

Upon Recording Return To:  
Department of Natural Resources  
Asset Management & Recreation Division  
Special Lands Acquisition  
PO Box 47014  
Olympia, WA 98504-7014



200906300163

Skagit County Auditor

6/30/2009 Page

1 of

4 4:08PM

CHICAGO TITLE CO.  
620004314

**DEED OF RIGHT TO USE LAND FOR  
NATURAL RESOURCES CONSERVATION AREA PURPOSES**

Cypress Island NRCA - Merzbacher/Richter Tidelands

Grantor: State of Washington, acting by and through the Department of Natural Resources  
Grantee: State of Washington  
Legal Description: Portions of 2<sup>nd</sup> Class tidelands in front of GL5, S4, T35N, R1E W.M.  
Tax Parcel Number: P31229 & P127881 **a P31226**

The Grantor, State of Washington, acting by and through the Department of Natural Resources, for and in consideration of monies coming from the Habitat Conservation Account (HCA) 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 conservation purposes described in RCW Chapter 79A.15 and to be managed as a natural resources conservation area in accordance with RCW Chapter 79.71. This dedication is in compliance with the Project Agreement entered into between the Grantor and the State of Washington through the Recreation and Conservation Office entitled Cypress Island Natural Area, Project Number 04-1330A, signed by the Grantor on the 27th day of July 2005, and by the Recreation and Conservation Office on the 19th day of July 2005, the applications and supporting materials which is on file with the Grantor and the State in connection with this 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 natural resources conservation area purposes herein granted unless the State, through the Recreation and Conservation Office or its successors, consents to the inconsistent use, which consent shall be granted only upon conditions which will ensure that other natural resources conservation area land of at least equal fair market value at the time of change of use and of as nearly as feasible equivalent qualities, characteristics and location for natural resources conservation area purposes for which State assistance was originally granted, will be substituted in the manner

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

1927  
JUN 30 2009

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

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 certain real property covered by this deed is located in Skagit County, Washington, the legal description of which is set forth on Exhibit A, attached hereto and incorporated by this reference herein.

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 for natural resources conservation area purposes.

STATE OF WASHINGTON  
DEPARTMENT OF NATURAL RESOURCES

Dated: June 16, 2009

  
Stephen Saunders, Manager  
Asset Management and Recreation Division

Standard Deed of Right  
Approved as to Form in March 2000  
by the Recreation and Conservation Office  
Acquisition Projects: Policies  
IAC Manual #3

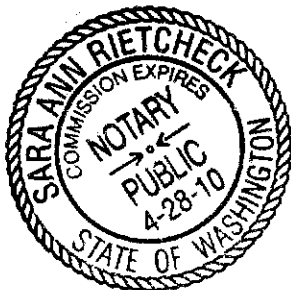


200906300163  
Skagit County Auditor

STATE OF WASHINGTON )  
 )ss  
COUNTY OF THURSTON )

On this 16th day of June, 2009, personally appeared before me  
STEPHEN SAUNDERS, to me known to be the Asset Management and Recreation Division  
Manager of the Department of Natural Resources, State of Washington, who executed the  
within and instrument on behalf of the State of Washington, and acknowledged said instrument  
to be the free and voluntary act and deed of the State of Washington for the uses and purposes  
therein mentioned, and on oath stated that he was authorized to execute said instrument and  
that the seal affixed is the official seal of a Washington State Notary.

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



Sara Ann Rietschek  
Notary Public in and for the State of Washington,  
residing at Olympia.

My appointment expires 4-28-10.



**STATE OF WASHINGTON  
DEPARTMENT OF NATURAL RESOURCES**

**EXHIBIT A**

Tidelands in front of Government Lot 5 of Sec. 4, T35N, R1E, W.M.  
Skagit County, Washington  
Cypress Island NRCA

All tidelands of the second class, sold by the State of Washington, situate in front of, adjacent to or abutting upon Government Lot 5 of Section 4, Township 35 North, Range 1 East, Willamette Meridian, Skagit County, Washington, the same being also situate in front of, adjacent to or abutting upon a portion of Lot 6 and Lots 7 through 10 of Skagit County Short Plat No. 127-78, as recorded March 20, 1979 in Book 3 of Short Plats at Page 83, under Auditor's File No. 7903200011, Records of Skagit County Washington.



Dennis J. Gelvin, PLS 21674  
Land Description & R/W Specialist  
Land Survey Unit  
Engineering Division  
PO Box 47030  
Olympia, WA 98504-7030

Dated 10-29-08

FILENAME: L2892TL5