



200912020043

Skagit County Auditor

12/2/2009 Page

1 of

9

1:25PM

WHEN RECORDED RETURN TO:

Skagit Land Trust
P.O. Box 1017
Mt. Vernon, Washington 98273

Grantor: Gerrit Jan van den Engh and Barbara Jo Trask, husband and wife

Grantee: Skagit Land Trust

Brief Legal Description: Lots 4-9, Elysian Meadows, Gov. Lots 13-14, 12-35-17
E.W.M., Gov. Lots 3-4, 13-35-7 E W.M.

Reference numbers: AF 200612200141 and AF 200710170079

Assessor's Tax Parcel Numbers:

P121059/4823-000-004-0000; P121060/4823-000-005-0000; P121061/4823-000-006-0000;
P121062/4823-000-007-0000; P121063/4823-000-008-0000; P121064/4823-000-009-0000;
P121065/4823-000-010-0000; P109565/350712-3-018-0100; P109566/350713-2-004-0100;
P42536/350712-4-019-0007; P42556/350713-0-003-0004

**AMENDMENT TO
GRANT DEED OF CONSERVATION EASEMENT
(TO ADD LEGAL DESCRIPTIONS OF SUBAREAS ONLY)**

THIS AMENDMENT OF THE GRANT DEED OF CONSERVATION EASEMENT is made this 30th day of November, 2009 ("Easement"), by Gerrit Jan van den Engh and Barbara Jo Trask, husband and wife residing at 9756 49th Ave NE, Seattle, WA 98115 ("Grantor"), in favor of the Skagit Land Trust, a Washington nonprofit corporation qualified to do business in Washington, having an address at P. O. Box 1017, Mt. Vernon, WA 98273 ("Grantee").

I. RECITALS

A. Grantor and Grantee are the parties to that certain Grant Deed of Conservation Easement Dated December 20, 2006 and recorded under Skagit County Auditor's file number 200612200141 ("Conservation Easement"), which easement protects certain "Protected Property" described therein.

B. In paragraph XIII. B. of the Conservation Easement, Grantor and Grantee agreed to execute and record an amendment to the Conservation Easement after completion of a survey and development of legal descriptions depicting the Conservation Easement Sub Areas, TO WIT: *Building Zone, Agricultural Zone and Habitat Conservation Zone*. These legal descriptions were intended to replace Exhibits D, E and F of the Conservation Easement.

C. A survey has been completed and recorded, under Skagit County Auditor's file Number 200710170079 ("Survey") that depicts and describes said Sub Areas.

II. AGREEMENT

For the reasons stated above, and in consideration of the mutual covenants, terms, conditions, and restrictions contained herein, Grantor and Grantee hereby agree that the Conservation Easement shall be and is hereby amended as follows:

1. The original Exhibit B (Site Map) of the Conservation Easement is deleted and replaced with *Exhibit B Surveyed Map of Conservation Easement Sub-Areas*, attached as Exhibit No. 1 hereto and which is page 2 of the Survey.
2. The original Exhibit D of the Conservation Easement is deleted and replaced with *Exhibit D. Legal Description of Habitat Conservation Zone*, attached hereto as Exhibit No. 2 (and described therein as "Habitat Conservation Easement").
3. The original Exhibit E of the Conservation Easement is deleted and replaced with *Exhibit E. Legal Description of Agricultural Zone*, attached hereto as Exhibit No. 3.
4. The original Exhibit F of the Conservation Easement is deleted and replaced with *Exhibit F. Legal Description of Building Zone*, attached hereto as Exhibit No. 4.

In all other respects, except as amended hereby, the Conservation Easement shall remain in full force and effect and shall be interpreted to give meaning to its provisions and those contained the herein.



III. SCHEDULE OF EXHIBITS

1. Exhibit No. 1 hereto, New Exhibit B of the Conservation Easement. *Site Map. Surveyed Map of Conservation Easement Sub-Areas.*
2. Exhibit No. 2 hereto, New Exhibit D of the Conservation Easement. *Legal Description of Habitat Conservation Zone.*
3. Exhibit No. 3 hereto, New Exhibit E of the Conservation Easement *Legal Description of Agricultural Zone.*
4. Exhibit No. 4 hereto, New Exhibit F of the Conservation Easement. *Legal Description of Building Zone.*

TO HAVE AND TO HOLD unto Grantee, its successors, and assigns forever.

IN WITNESS WHEREOF, the undersigned Grantor has executed this instrument this 30th day of November 2009.

Easement
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

DEC 01 2009

Amount Paid \$ 5
Skagit Co. Treasurer
By man Deputy

Gerrit Jan van den Engh
GERRIT JAN VAN DEN ENGH

Barbara Jo Trask
BARBARA JO TRASK

STATE OF WASHINGTON

COUNTY OF SKAGIT

) ss.

On this 30th day of November 2009, before me, a Notary Public in and for the State of Washington, personally appeared Gerrit Jan van den Engh and Barbara Jo Trask, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons who executed this instrument and acknowledged it to be their free and voluntary acts and deeds for the uses and purposes mentioned in the instrument.

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

Doreen Schoenfeldt
NOTARY PUBLIC in and for the State of
Washington, residing at Stanwood
My appointment expires 09/30/2010
Print Name Doreen Schoenfeldt



THE SKAGIT LAND TRUST does hereby accept the above Amendment To Grant
Deed of Conservation Easement.

Grantee: Skagit Land Trust

Mark Hitchcock
Mark Hitchcock, Vice President

Dated: 11/30/09

Attestation:

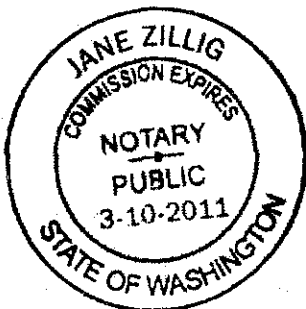
Janice Martin
Janice Martin, Secretary

Dated: 11/30/09

STATE OF WASHINGTON)
COUNTY OF SKAGIT) ss.

I certify that I know or have satisfactory evidence that Mark Hitchcock is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Vice President of The Skagit Land Trust to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Given under my hand and official seal this 30 day of November, 2009.



Jane Zillig
NOTARY PUBLIC in and for the State of
Washington, residing at Seaside Way
My appointment expires 3-10-11
Print Name JANE ZILLIG



Exhibit No. 1
 New Exhibit B of the Conservation Easement
 Site Map (Surveyed Map of Conservation Easement Sub-Areas
 Recorded under Auditor's file number 200710170079)

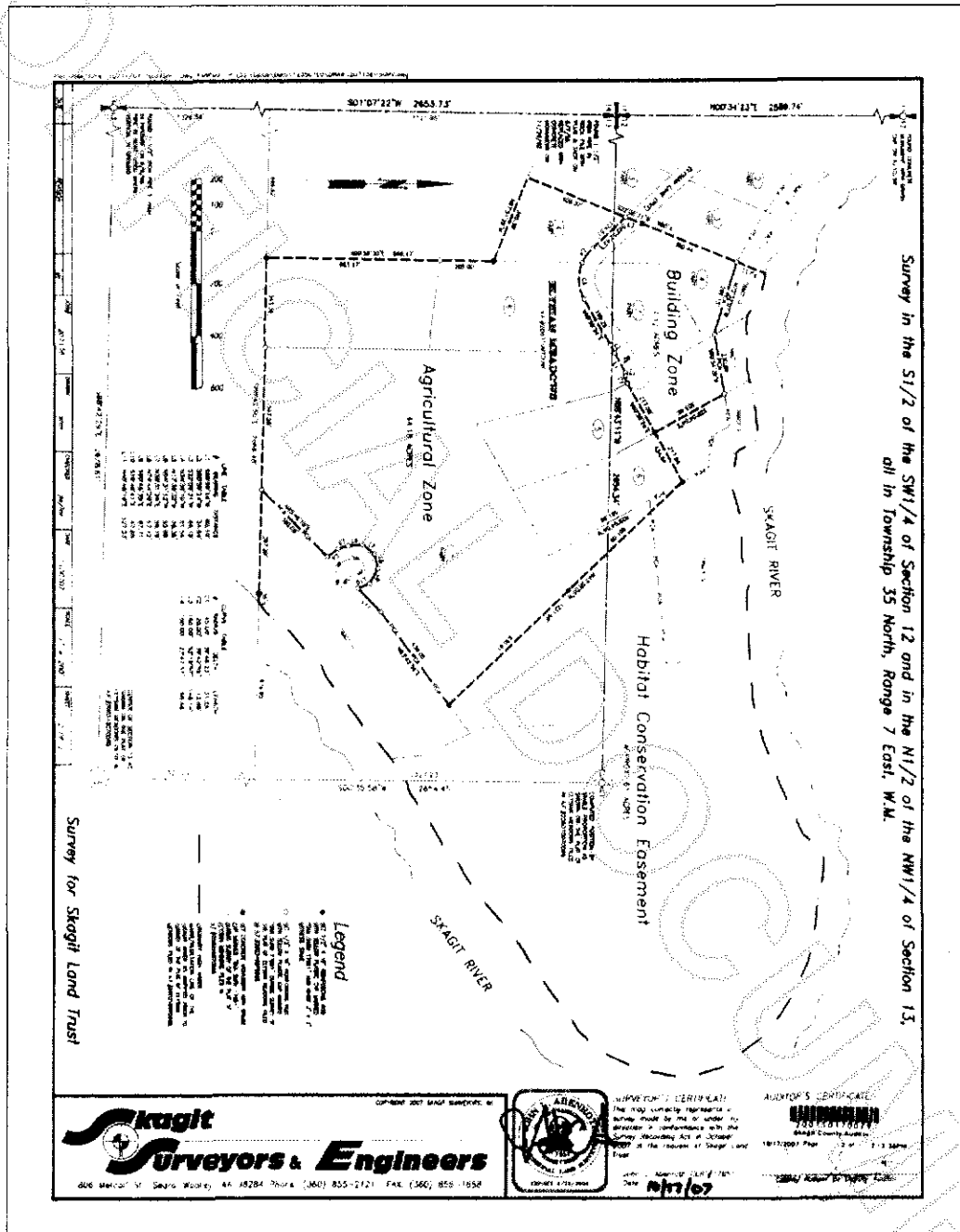


Exhibit No. 2.
New Exhibit D of the Conservation Easement.
Legal Description of Habitat Conservation Zone (page 1 of 2)



806 Metcalf St., Sedro-Woolley, WA 98284 Phone: (360) 855-2121 FAX: (360) 855-1658

**LEGAL DESCRIPTION
FOR
SKAGIT LAND TRUST
OF
HABITAT CONSERVATION EASEMENT**

October 1, 2007

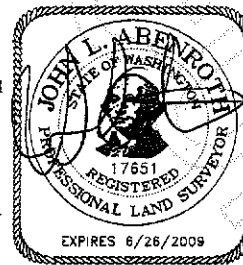
Government Lot 3, Section 13, Township 35 North, Range 7 East, W.M.

TOGETHER WITH Government Lot 14, Section 12, Township 35 North, Range 7 East, W.M.

AND TOGETHER WITH Tract D, Tract E, Tract F and Tract H of the Plat of ELYSIAN MEADOWS per plat recorded under AF#200310070060, records of Skagit County, Washington.

AND TOGETHER WITH those portions of Lot 6, Lot 7 and Tract G of said Plat of ELYSIAN MEADOWS, and of Government Lot 13, Section 12, Township 35 North, Range 7 East, W.M. and a portion of Government Lot 4, Section 13, Township 35 North, Range 7 East, W.M. described as follows:

Beginning at a point on the east line of Lot 6 as shown on said Plat of ELYSIAN MEADOWS which is 581.69 feet from the southeast corner of said Lot 6; thence S 43°38'55"E, a distance of 1231.96 feet to a point which lies S 53°43'50"W, a distance of 138.00 feet from the most northerly corner of Tract H as shown on said plat; thence N 53°43'50"E, a distance of 138.00 feet to the northeasterly corner of Tract H; thence S 24°23'04"E along the easterly line of Tract H, a distance of 204.55 feet to an angle point in said easterly line; thence S 4°59'14"E along said easterly line, a distance of 116.82 feet to the southeasterly line of said Government Lot 4; thence northeasterly along said southeasterly line, to the southeast corner of Government Lot 4; thence north along the east line of said Government Lot 4 and north along the east line of said Government Lot 13, a distance of 1430 feet more or less the northeast corner of said Government Lot 13; thence westerly along the



10/01/07



Exhibit No. 2.
New Exhibit D of the Conservation Easement.
Legal Description of Habitat Conservation Zone (page 2 of 2)



806 Metcalf St., Sedro-Woolley, WA 98284 Phone: (360) 855-2121 FAX: (360) 855-1658

northerly line of Government Lot 13 and the northerly line of Tract G of said plat, to the northwesterly corner of Tract G; thence S 29°04'04"E along the westerly line of Tract G, a distance of 123.50 feet to the southerly corner of Tract F of said plat; thence N 83°08'03"W along the southerly line of Tract F, a distance of 121.18 feet; thence N 31°12'10"W along the southerly line of Tract F, a distance of 77.69 feet; thence S 80°54'29"W along the southerly line of Tract F, a distance of 124.09 feet to the southwest corner of Tract F which point is also on the southwesterly line of Lot 6 of said plat; thence S 29°04'04"E along the southwesterly line of Lot 6, a distance of 303.46 feet to a point which lies S 60°59'24"W, a distance of 217.64 feet from the point of beginning of this description; thence N 60°59'24"E, a distance of 217.64 feet to the point of beginning of this description.

Containing approximately 60 acres.

Situate in Skagit County, Washington.

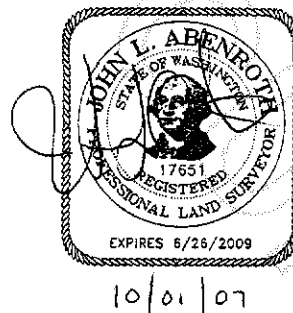


Exhibit No. 3
New Exhibit E of the Conservation Easement
Legal Description of Agricultural Zone



806 Melcott St., Sedro-Woolley, WA 98284 Phone: (360) 855-2121 FAX: (360) 855-1658

**LEGAL DESCRIPTION
FOR
SKAGIT LAND TRUST
OF
AGRICULTURAL ZONE**

October 1, 2007

Lot 8 and Lot 9 of the Plat of ELYSIAN MEADOWS per plat record under AF#200310070060, records of Skagit County, Washington.

TOGETHER WITH that portion of Lot 4 of said Plat of ELYSIAN MEADOWS lying southerly of the southerly right of way of Elysian Lane as shown on said plat.

AND TOGETHER WITH that portion of Lot 5 and Lot 6 of said plat of ELYSIAN MEADOWS lying southerly of the following described line:

Beginning at the intersection of the westerly line of Lot 5 with the southerly line of that certain 90 foot diameter cul-de-sac as shown on said plat; thence N 60°59'24"E, a distance of 434.64 feet a point on the northeasterly line of Lot 6 which lies 581.69 feet from the southeast corner of Lot 6 and the terminal point of this line description.

TOGETHER WITH that portion of Lot 7 of said Plat of ELYSIAN MEADOWS lying northwesterly of the northwesterly line of Tract H as shown on said plat and westerly of the following described line:

Beginning at a point on the northwesterly line of Tract H which lies S 53°43'50"W, a distance of 138.00 feet from the most northerly corner of said Tract H; thence N 43°38'55"W, a distance of 1231.96 feet to a point on the northeasterly line of Lot 6 which lies 581.69 feet from the southeast corner of Lot 6 and the terminal point of this line description.

Containing 44.18 acres.

Situate in Skagit County, Washington.



10 | 01 | 07



200912020043
Skagit County Auditor

Exhibit No. 4
New Exhibit F of the Conservation Easement.
Legal Description of Building Zone



805 Melcott St., Sedro-Woolley, WA 98284 Phone: (360) 855-2121 FAX: (360) 855-1658

**LEGAL DESCRIPTION
FOR
SKAGIT LAND TRUST
OF
BUILDING ZONE**

October 1, 2007

Lot 4, Lot 5 and Lot 7 of the Plat of ELYSIAN MEADOWS per plat record under AF#200310070060, records of Skagit County, Washington.

TOGETHER WITH that portion of Elysian Lane as shown on said plat lying easterly of the southerly extension of the westerly line of that portion of Lot 4 lying northerly of Elysian Lane.

EXCEPT those portions of Lots 4 and 5 lying within Tracts D and E of said plat;

AND EXCEPT that portion of Lot 4 lying south of Elysian Lane of said plat;

AND EXCEPT that portion of Lot 5 of said plat lying southerly of the following described line:

Beginning at the intersection of the westerly line of Lot 5 with the southerly line of that certain 90 foot diameter cul-de-sac as shown on said Plat of ELYSIAN MEADOWS; thence N 60°59'24"E, a distance of 217.00 feet to the easterly line of said Lot 5 and the terminal point of this line description. (All bearings referenced to the Plat of ELYSIAN MEADOWS)

Containing 7.12 acres.

Situate in Skagit County, Washington.

