

After Recording Return to:

Skagit Farmers Supply
P.O. Box 266
1833 Park Lane
Burlington, Washington 98023



200811200126
Skagit County Auditor

11/20/2008 Page 1 of 8 4:02PM

LAND TITLE OF SKAGIT COUNTY

124464-5

(Space above line for Recorder's use only)

SPECIAL WARRANTY DEED

GRANTOR: OVENELL-MT. VERNON LLC

GRANTEE: SKAGIT FARMERS SUPPLY

ABBREVIATED
LEGAL
DESCRIPTION:

Ptn SE 1/4 of SE 1/4, 2-34-3 E WM

Complete legal description is on Exhibit A attached to this document

ASSESSOR'S PROPERTY

TAX PARCEL ACCOUNT NOS.: 340302-0-016-0007, 340302-0-014-0009 and
340302-0-018-0005

SPECIAL WARRANTY DEED

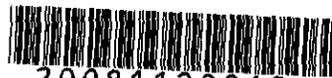
The Grantor, OVENELL-MT. VERNON LLC, a Washington limited liability company, for and in consideration of Ten Dollars (\$10) and other good and valuable considerations, in hand paid, grants and conveys to SKAGIT FARMERS SUPPLY, a Washington nonprofit corporation, the Grantee, that certain real property situated in the County of Skagit, State of Washington, and more particularly described on Exhibit A attached hereto and incorporated herein by this reference (the "Property").

This conveyance is subject to: (1) the items set forth on Exhibit B attached hereto and incorporated herein by this reference; and (2) the following restriction:

Grantee or anyone claiming by, through or under Grantee, hereby agrees that the Property cannot be used for the sale or distribution of petroleum products, including, but not limited to, a gas station. Further, no form of underground fuel storage tank shall be installed on the Property; provided, however, the foregoing restrictions shall be exclusive of the existing Petrocard tenant and/or its' authorized assigns through its existing lease. Grantee hereby fully and irrevocably releases Grantor, and its agents and representatives, from any and all claims that it may now have or hereafter acquire against Grantor or its agents or representatives for any cost, loss, liability, damage, expense, action or cause of action, whether foreseen or unforeseen, arising from or related to the presence of or alleged presence of harmful or toxic substances on, in or under the Property, including, without limitation, any claims under or on the account of any federal, state or local law, ordinance or rule or regulation that relates to environmental matters of any kind.

The Grantor, for itself and for its successors in interest, does by these presents expressly limit the covenants of this Deed to those herein expressed, excludes all covenants arising or to arise by statutory or other implication, and does hereby covenant that against all persons whomsoever lawfully claiming or to claim by, through or under the Grantor, and not otherwise, it will warrant and defend the title to the above-described real property.

(Signature follows on next page)



DATED: November 19th, 2008.

GRANTOR:

OVENELL-MT. VERNON LLC, a
Washington limited liability company

By: Gull Industries, Inc., a
Washington corporation
Its Manager

By: [Signature]
William Low
Senior Vice President, Real Estate

3794
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

NOV 20 2008

Amount Paid \$ 18,250.00
Skagit Co. Treasurer
By [Signature] Deputy

STATE OF WASHINGTON)

)ss.

COUNTY OF KING)

On this 19 day of November, 2008, before me personally appeared William Low to me known to be the Senior Vice President, Real Estate of Gull Industries, Inc., a Washington corporation, the Manager of OVENELL-MT. VERNON LLC, the Washington limited liability company that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation and company, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument on behalf of said corporation and said corporation was authorized to do so on behalf of said company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Signature: [Signature]
Name (Print): Janine Michele Wilson

NOTARY PUBLIC in and for the State
of Washington, residing at Kent
My appointment expires: 9/1/09



EXHIBIT A

Legal Description

PARCEL "A":

That portion of the Southeast 1/4 of the Southeast 1/4 of Section 2, Township 34 North, Range 3 East, W.M., described as follows:

Beginning at the Southwest corner of said Southeast 1/4 of the Southeast 1/4;
thence North 660 feet;
thence East 316.3 feet, more or less, to the County Road, as it existed October 24, 1962, said point being point "X";
thence Southeasterly along the West line of said road 109 feet, more or less, to a fence existing on the ground, said point being the true point of beginning;
thence continuing along the West line of said road to a point 265.2 feet from point "X";
thence Southwesterly at right angles to said County road 156 feet;
thence Northwesterly parallel with said road to a point in an existing fence line which runs at right angles to the aforementioned County road from the true point of beginning;
thence Northeasterly along said existing fence line to the true point of beginning.
Situate in the County of Skagit, State of Washington.

PARCEL "B":

That portion of the Southeast 1/4 of the Southeast 1/4 of Section 2, Township 34 North, Range 3 East, W.M., described as follows:

Beginning at the intersection of the West line of said subdivision and the Northerly line of the County road, said point being 35.6 feet, more or less, North of the Southwest corner of said Southeast 1/4 of the Southeast 1/4;
thence North along the West line thereof 624.4 feet;
thence East parallel with the South line of said Southeast 1/4 of the Southeast 1/4, 316.3 feet, more or less, to the Westerly line of a County road known as the Smith Road;
thence Southeasterly along said County road 345.2 feet;
thence Southwesterly at right angles to the County road, 156 feet;
thence Southeasterly parallel to said County road to its intersection with the Northerly line of the County road running parallel with the Great Northern Railway Company right of way;
thence Southwesterly along said road to the point of beginning,

EXCEPT ditch right of way, if any, AND EXCEPT the following tract:

Beginning at the Southwest corner of said Southeast 1/4 of the Southeast 1/4 of Section 2; thence North 660 feet;



thence East 316.3 feet to the County road and the true point of beginning;
thence Southeasterly along the West line of said County road, a distance of 265.2 feet; thence
Southwesterly at right angles to said road, 156 feet;
thence Northwesterly parallel to said road, to a point that is due West of the true point of
beginning; thence East to the true point of beginning,

ALSO EXCEPT that portion conveyed to Skagit County to widen Ovenell Road by Deed
recorded June 27, 1978, under Auditor's File No. 882223.

Situate in the County of Skagit, State of Washington.

PARCEL "C":

That portion of the Southeast 1/4 of the Southeast 1/4 of Section 2, Township 34 North, Range 3
East, W.M., described as follows:

Beginning at the Southwest corner of said Southeast 1/4 of the Southeast 1/4 of Section 2; thence
North 660 feet;

thence East 316.3 feet, more or less, to the West line of the Avon Allen County Road, formerly
known as Smith Road;

thence Southeasterly along said County road, 345.2 feet to the true point of beginning of this
description; thence Southwesterly a distance of 156 feet along a line which is parallel with the
Northerly line of the County road running parallel with the Great Northern Railway right of way,
commonly known as the Ovenell Road;

thence Southeasterly parallel with the Westerly line of the County road known as the Avon Allen
Road, to the Northerly line of the Ovenell County road which runs parallel with the North line of
the Great Northern Railway right of way;

thence Northeasterly along the said Northerly line to the intersection of said Northerly line with
the Westerly line of said Avon Allen Road;

thence Northwesterly along the Westerly line of said Avon Allen Road to the true point of
beginning.

EXCEPT that portion conveyed to Skagit County to widen Ovenell Road by Deed recorded June
27, 1978, under Auditor's File No. 882223.

ALSO EXCEPT that portion conveyed to the State of Washington Department of Transportation
by Deed recorded on March 21, 2006 under Auditor's File No. 200603210166, records of Skagit
County, Washington.

Situate in the County of Skagit, State of Washington.

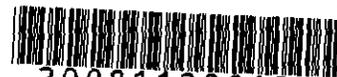


EXHIBIT B

Exceptions:

- A. GENERAL AND SPECIAL PROPERTY TAXES FOR 2009 AND THEREAFTER.
- B. MATTERS AS DISCLOSED AND/OR DELINEATED ON THE FACE OF THE FOLLOWING RECORDED SURVEY:
Recorded: February 28, 1990
Auditor's No.: 9002280018
- C. TERMS AND CONDITIONS OF ORDER ON SPECIAL USE REQUEST SU 02 0106:
Recorded: July 22, 2002
Auditor's No.: 200207220159
- D. MATTERS DISCLOSED BY UNRECORDED ALTA/ACSM SURVEY SUBMITTED WITH THE APPLICATION FOR TITLE INSURANCE PREPARED BY LEONARD, BOUDINOT & SKODJE, INC.:
Survey No.: 02127
Dated: September, 2002

The above, disclosed by that deed recorded October 10, 2002, under Skagit County Auditor's File No. 200210100168.

- E. TITLE NOTIFICATION, AND THE TERMS AND CONDITIONS THEREOF:
Between: Skagit County
And: Gull Industries Inc.
Recorded: August 13, 2003
Auditor's File No.: 200308130073
Regarding:

This parcel lies within an area or within 500 feet of land designated as natural resource land (agricultural, forest or mineral resource land of long-term commercial significance) by Skagit County. A variety of natural resource land commercial activities occur or may occur in the area that may not be compatible with non-resource uses and may be inconvenient or cause discomfort to area residents. This may arise from the use of chemicals; or from spraying, pruning, harvesting or extraction with associated activities, which occasionally generates traffic, dust, smoke, noise, and odor. Skagit County has established natural resource management operations as a priority use on designated natural resource lands, and area residents should be prepared to accept such incompatibilities, inconveniences or discomfort from normal, necessary natural resource lands operation when performed in compliance with best management practices and local, state and federal law. In the case of mineral lands, application might be made for



mining-related activities including extraction, washing, crushing, stockpiling, blasting, transporting and recycling of minerals. If you are adjacent to designated natural resource lands, you will have setback requirements from designated natural resource lands consistent with SCC 14.16.810.

F. TITLE NOTIFICATION, AND THE TERMS AND CONDITIONS THEROF:

Between: Skagit County
And: Gull Industries Inc.
Recorded: August 13, 2003
Auditor's File No.: 200308130074
Regarding:

This parcel is located in a "Special Flood Hazard Area" as identified on the Flood Insurance Rate Map (FIRM) and as adopted by Skagit County. This parcel is subject to periodic flooding and may also be prone to other hazards caused by flooding. The Flood Disaster Protection Act of 1973 and the National Flood Insurance Reform Act of 1994 mandate the purchase of flood insurance as a condition of Federal or Federally related financial assistance for acquisition and/or construction of building in Special Flood Hazard Areas. Skagit County participates in the National Flood Insurance Program (NFIP) thereby making all properties eligible for flood insurance.

All new construction or substantial improvements to structures are subject to Skagit County Building Codes per SCC Title 15 and Skagit County Flood Damage Prevention Ordinance Title 14. Any building determined to be in violation of state or local floodplain management regulations or ordinances cannot be covered by flood insurance nor can an existing policy be renewed where violations occur. The Skagit County Planning and Permit Center maintains information related to state and local regulations, flood protection measures, flood hazard zones and in some cases potential flood depths.

G. MATTERS DISCLOSED BY RECORD OF SURVEY:

Prepared For: Washington State Department of Transportation
Recorded: December 12, 2004
Auditor's File No.: 200412200125

H. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: State of Washington, Department of Transportation
Purpose: The right, privilege and easement over, upon, and across
Area Affected: Portion of subject property
Dated: January 26, 2006
Recorded: March 21, 2006
Auditor's No.: 200603210167

Said instrument includes the following provision:



"The temporary rights herein granted shall terminate on December 31, 2009."

I. Rights of tenants under unrecorded leases.



200811200126
Skagit County Auditor