

After recording return document to:

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



200904090071

Skagit County Auditor

4/9/2009 Page 1 of 8 11:23AM

Document Title: *Warranty Deed*

GUARDIAN NORTHWEST TITLE CO.

Reference Number of Related Document: *N/A*

76140-1

Grantor(s): *Barney Charles Scott, Ruby Lee Cleave, Personal Reps. of Estate of Ruby E. Scott; Barney Charles Scott, Ruby Lee Cleave, Co-Trustees under will of Virgil Clair Scott*

Grantee: *State of Washington, Department of Transportation*

Legal Description: *Ptn SE 1/4 of the NW 1/4; ptn NE 1/4 of the NW 1/4 and ptn W 1/2 of the NE 1/4 of Section 11, T34N, R3E, WM*

Additional Legal Description is on Page(s) *7 & 8 of Document*

Assessor's Tax Parcel Number(s): *340311-0-044-0002 (P21429); 340311-2-006-0004 (P21463); 340311-2-002-0008 (P21458)*

WARRANTY DEED

State Route 20, Fredonia to Pulver Rd. Vic.

The Grantors, BARNEY CHARLES SCOTT and RUBY LEE CLEAVE, Co-Personal Representatives of THE ESTATE OF RUBY E. SCOTT, deceased, as to an undivided one half interest, and BARNEY CHARLES SCOTT and RUBY LEE CLEAVE, as Co-Trustees under the Will of VIRGIL CLAIR SCOTT, deceased, under Skagit County Probate Cause No. 15007, as to the remainder, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS, and other valuable consideration, hereby convey and warrant to the **State of Washington, Department of Transportation**, the following described real property situated in Skagit County, State of Washington, under the imminent threat of the Grantee's exercise of its right of Eminent Domain:

For legal description and additional conditions,
see Exhibit A attached hereto and made a part hereof.

973

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

RES-302
Revised 09/05

APR 09 2009 Page 1 of 8 pages

FA No. F-020 ()
Project No. A02039A
Parcel No. 1-16575

Amount Paid \$ *6*
Skagit Co. Treasurer
By *[Signature]* Deputy

WARRANTY DEED

Also, the Grantors request the Assessor and Treasurer of said County to set over to the remainder of the hereinafter described TRACT "X", the lien of all unpaid taxes, if any, affecting the real estate herein conveyed, as provided for by RCW 84.60.070.

It is understood and agreed that delivery of this deed is hereby tendered and that the terms and obligations hereof shall not become binding upon the State of Washington unless and until accepted and approved hereon in writing for the State of Washington, Department of Transportation, by the Director of Real Estate Services.

Date: March 10, 2009, 2009

THE ESTATE of RUBY E. SCOTT, deceased

Barney Charles Scott
BARNEY CHARLES SCOTT, Co-Personal Representative

Ruby Lee Cleave
RUBY LEE CLEAVE, Co-Personal Representative

THE TRUST of VIRGIL CLAIR SCOTT, deceased,
under will filed in Skagit County Probate Cause No. 15007

Barney Charles Scott
BARNEY CHARLES SCOTT, Co-Trustee

Ruby Lee Cleave
RUBY LEE CLEAVE, Co-Trustee

Accepted and Approved

STATE OF WASHINGTON,
Department of Transportation

By: Mike Palazzo
Mike Palazzo
Acting Director, Real Estate Services

Date: 3/30/09

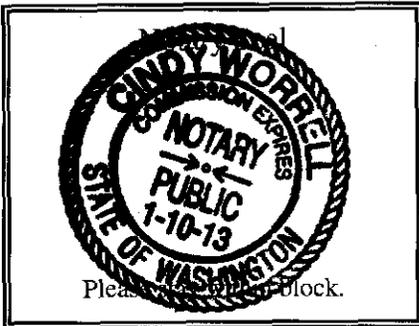


WARRANTY DEED

STATE OF WASHINGTON)
County of SKAGIT) : ss.

On this 10TH day of MARCH, 2009, before me personally appeared BARNEY CHARLES SCOTT, to me known to be a Co-Personal Representative of THE ESTATE of RUBY E. SCOTT, deceased described in and who executed the foregoing instrument, and acknowledged that in that capacity as a Co-Personal Representative signed the same as the Estate's free and voluntary act and deed, for the uses and purposes therein mentioned.

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



Cindy Worrell
Notary (print name) CINDY WORRELL
Notary Public in and for the State of Washington,
residing at MORDE
My Appointment expires 1-10-13

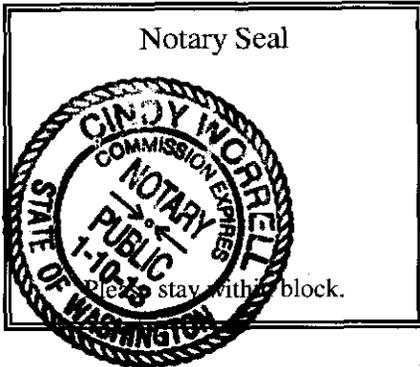


WARRANTY DEED

STATE OF WASHINGTON)
) : ss.
County of SKAGIT)

On this 10th day of MARCH, 2009, before me personally appeared RUBY LEE CLEAVE, to me known to be a Co-Personal Representative of THE ESTATE of RUBY E. SCOTT, deceased described in and who executed the foregoing instrument, and acknowledged that in that capacity as a Co-Personal Representative signed the same as the Estate's free and voluntary act and deed, for the uses and purposes therein mentioned.

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



Cindy Worrell
Notary (print name) CINDY WORRELL
Notary Public in and for the State of Washington,
residing at MUNROE
My Appointment expires 1-10-13

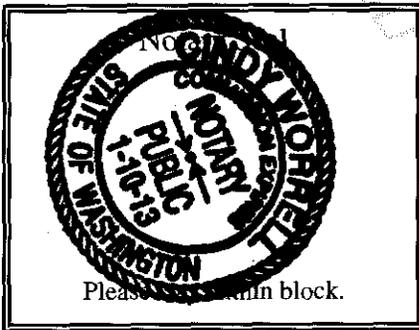


WARRANTY DEED

STATE OF WASHINGTON)
) : ss.
County of SKAGIT)

On this 10TH day of MARCH, 2009, before me personally appeared BARNEY CHARLES SCOTT, to me known to be a Co-Trustee of THE TRUST of VIRGIL CLAIR SCOTT, deceased described in and who executed the foregoing instrument, and acknowledged that in that capacity as a Co-Trustee signed the same as the Trust's free and voluntary act and deed, for the uses and purposes therein mentioned.

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



Cindy Worrell
Notary (print name) CINDY WORRELL
Notary Public in and for the State of Washington,
residing at MUNRUE
My Appointment expires 1-10-13

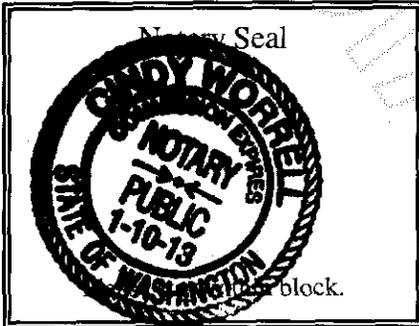


WARRANTY DEED

STATE OF WASHINGTON)
)
) : ss.
County of SKAGIT)

On this 10th day of March, 2009, before me personally appeared RUBY LEE CLEAVE to me known to be a Co-Trustee of THE TRUST of VIRGIL CLAIR SCOTT, deceased described in and who executed the foregoing instrument, and acknowledged that in that capacity as a Co-Trustee signed the same as the Trust's free and voluntary act and deed, for the uses and purposes therein mentioned.

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



Cindy Worrell
Notary (print name) CINDY WORRELL
Notary Public in and for the State of Washington,
residing at MONROE
My Appointment expires 1-10-13



WARRANTY DEED

EXHIBIT A

All that portion of the hereinafter described TRACT "X" lying northwesterly of a line 165.00 feet southeasterly of and parallel with the SR 20 line survey of SR 20, Fredonia to Pulver Rd. Vic.

TRACT "X"

Parcel A:

That portion of the west half of the northeast quarter of Section 11, Township 34 North, Range 3 East, W.M., in Skagit County, Washington, lying southerly of the right-of-way conveyed to the Seattle & Northern Railway Company by Deed recorded January 10, 1890 in Volume 9 of Deeds, page 283 and lying westerly of the centerline of the right-of-way appropriated for Drainage District No. 19 in Skagit County Superior Court Cause No. 8889 on December 4, 1922; EXCEPT the south 1097.3 feet thereof; ALSO EXCEPT the right-of-way conveyed to Skagit County for road purposes by Deed recorded July 3, 1941 under Auditor's File No. 341316.

Parcel B:

The southeast quarter of the northwest quarter and that portion of the northeast quarter of the northwest quarter lying southerly of the right-of-way conveyed to the Seattle & Northern Railway Company by Deed recorded January 10, 1890 in Volume 9 of Deeds, page 319, all in Section 11, Township 34 North, Range 3 East, W.M., in Skagit County, Washington, EXCEPT the right-of-way conveyed to Skagit County for road purposes by Deed recorded July 3, 1941 under Auditor's File No. 341317.

ALSO, the Grantors herein convey and grant to the State of Washington all rights of ingress and egress (including all existing, future or potential easements of access, light, view and air) to, from and between State Route 20, Fredonia to Pulver Rd. Vic. and the remainder of said TRACT "X".

EXCEPT that the State shall construct on its right of way a Type "B" off and on approach, not to exceed 50 feet in width, for those uses necessary to the normal operation of a farm but not for retail marketing, on the southeasterly side, at or near HES 635+62, as shown on Sheet 11 of 23 Sheets of the hereinafter mentioned map of definite location, and to which off and on approach, only the Grantors, their heirs successors or assigns, reserve a right of reasonable access for that purpose only, which approach shall be



WARRANTY DEED

maintained between the right of way line and the shoulder line of said highway by the Grantors, their heirs successors or assigns. Traffic using this approach will be limited to right in/right out movements.

The lands herein described contain an area of 212,633 square feet, more or less, the specific details concerning all of which are to be found in that certain map of definite location now of record and on file in the office of the Secretary of Transportation at Olympia, and bearing date of approval June 3, 2005, revised April 19, 2007.

Grantors' initials