

After recording return document to:

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



200904090072
Skagit County Auditor

4/9/2009 Page 1 of 7 11:23AM

Document Title: Temporary Easement

GUARDIAN NORTHWEST TITLE CO.

Reference Number of Related Document: N/A

76140-2

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 SE¹/₄ of the NW¹/₄; ptn NE¹/₄ of the NW¹/₄ and ptn W¹/₂ of the NE¹/₄ of Section 11, T34N, R3E, WM

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

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

TEMPORARY EASEMENT

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 consideration of the Grantee realigning or reconnecting Grantors' existing driveway, hereby convey and grant unto the **State of Washington, Department of Transportation** and its assigns under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and easement over, upon, and across the hereinafter described lands for the purpose of providing a work area for adjacent highway construction-related activities.

The Temporary rights herein granted shall terminate on December 31, 2012.

Said lands being situated in Skagit County, State of Washington, and described as follows:

TEMPORARY CONSTRUCTION EASEMENT

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

It is understood and agreed that delivery of this Easement 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 its 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

Easement
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

APR 09 2009

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

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

Accepted and Approved

STATE OF WASHINGTON,
Department of Transportation

Mike Palazzo
Mike Palazzo
Acting Director, Real Estate Services

Date: 3/30/09

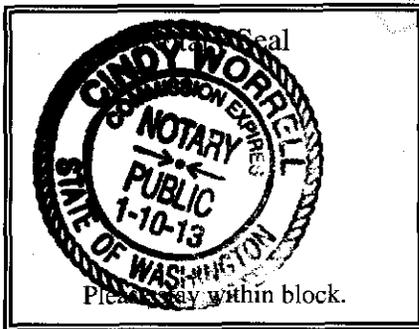


TEMPORARY CONSTRUCTION EASEMENT

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-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 MOORE
My Appointment expires 1-10-13

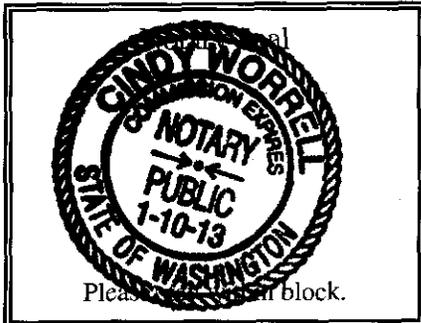


TEMPORARY CONSTRUCTION EASEMENT

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.



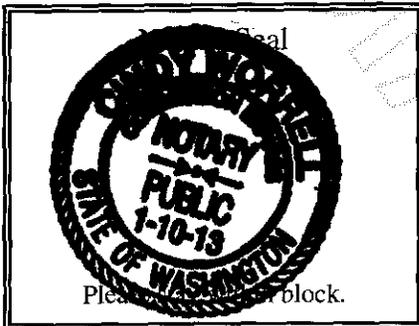
Cindy Worrell
Notary (print name) CINDY WORRELL
Notary Public in and for the State of Washington,
residing at MORSE
My Appointment expires 1-10-13

TEMPORARY CONSTRUCTION EASEMENT

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



TEMPORARY CONSTRUCTION EASEMENT

EXHIBIT A

All that portion of the hereinafter described TRACT "X" lying within a tract of land beginning at a point opposite Highway Engineer's Station (hereinafter referred to as HES) 635+45 on the SR 20 line survey of SR 20, Fredonia to Pulver Rd. Vic. and 165 feet southeasterly therefrom; thence northeasterly parallel with said line survey to a point opposite HES 635+75 thereon; thence southeasterly to a point opposite said HES 635+75 and 188 feet southeasterly therefrom; thence southwesterly parallel with said line survey to a point opposite HES 635+45 thereon; thence northwesterly to the point of beginning.

TRACT "X"

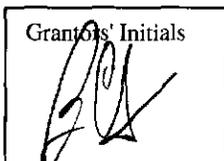
Parcel A:

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.

The lands herein described contain an area of 711 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

Grants' Initials


RES-325

Page 7 of 7 pages

Parcel No. 1-16575



200904090072

Skagit County Auditor

4/9/2009 Page

7 of

7 11:23AM