AF #9003290041.

ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), lying Westerly of the centerline of said right-of-way and between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of that certain tract of land in Block 42 and vacated Lakeside Boulevard of "The Town of Montborne," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, conveyed to Carlyle J. Hanson, et ux, by deed recorded 6/3/86, as AF #8606030024.

ALSO,

Those portions of Block 5, "Reserve Add. to the Town of Montborne," as per plat recorded in Volume 2 of Plats, page 59, records of Skagit County, Washington, described as follows: All of Lot 1 and those portions of Lots 2 through 10, inclusive, lying Southwesterly of a line drawn parallel with and 50 feet distant North-easterly, when measured at right angles, from the centerline of the railroad of the Northern Pacific Railway Company as said line existed on June 19, 1913; ALSO that portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway) lying Easterly of Line "RR" described below and lying Easterly of that portion of the centerline of said right-of-way lying Northerly of Line "RR" and lying between the Southwesterly extensions of the centerline of Sheridan Street and the Northerly line of Hancock Street as said streets are delineated on the above referenced "Reserve Add. to the Town of Montborne."

Line "RR": Begin at a point on the North line of the South 1/2 of Government Lot 6 of



North, Range 5 East W.M., which is midway between the centerline of the original 100 foot wide right-of-way of the Seattle Lake Shore and Eastern Railway and the centerline of the last mainline track of the Northern Pacific Railway as it existed in 1970; thence Northerly on a line drawn midway between the centerline of the original 100 foot wide right-of-way and the centerline of the above described mainline track to the point of intersection of said centerlines, said point being the terminus of this line description.

ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway) lying Easterly of the centerline of said right-of-way and between the Southwesterly extensions of the Northwesterly line of Lot 4, Block 6 and the centerline of Sheridan Street as delineated on the plat of "Reserve Add. to the Town of Montborne," as per plat recorded in Volume 2 of Plats, page 59, records of Skagit County, Washington; ALSO that portion of Lots 1, 2, 3 and 4, of said Block 6, conveyed to the Northern Pacific Railway Company by Deed dated June 19, 1913, as AF #97285.

ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), lying Easterly of the centerline of said right-of-way and between the Southwesterly extensions of both the Northwesterly and Southeasterly lines of Lot 5, Block 6, Plat of "Reserve Add. to the Town of Montborne," as per plat recorded in Volume 2 of Plats, page 59, records of Skagit County, WA.

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), lying Easterly of the centerline of said right-of-way and between the Southwesterly extensions of the centerline of Lee Street and the Southeasterly line of Lot 6, Block 6, as said lines are delineated on the Plat of "Reserve Add. to the Town of Montborne," as per plat recorded in Volume 2 of Plats, page 59, records of Skagit County, WA.



ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), lying Easterly of the centerline of said right-of-way and between the Southwesterly extensions of the centerline of Lee Street and the Northwesterly line of Lot 5, Block 7, as said lines are delineated on the Plat of "Reserve Add. to the Town of Montborne," as per plat recorded in Volume 2 of Plats, page 59, records of Skagit County, WA.; ALSO TOGETHER WITH the additional railway right-of-way lying between said Southwesterly extension lines.

ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), lying Easterly of the centerline of said right-of-way and between the Southwesterly extensions of both the Northwesterly and Southeasterly lines of Lot 7, Block 7, as said lines are delineated on the Plat of "Reserve Add. to the Town of Montborne," as per plat recorded in Volume 2 of Plats, page 59, records of Skagit County, WA.; ALSO TOGETHER WITH the additional railway right-of-way lying between said 100 foot wide right-of-way and said Block 7 and within said Southwesterly extension lines.

ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), lying Easterly of the centerline of said right-of-way and between the Southwesterly extensions of the Southeasterly line of that certain portion of vacated rant Street conveyed to Robert Blizzard by deed recorded July 9, 1986, as AF #8607090009, and the Southeasterly line of Block 8, as said lines are delineated on the Plat of "Reserve Add. to the Town of Montborne," as per plat recorded in Volume 2 of Plats, page 59, records of Skagit County, WA.; ALSO TOGETHER WITH the additional railway right-of-way lying between said 100 foot wide right-of-way and said Block 8 and within said Southwesterly extension lines.



ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), lying Easterly of the centerline of said right-of-way and between the Southwesterly extensions of the Northwesterly lines of Lot 1, Block 9, and the Southeasterly line of that certain portion of vacated Grant Street conveyed to Robert Blizzard by deed recorded July 9, 1986, as AF #8607090009, as said lines are delineated on the Plat of "Reserve Add. to the Town of Montborne," as per plat recorded in Volume 2 of Plats, page 59, records of Skagit County, WA.

ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), lying Easterly of the centerline of said right-of-way and between the Southwesterly extensions of both the Northwesterly line of Lot 6, Block 9, and the Southeasterly line of Lot 2, Block 9, as said lines are delineated on the Plat of "Reserve Add. to the Town of Montborne," as per plat recorded in Volume 2 of Plats, page 59, records of Skagit County, WA.

ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), lying Easterly of the centerline of said right-of-way and between the Southwesterly extensions of both the centerline of vacated Sherman Street and the Southeasterly line of Lot 9, Block 9, as said lines are delineated on the Plat of "Reserve Add. to the Town of Montborne," as per plat recorded in Volume 2 of Plats, page 59, records of Skagit County, WA.

ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway



(and originally conveyed to the Seattle Lake Shore and Eastern Railway), lying Easterly of the centerline of said right-of-way and between the Southwesterly extensions of both the centerline of vacated Sherman Street and the Northwesterly line of Lot 6, Block 10, as said lines are delineated on the Plat of "Reserve Add. to the Town of Montborne," as per plat recorded in Volume 2 of Plats, page 59, records of Skagit County, WA.

ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), lying Easterly of the centerline of said right-of-way and between the Southwesterly extensions of both the centerline of McClellan Street and the Southeasterly line of Lot 7, Block 10, as said lines are delineated on the Plat of "Reserve Add. to the Town of Montborne," as per plat recorded in Volume 2 of Plats, page 59, records of Skagit County, WA.

ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), lying Easterly of the centerline of said right-of-way and between the Southwesterly extensions of both the centerline of McClellan Street and the Northwesterly line of Lot 4, Block 11, as said lines are delineated on the Plat of "Reserve Add. to the Town of Montborne," as per plat recorded in Volume 2 of Plats, page 59, records of Skagit County, WA.

ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), lying Easterly of the centerline of said right-of-way and between the Southwesterly extensions of both the Southeasterly line of Lot 5, Block 11, and the Northwesterly line of Lot 9, Block 11, as said lines are delineated on the Plat of "Reserve Add. to the Town of Montborne," as per plat recorded in Volume 2 of Plats, page 59, records of Skagit County, WA.



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ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), lying Easterly of the centerline of said right-of-way and between the Southwesterly extensions of both the Southeasterly line of Lot 10, Block 11, and the Northwesterly line of Lot 13, Block 11, as said lines are delineated on the Plat of "Reserve Add. to the Town of Montborne," as per plat recorded in Volume 2 of Plats, page 59, records of Skagit County, WA.

ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), lying Easterly of the centerline of said right-of-way and between the Southwesterly extension of the Southeasterly line of Lot 14, Block 11, and the Westerly extension of the Northerly line of Walker Street, as said lines are delineated on the plat of "Reserve Add. to the Town of Montborne," as per plat recorded in Volume 2 of Plats, page 59, records of Skagit County, WA.

ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), adjoining Block 41 of the Plat of "The Town of Montborne," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, that lies Westerly of the centerline of said right-of-way and between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of that certain tract of land conveyed to Clarence M. VanderGriend, Jr. et ux, by deed recorded March 16, 1984, as AF #8403160061.

ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), adjoining Block 41 of the Plat of "The Town of Montborne," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington.



Plats, page 80, records of Skagit County, Washington, that lies Westerly of the centerline of said right-of-way and between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of that certain tract of land conveyed to Adrienne R. Brown, et ux, by deed recorded January 24, 1985, as AF #8501240044.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway) adjoining Block 41 of "The Town of Montborne," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, that lies Westerly of the centerline of said right-of-way and between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of that certain tract of land conveyed to Roland J. Johnston, et ux, by Deed recorded August 21, 1984, as AF #8408210028.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway) adjoining Block 41 of "The Town of Montborne," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, that lies Westerly of the centerline of said right-of-way and between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of that certain tract of land conveyed to E.J. Olmsted, by Deed recorded July 15, 1984, as AF #8707150084.

ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (as originally conveyed to the Seattle Lake Shore and Eastern Railway), adjoining Block 41 of the Plat of "The Town of Montborne," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, that lies Westerly of the centerline of said right-of-way and between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of that certain tract of land conveyed to Harry L. Kline, et ux, by deed recorded October 31, 1966, as AF #690328.



ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway), adjoining Block 41 of the Plat of "The Town of Montborne," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, that lies Westerly of the centerline of said right-of-way and between the Northeasterly extensions of both the Northwesterly and South-easterly lines of that certain tract of land conveyed to A. M. Stennes, et ux, by deed recorded April 28, 1975, as AF #816649.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway) adjoining Block 41 of "The Town of Montborne," as per plat recorded in Volume 2 of Plats, page 80, records of Skagit County, Washington, that lies Westerly of the centerline of said right-of-way and between the Northeasterly extensions of both the centerline of Sherman Street and the Southeasterly line of Lot 19 of said Block 41.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway (and originally conveyed to the Seattle Lake Shore and Eastern Railway) adjoining the plat of "West View, Replat of Block 40, Montborne, Skagit County, Washington," as per plat recorded in Volume 6 of Plats, page 5, records of Skagit County, Washington, that lies Westerly of the centerline of said right-of-way and between the Northeasterly extensions of the centerline of Sherman Street and the Northwesterly line of Lot 1 of said plat; EXCEPT that portion thereof, if any, lying within a County road right-of-way.

ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (as originally conveyed to the Seattle Lake Shore and Eastern Railway), adjoining the Plat of "West View, Replat of Block 40, Montborne, Skagit County, Washington," as per plat recorded



page 5, records of Skagit County, Washington, that lies Westerly of the centerline of said right-of-way and between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of Lot 2 of said plat; EXCEPT that portion thereof, if any, lying within a county road right-of-way.

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (as originally conveyed to the Seattle Lake Shore and Eastern Railway), adjoining the Plat of "West View, Replat of Block 40, Montborne, Skagit County, Washington," as per plat recorded in Volume 6 of Plats, page 5, records of Skagit County, Washington, that lies Westerly of the centerline of said right-of-way and between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of Lot 3 of said plat; EXCEPT that portion thereof, if any, lying within a county road right-of-way.

ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (as originally conveyed to the Seattle Lake Shore and Eastern Railway), adjoining the Plat of "West View, Replat of Block 40, Montborne, Skagit County, Washington," as per plat recorded in Volume 6 of Plats, page 5, records of Skagit County, Washington, that lies Westerly of both the centerline of said right-of-way and between the Northeasterly extensions of the Northwesterly line of Lot 5 and the Southeasterly line of Lot 4 of said plat; EXCEPT that portion thereof, if any, lying within a county road right-of-way.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway (as originally conveyed to the Seattle Lake Shore and Eastern Railway), adjoining the plat of "West View, Replat of Block 40, Montborne, Skagit County, Washington," as per plat recorded in Volume 6 of Plats, page 5, records of Skagit County, Washington, that lies Westerly of the centerline of said right-of-way and between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of Lot 6 of said plat; EXCEPT that portion thereof, if any, lying within a County road right-of-way.



ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway (as originally conveyed to the Seattle Lake Shore and Eastern Railway), adjoining the plat of "West View, Replat of Block 40, Montborne, Skagit County, Washington," as per plat recorded in Volume 6 of Plats, page 5, records of Skagit County, Washington, that lies Westerly of the centerline of said right-of-way and between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of Lot 7 of said plat; EXCEPT that portion thereof, if any, lying within a County road right-of-way.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway (as originally conveyed to the Seattle Lake Shore and Eastern Railway), adjoining the plat of "West View, Replat of Block 40, Montborne, Skagit County, Washington," as per plat recorded in Volume 6 of Plats, page 5, records of Skagit County, Washington, that lies Westerly of the centerline of said right-of-way and between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of Lot 8 of said plat; EXCEPT that portion thereof, if any, lying within a County road right-of-way.

ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (as originally conveyed to the Seattle Lake Shore and Eastern Railway), adjoining the Plat of "West View, Replat of Block 40, Montborne, Skagit County, Washington," as per plat recorded in Volume 6 of Plats, page 5, records of Skagit County, Washington, that lies Westerly of the centerline of said right-of-way and between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of Tract 16 of said plat; EXCEPT that portion thereof, if any, lying within a county road right-of-way.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the North



(as originally conveyed to the Seattle Lake Shore and Eastern Railway), adjoining the plat of "West View, Replat of Block 40, Montborne, Skagit County, Washington," as per plat recorded in Volume 6 of Plats, page 5, records of Skagit County, Washington, that lies Westerly of the centerline of said right-of-way and between the Northeasterly extensions of both the Northwesternly and Southeasterly lines of Tract 17 of said plat; EXCEPT that portion thereof, if any, lying within a County road right-of-way.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway (as originally conveyed to the Seattle Lake Shore and Eastern Railway), adjoining the plat of "West View, Replat of Block 40, Montborne, Skagit County, Washington," as per plat recorded in Volume 6 of Plats, page 5, records of Skagit County, Washington, that lies Westerly of the centerline of said right-of-way and between the Northeasterly extensions of both the Northwesternly line of Lot 19 and the Southeasterly line of Lot 18 of said plat; EXCEPT that portion thereof, if any, lying within a County road right-of-way.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway (as originally conveyed to the Seattle Lake Shore and Eastern Railway), adjoining the plat of "West View, Replat of Block 40, Montborne, Skagit County, Washington," as per plat recorded in Volume 6 of Plats, page 5, records of Skagit County, Washington, that lies Westerly of the centerline of said right-of-way and between the Northeasterly extensions of both the Northwesternly and Southeasterly lines of Lot 20 of said plat; EXCEPT that portion thereof, if any, lying within a County road right-of-way.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway (as originally conveyed to the Seattle Lake Shore and Eastern Railway), adjoining the plat of "West View, Replat of Block 40, Montborne, Skagit County,



Washington," as per plat recorded in Volume 6 of Plats, page 5, records of Skagit County, Washington, that lies Westerly of the centerline of said right-of-way and between the Northeasterly extensions of the Northwesterly line of Lot 22 and the Southeasterly line of Lot 21 of said plat; EXCEPT that portion thereof, if any, lying within a County road right-of-way.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway (as originally conveyed to the Seattle Lake Shore and Eastern Railway), adjoining the plat of "West View, Replat of Block 40, Montborne, Skagit County, Washington," as per plat recorded in Volume 6 of Plats, page 5, records of Skagit County, Washington, that lies Westerly of the centerline of said right-of-way and between the Northeasterly extensions of both the Northwesterly and Southeasterly lines of Lot 23 of said plat; EXCEPT that portion thereof, if any, lying within a County road right-of-way.

ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (as originally conveyed to the Seattle Lake Shore and Eastern Railway), adjoining the Plat of "West View, Replat of Block 40, Montborne, Skagit County, Washington," as per plat recorded in Volume 6 of Plats, page 5, records of Skagit County, Washington, that lies Westerly of both the centerline of said right-of-way and between the Northeasterly extensions of the Southeasterly line of Lot 24 and the centerline of an unnamed roadway lying between Lot 24 and Tract "B" of said plat; EXCEPT that portion thereof, if any, lying within a county road right-of-way.

ALSO,

Parcel "A"

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railway (as originally conveyed to the Seattle Lake Shore and Eastern Railway), adjoining the Plat of "West View, Replat of Block 40, Montborne, Skagit County, Washington," as per plat recorded in Volume 6 of Plats



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page 5, records of Skagit County, Washington, that lies Westerly of the centerline of said right-of-way and between both the Easterly extension of the North line of Tract "B" and the Northeasterly extension of the centerline of an unnamed roadway lying between Lot 24 and Tract "B" of said plat; EXCEPT that portion thereof, if any, lying within a county road right-of-way.

Parcel "B"

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, in the Southeast 1/4 of Section 36, Township 34 North, Range 4 East W.M., which lies Westerly of the centerline of said right-of-way and between the Easterly extensions of both the North and South lines of the South 165 feet of said subdivision; EXCEPT that portion thereof lying within the County road right-of-way established by that certain easement recorded April 10, 1979, as Auditor's File N. 7904100016.

ALSO,

That portion of the 100 foot wide railroad right-of-way known as the Northern Pacific Railroad, in the Southeast 1/4 of Section 36, Township 34 North, Range 4 East W.M., lying Easterly of the centerline of said right-of-way and Southeasterly of the Southeasterly line of that certain portion of said right-of-way granted to Skagit County for a road easement by Easement recorded April 10, 1979, as AF #7904100016.

ALSO,

That portion of the 100 foot wide railroad right-of-way known as the Northern Pacific Railroad, in the Southeast 1/4 of Section 36, Township 34 North, Range 4 East W.M., lying between the Easterly extensions of both the North and South lines of that certain tract conveyed to Gary L. Hanson, et ux, by deed recorded May 31, 1989, as AF #8905310040; EXCEPT that portion thereof, if any, lying within the existing, as-built right-of-way of State Highway 9; ALSO EXCEPT that portion thereof, if any, lying within that certain easement granted to Skagit County by easement recorded April 10, 1979, as AF #7904100016.

ALSO,



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ALSO,

That portion of the 100 foot wide railroad right-of-way known as the Northern Pacific Railroad, in the Southeast 1/4 of Section 36, Township 34 North, Range 4 East W.M., lying between the Easterly extensions of both the North and South lines of that certain tract conveyed to Jerry S. Rothweiler, et ux, by deed recorded May 10, 1983, as AF # 8305100088; EXCEPT that portion thereof, if any, lying within the existing, as-built right-of-way of State Highway 9.

ALSO,

That portion of the 100 foot wide railroad right-of-way known as the Northern Pacific Railroad, in the Southeast 1/4 of Section 36, Township 34 North, Range 4 East W.M., lying between the Easterly extensions of both the North and South lines of that certain tract conveyed to Mark Mauden, et ux, by deed recorded June 21, 1989, as AF #8906210042; EXCEPT that portion thereof, if any, lying within the existing, as-built right-of-way of State Highway 9.

ALSO,

That portion of the 100 foot wide railroad right-of-way known as the Northern Pacific Railroad, in the Southeast 1/4 of Section 36, Township 34 North, Range 4 East W.M., lying between the Easterly extensions of both the North and South lines of that certain tract sold to Harry Wilcox, et ux, by contract recorded November 14, 1979, as AF #7911140024; EXCEPT that portion thereof, if any, lying within the existing, as-built right-of-way of State Highway 9.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railroad, in the Southeast 1/4 of Section 36, Township 34 North, Range 4 East W.M., lying between the Easterly extensions of both the North and South lines of that certain tract conveyed to Patrick J. Loughlin, et ux, by Deed recorded 10/12/82 as AF #8210120026; EXCEPT that portion thereof, if any, lying within the existing, as-built right-of-way of State Highway 9.

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railroad,



road, in the Southeast 1/4 of Section 36, Township 34 North, Range 4 East W.M., lying between the Easterly extensions of both the North and South lines of that certain tract conveyed to Patrick J. Loughlin, et ux, by Deed recorded 12/7/77 as AF #869965; EXCEPT that portion thereof, if any, lying within the existing, as-built right-of-way of State Highway 9.

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railroad, in the Southeast 1/4 of Section 36, Township 34 North, Range 4 East W.M., lying between the Easterly extensions of both the North and South lines of that certain tract conveyed to Patrick J. Loughlin, et ux, by Deed recorded 9/20/74 as AF #807619; EXCEPT that portion thereof, if any, lying within the existing, as-built right-of-way of State Highway 9.

ALSO,

That portion of the 100 foot wide railroad right-of-way known as the Northern Pacific Railroad, in the Southeast 1/4 of Section 36, Township 34 North, Range 4 East W.M., lying between the Easterly extensions of both the North and South lines of that certain tract sold to Richard L. Moe, et ux, by contract recorded October 2, 1962, as AF #626957; EXCEPT that portion thereof, if any, lying within the existing, as-built right-of-way of State Highway 9.

ALSO,

That portion of the 100 foot wide railroad right-of-way known as the Northern Pacific Railroad, in the Southeast 1/4 of Section 36, Township 34 North, Range 4 East W.M., lying between the Easterly extensions of both the North and South lines of that certain tract conveyed to Bruce L. Shellhamer, et ux, by deed recorded March 21, 1983, as AF #8303210002; EXCEPT that portion thereof, if any, lying within the existing, as-built right-of-way of State Highway 9.

ALSO,

That portion of the 100 foot wide railroad right-of-way known as the Northern Pacific Railroad, in the Southeast 1/4 of Section 36, Township 34 North, Range 4 East W.M., lying between the Easterly extensions of both the North and South lines of that certain tract sold to



Jerry D. Jewett, et ux, by instrument recorded June 23, 1978, as AF #882063; EXCEPT that portion thereof, if any, lying within the existing, as-built right-of-way of State Highway 9.

ALSO,

That portion of the 100 foot wide railroad right-of-way known as the Northern Pacific Railroad, in the Southeast 1/4 of Section 36, Township 34 North, Range 4 East W.M., lying between the Easterly extensions of both the North and South lines of that certain tract conveyed to Arthur P. Voorde Poorte, by deed recorded November 24, 1975, as AF #826552; EXCEPT that portion thereof, if any, lying within the existing, as-built right-of-way of State Highway 9.

ALSO,

That portion of the 100 foot wide railroad right-of-way known as the Northern Pacific Railroad, in the Southeast 1/4 of Section 36, Township 34 North, Range 4 East W.M., lying between the Easterly extensions of both the North and South lines of that certain tract conveyed to Neil Willey, et ux, by deed recorded July 18, 1978, as AF #883718; EXCEPT that portion thereof, if any, lying within the existing, as-built right-of-way of State Highway 9.

ALSO,

That portion of the 100 foot wide railroad right-of-way known as the Northern Pacific Railroad, in the Southeast 1/4 of Section 36, Township 34 North, Range 4 East W.M., lying between the Easterly extensions of both the North and South lines of that certain tract conveyed to James R. Patterson, et ux, by deed recorded April 29, 1983, as AF #8304290034; EXCEPT that portion thereof, if any, lying within the existing, as-built right-of-way of State Highway 9.

ALSO,

That portion of the 100 foot wide railroad right-of-way known as the Northern Pacific Railroad, in the Southeast 1/4 of Section 36, Township 34 North, Range 4 East W.M., lying between the Easterly extensions of both the North and South lines of that certain tract conveyed to James R. Patterson, et ux, by deed recorded April 29



1983 as AF #9003080026; EXCEPT that portion thereof, if any, lying within the existing, as-built right-of-way of State Highway 9.

That portion of the 100 foot wide railroad right-of-way known as the Northern Pacific Railroad, in the Southeast 1/4 of Section 36, Township 34 North, Range 4 East W.M., lying between the Easterly extensions of both the North and South lines of that certain tract conveyed to James R. Patterson, et ux, by deed recorded April 24, 1985, as AF #8504240025; EXCEPT that portion thereof, if any, lying within the existing, as-built right-of-way of State Highway 9.

ALSO,

That portion of the 100 foot wide railroad right-of-way known as the Northern Pacific Railroad, in the Southeast 1/4 of Section 36, Township 34 North, Range 4 East W.M., lying between the Easterly extensions of both the North and South lines of that certain tract conveyed to William Earl Clinger, et ux, by deed recorded June 13, 1989, as AF #8906130018; EXCEPT that portion thereof, if any, lying within the existing, as-built right-of-way of State Highway 9.

ALSO,

That portion of the 100 foot wide railroad right-of-way known as the Northern Pacific Railroad, in the Southeast 1/4 of Section 36, Township 34 North, Range 4 East W.M., lying between the Easterly extensions of both the North and South lines of that certain tract conveyed to Elmer A. Thompson, et ux, by deed recorded January 20, 1976, as AF #829959; EXCEPT that portion thereof, if any, lying within the existing, as-built right-of-way of State Highway 9.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railroad, in the Southeast 1/4 of Section 36, Township 34 North, Range 4 East W.M., lying between the Easterly extensions of both the North and South lines of that certain tract conveyed to Randy C. Merritt, et ux, by Deed recorded 5/20/85 as AF #8505200006; EXCEPT that portion thereof, if any, lying within the existing, as-built right-of-way of State Highway 9.



ALSO,

That portion of the 100 foot wide railroad right-of-way known as the Northern Pacific Railroad, in the Southeast 1/4 of Section 36, Township 34 North, Range 4 East W.M., lying between the Easterly extensions of both the North and South lines of that certain tract conveyed to Neil P. Hansen, et ux, by deed recorded December 27, 1988, as AF #8812270030; EXCEPT that portion thereof, if any, lying within the existing, as-built right-of-way of State Highway 9.

ALSO,

That portion of the 100 foot wide railroad right-of-way commonly known as the Northern Pacific Railroad, in the Southeast 1/4 of Section 36, Township 34 North, Range 4 East W.M., lying between the Easterly extensions of both the North and South lines of that certain tract described as Parcel "A" on that certain Deed recorded October 11, 1989, as AF #8910110072, wherein the grantee was Palma Linida Schaffer; EXCEPT that portion thereof, if any, lying within the existing, as built right-of-way of State Highway 9.

ALSO,

That portion of the 100 foot wide railroad right-of-way known as the Northern Pacific Railroad, in the Southeast 1/4 of Section 36, Township 34 North, Range 4 East W.M., lying between the Easterly extensions of both the North and South lines of that certain tract sold to Stephen J. Ruhl, et ux, by contract recorded November 8, 1976, as AF #845643; EXCEPT that portion thereof, if any, lying within the existing, as-built right-of-way of State Highway 9.

ALSO,

That portion of the 100 foot wide railroad right-of-way known as the Northern Pacific Railroad, in the Southeast 1/4 of Section 36, Township 34 North, Range 4 East W.M., lying between the Easterly extensions of both the North and South lines of that certain tract sold to Michael F. Kerwick, et ux, by contract recorded October 30, 1980, as AF #8010300056; EXCEPT that portion thereof, if any, lying within the existing, as-built right-of-way of State Highway 9.



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ALSO,

That portion of the 100 foot wide railroad right-of-way known as the Northern Pacific Railroad, in the Southeast 1/4 of Section 36, Township 34 North, Range 4 East W.M., lying between the Easterly extensions of both the North and South lines of that certain tract conveyed to Donald P. Wesen, et ux, by deed recorded december 15, 1976, as AF #847546; EXCEPT that portion thereof, if any, lying within the existing, as-built right-of-way of State Highway 9.

ALSO,

That portion of the 100 foot wide railroad right-of-way known as the Northern Pacific Railroad, in the Southeast 1/4 of Section 36, Township 34 North, Range 4 East W.M., lying between the Easterly extensions of both the North and South lines of that certain tract conveyed to Lloyd G. Smaby, et ux, by deed recorded May 5, 1964, as AF #650126; EXCEPT that portion thereof, if any, lying within the existing, as-built right-of-way of State Highway 9.

That portion of the 100 foot wide railroad right-of-way known as the Northern Pacific Railroad, in the Southeast 1/4 of Section 36, Township 34 North, Range 4 East W.M., lying between the Easterly extensions of both the North and South lines of that certain tract conveyed to Lloyd G. Smaby, et ux, by deed recorded January 1, 1966, as AF #678025; EXCEPT that portion thereof, if any, lying within the existing, as-built right-of-way of State Highway 9.

ALSO,

That portion of the 100 foot wide railroad right-of-way known as the Northern Pacific Railroad, in the Southeast 1/4 of Section 36, Township 34 North, Range 4 East W.M., lying between the Easterly extensions of both the North and South lines of that certain tract conveyed to Frank R. Nelson, et ux, by contract recorded September 13, 1957, as AF #556068; EXCEPT that portion thereof, if any, lying within the existing, as-built right-of-way of State Highway 9.

ALSO,



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That portion of the 100 foot wide railroad right-of-way known as the Northern Pacific Railroad, in the Southeast 1/4 of Section 36, Township 34 North, Range 4 East W.M., lying between the Easterly extensions of both the North and South lines of that certain tract conveyed to Richard D. Benston, et ux, by deed recorded January 11, 1965,, as AF #660711; EXCEPT that portion thereof, if any, lying within the existing, as-built right-of-way of State Highway 9.

ALSO,

That portion of the 100 foot wide railroad right-of-way known as the Northern Pacific Railroad, in the Southeast 1/4 of Section 36, Township 34 North, Range 4 East W.M., lying between the Easterly extensions of both the North and South lines of that certain tract conveyed to John Ammeter, by deed recorded August 24, 1943, as AF #364978; EXCEPT that portion thereof, if any, lying within the existing, as-built right-of-way of State Highway 9.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, adjoining the Easterly line of the "Plat of Cheasty's Big Lake Tracts, Skagit County, Washington," as per plat recorded in Volume 4 of Plats, page 49, records of Skagit County, Washington, lying between the following described lines: The Easterly extensions of the North and South lines of that certain tract conveyed to Robert J. Young, et ux, by Deed recorded April 7, 1987, as AF #8704070025; EXCEPT that portion thereof, if any, lying within the right-of-way of State Highway No. 9.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, adjoining the Easterly line of the "Plat of Cheasty's Big Lake Tracts, Skagit County, Washington," as per plat recorded in Volume 4 of Plats, page 49, records of Skagit County, Washington, lying between the following described lines: The Easterly extensions of the North and South lines of that certain tract conveyed to Richard A. Weyrich, et ux, by Deed recorded March 30, 1990, as AF #9003300113; EXCEPT that portion thereof, if any, lying within the right-of-way of State Highway No. 9.



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That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, adjoining the Easterly line of the "Plat of Cheasty's Big Lake Tracts, Skagit County, Washington," as per plat recorded in Volume 4 of Plats, page 49, records of Skagit County, Washington, lying between the following described lines: The Northeasterly extensions of the Northwesterly and Southeasterly lines of that certain tract conveyed to Richard A. Weyrich, et ux, et al, by Deed recorded October 6, 1988, as AF #8810060058; EXCEPT that portion thereof, if any, lying within the right-of-way of State Highway No. 9.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, adjoining the Easterly line of the "Plat of Cheasty's Big Lake Tracts, Skagit County, Washington," as per plat recorded in Volume 4 of Plats, page 49, records of Skagit County, Washington, lying between the following described lines: The Northeasterly extensions of the Northwesterly and Southeasterly lines of that certain tract conveyed to Timothy Albrecht, et al, by Deed recorded August 17, 1983, as AF #8308170010; EXCEPT that portion thereof, if any, lying within the right-of-way of State Highway No. 9.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, adjoining the Easterly line of the "Plat of Cheasty's Big Lake Tracts, Skagit County, Washington," as per plat recorded in Volume 4 of Plats, page 49, records of Skagit County, Washington, lying between the following described lines: The Northeasterly extension of the Southerly line of that certain tract conveyed to James C. Hanson, et ux, by deed recorded August 20, 1980, as AF #8008200015 and a line drawn at right angles to the centerline of said right-of-way through the Northerlymost corner of Lot 74 of said plat; EXCEPT that portion thereof, if any, lying within the right-of-way of State Highway No. 9.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, adjoining the Easterly line of the "Plat of Cheasty's Big Lake Tracts, Skagit County, Washington," as per plat



recorded in Volume 4 of Plats, page 49, records of Skagit County, Washington, lying between the following described lines: The Easterly extension of the Northerly line of Lot 73 of said plat and a line drawn at right angles to the centerline of said right-of-way through the Northerlymost corner of Lot 74 of said plat; EXCEPT that portion thereof, if any, lying within the right-of-way of State Highway No. 9.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, adjoining the Easterly line of the "Plat of Cheasty's Big Lake Tracts, Skagit County, Washington," as per plat recorded in Volume 4 of Plats, page 49, records of Skagit County, Washington, lying between the following described lines: The Easterly extension of the Southerly line of Lot 41 of said plat and a line drawn at right angles to the centerline of said right-of-way through the Northerlymost corner of said Lot 41; EXCEPT that portion thereof, if any, lying within the right-of-way of State Highway No. 9.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, adjoining the Easterly line of the "Plat of Cheasty's Big Lake Tracts, Skagit County, Washington," as per plat recorded in Volume 4 of Plats, page 49, records of Skagit County, Washington, lying between the following described lines: A line drawn at right angles to the centerline of said right-of-way through the Northerlymost corner of Lot 41 of said plat and a line drawn at right angles to the centerline of said right-of-way through the Northerlymost corner of Lot 27 of said plat; EXCEPT that portion thereof, if any, lying within the right-of-way of State Highway No. 9.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, adjoining the Easterly line of the "Plat of Cheasty's Big Lake Tracts, Skagit County, Washington," as per plat recorded in Volume 4 of Plats, page 49, records of Skagit County, Washington, lying between the following described lines: A line drawn at right angles to the centerline of said right-of-way through the North corner of Lot



27 of said plat and a line drawn at right angles to the centerline of said right-of-way through the midpoint of the Northeasterly line of Garden Street as delineated on said plat; EXCEPT that portion thereof, if any, lying within the right-of-way of State Highway No. 9.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, adjoining the Easterly line of the "Plat of Cheasty's Big Lake Tracts, Skagit County, Washington," as per plat recorded in Volume 4 of Plats, page 49, records of Skagit County, Washington, lying between the following described lines: The Easterly extension of the Northerly line of Lot 1 of said plat and a line drawn at right angles to the centerline of said right-of-way through the mid-point of the Northeasterly line of Garden Street as delineated on said plat; EXCEPT that portion thereof, if any, lying within the right-of-way of State Highway No. 9.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, adjoining the East line of "Plat 1, Lakeview Tracts, Big Lake, Skagit Co., Wash.", as per plat recorded in Volume 5 of Plats, page 2, records of Skagit County, Washington, that lies between the following described lines: The Easterly extension of the South line of Lot 29 of said plat and the Northeasterly extension of the Northwesterly line of Lot 24 of said plat; EXCEPT that portion thereof, if any, lying within the existing, as-built right-of-way of State Highway No. 9.

ALSO,

That portion of the 100 foot wide railroad right-of-way, commonly known as the Northern Pacific Railway, adjoining the East line of "Plat 1, Lakeview Tracts, Big Lake, Skagit Co., Wash.", as per plat recorded in Volume 5 of Plats, page 2, records of Skagit County, Washington, that lies between the following described lines: The Northeasterly extensions of both the Southeasterly and Northwesterly lines of Lot 23 of said plat; EXCEPT that portion thereof, if any, lying within the existing, as-built right-of-way of State Highway No. 9.

That portion of the 100 foot wide railroad right-of-way commonly known as the Norther



adjoining the East line of "Plat 1, Lakeview Tracts, Big Lake, Skagit Co., Wash.", as per plat recorded in Volume 5 of Plats, page 2, records of Skagit County, Washington, that lies between the following described lines: The Northeasterly extension of the Southeasterly line of Lot 22 of said plat and the North line of Section 36, Township 34 North, Range 4 East W.M., EXCEPT that portion thereof, if any, lying within the existing, as-built right-of-way of State Highway No. 9.



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