

AFTER RECORDING RETURN TO:
Dan Haws, Outdoor Grants Manager
Recreation and Conservation Office
1111 Washington Street SE
PO Box 40917
Olympia, WA 98504 - 0917



200901140063

Skagit County Auditor

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#P28758 NW SE 1/4 SE 1/4 AKA TR "A"
S/P#39-83

DEED OF RIGHT TO USE LAND FOR
FOR PUBLIC RECREATION PURPOSES

The Grantor, The City of Mount Vernon, for and in consideration of monies coming in whole or in part from the Outdoor Recreation Account of the General Fund of the State of Washington and in fulfillment of terms of the Project Agreement identified below, conveys and grants to the State of Washington individually and as the representative of all the people of the State, the right to use the real property described below forever for the outdoor recreation purposes.

Those purposes are described in the Project Agreement entered into between the Grantor and the State of Washington through the Interagency Committee for Outdoor Recreation entitled Bonnie Rae Park Acquisition, Project Number 06-1606, signed by the Grantor on the 20th day of September 2007 and by the Interagency Committee on the 26th day of September 2007 and the application and supporting materials which are on file with the Grantor and the state in connection with the Project Agreement.

The Grantor will not make or permit to be made any use of the real property described in this deed, or any part of it, which is inconsistent with the right to use for public outdoor recreation herein granted unless the state, through the Interagency Committee for Outdoor Recreation or its successors, consents to the inconsistent use, which consent shall be granted only upon conditions which will ensure that other outdoor recreation land of at least equal fair market value at the time of change of use and of as nearly as feasible equivalent usefulness and location for the public recreation purposes for which state assistance was originally granted will be substituted in the manner provided in RCW 79A.25.100 for marine recreation land, whether or not the real property covered by this deed is marine recreation land. RCW 79A.25.100 reads as follows:

"Marine recreation land with respect to which money has been expended under RCW 43.99.080 (recodified as RCW 79A.25.080) shall not, without the approval of the committee, be converted to uses other than those for which such expenditure was originally approved. The committee shall only approve any such conversion upon conditions which will assure the substitution of other marine recreation land of at least equal fair market value at the time of conversion and of as nearly as feasible equivalent usefulness and location."

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

Skagit County Tax Parcel # P28758

PTN SE1/4 SE1/4 AKA TR "A" S/P#39-83 AF#8311140026 except up to a 2.5 acre portion including the existing structures and the road right of way described in exhibit 'A'



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EXHIBIT "A"

PROPOSED RIGHT-OF-WAY
Tax Parcel 340429-4-014-0009

LEGAL DESCRIPTION

That portion of Tract "A" of Skagit County Short Plat No. 39-83, approved November 14, 1983 and recorded November 14, 1983, under Auditor's File No. 8311140026 in Volume 6 of Short Plats, pages 97 and 98, being a portion of the Southeast 1/4 of Section 29, Township 34 North, Range 4 East, W.M., described as follows:

Beginning at the southeast corner of the above described Tract "A"; thence tracing the easterly line of said Tract "A" the following courses and distances: N.02°08'57"E., 255.98 feet to a point of curve right of a 435.63 foot radius curve; thence along the arc of said curve right, through a central angle of 38°00'00", a distance of 288.92 feet to a point of tangency; thence N.40°08'57"E., 940.04 feet to the northeast corner of said Tract "A"; thence N.87°05'03"W., along the north line of said Tract "A", 85.41 feet; thence leaving said north line S.40°08'57"W., 23.85 feet; thence S.49°51'03"E., 3.00 feet to a point of curve right of a 25.00 foot radius curve; thence along the arc of said curve right, through a central angle of 90°00'00", a distance of 39.27 feet to a point of tangency, said point being 40.00 feet northwesterly of, when measured at right angles to, the easterly line of said Tract "A"; thence S.40°08'57"W., parallel with said easterly line of Tract "A", 1029.00 feet to a point of curve right of a 30.00 foot radius curve; thence along the arc of said curve right, through a central angle of 93°50'15", a distance of 49.13 feet; thence N.46°00'48"W., 10.26 feet; thence S.43°59'12"W., 60.00 feet; thence S.46°00'48"E., 10.22 feet to a point of curve right of a 30.00 foot radius curve; thence along the arc of said curve right, through a central angle of 94°24'42", a distance of 49.43 feet to a point of curve right of a 810.00 foot radius curve; thence along the arc of said curve right, through a central angle 10°33'38", a distance of 149.30 feet to a point on the west line of said Tract "A"; thence S.02°11'17"W., along said west line 93.86 feet to a point of non-tangent curvature; thence leaving said west line northeasterly along the arc of an 890.00 foot radius curve left (the radius point of which bears N.27°43'41"W.) through a central angle of 14°06'35", a distance of 219.17 feet to a point of curve right of a 30.00 foot radius curve; thence along the arc of said curve right, through a central angle of 133°59'13", a distance of 70.16 feet to a point of tangency, said point being 30.00 feet westerly of, when measured at right angles to, the easterly line of said Tract "A"; thence S.02°08'57"W., parallel with said easterly line of Tract "A", 229.22 feet to a point on the north margin of Anderson Road, said north margin being 30.00 feet northerly of, when measured at right angles to, the south line of the Southeast 1/4 of said Section 29; thence S.86°12'09"E. along said north margin, 30.01 feet to the Point of Beginning.

Containing an area of 2.008 acres, more or less.

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

JAN 14 2009

Amount Paid
Skagit Co Treasurer
By *CP*

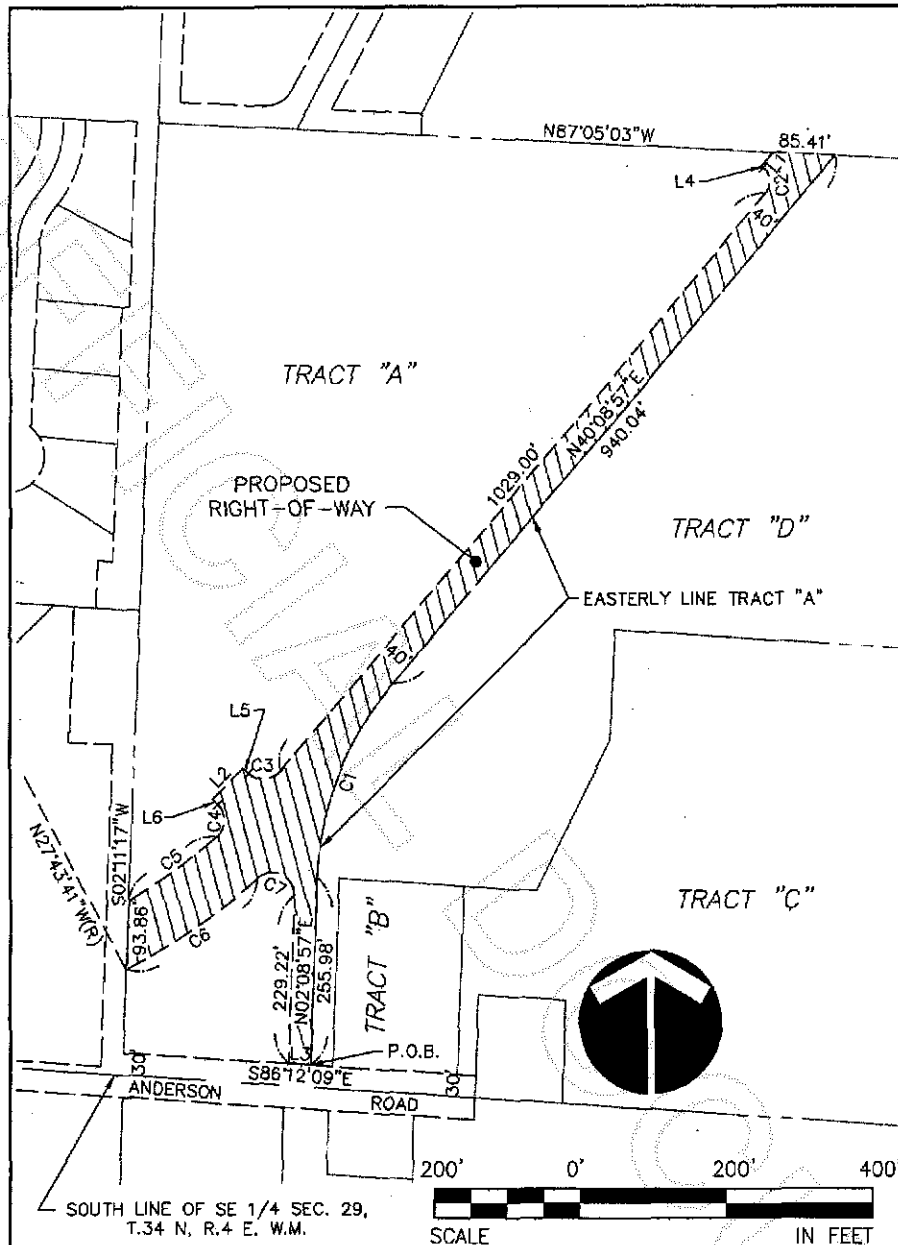


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CURVE TABLE			
CURVE	DELTA	LENGTH	RADIUS
C1	38°00'00"	288.92	435.63
C2	90°00'00"	39.27	25.00
C3	93°50'15"	49.13	30.00
C4	94°24'42"	49.43	30.00
C5	10°33'38"	149.30	810.00
C6	14°06'34"	219.17	890.00
C7	133°59'13"	70.16	30.00

LINE TABLE		
LINE	LENGTH	BEARING
L1	23.85	S40°08'57"W
L2	60.00	S43°59'12"W
L3	30.01	S86°12'09"E
L4	3.00	S49°51'03"E
L5	10.26	N46°00'48"W
L6	10.22	S46°00'48"E

Exhibit 'A'

Designed WCL
 Drawn WCL
 Checked By MDC 06/09/06
 Date

CITY OF MOUNT VERNON
 SKAGIT COUNTY, WA
 ANDERSON LAVENTURE ROAD
 PROPOSED RIGHT-OF-WAY

30645

Project No.

File No.

2 OF 2

10230 NW Polaris Dr. #400
 Kirkland, Washington 98033
 Phone: (425) 822-4448
 FAX: (425) 827-2877

TRACT "A", S. P. NO 30 02



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

Dated this _____ day of _____, 20____

By: _____

Title: Mayor, City of Mount Vernon

APPROVED AS TO FORM

MOUNT VERNON CITY ATTORNEY

ATTEST:

Notary Public

STATE OF WASHINGTON

: SS.

COUNTY OF SKAGIT

THIS IS TO CERTIFY that on this 6th day of January, 2009, before me the undersigned Notary Public in and for the State of Washington, duly commissioned and sworn, Bud Norris personally appeared to me. This individual is known to be the Mayor, of the City of Mount Vernon that executed the foregoing deed and acknowledged to me that they signed and sealed the same as the free and voluntary act and deed of said _____ and on oath stated that they were authorized to execute said instrument and that the seal affixed is the seal of said _____.

WITNESS my hand and official seal the day and year in this certificate first above written.

Kerri A. Grechishkin

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

My commission expires July 3, 2011



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