



201001250142

Skagit County Auditor

When recorded return to:

1/25/2010 Page

1 of

7 2:24PM

H.C. (Chuck) Juergens, Manager
707 8th Avenue SW, Box 6525 Station D
Calgary, Alberta T2p 3g7,

Recorded at the request of:
Guardian Northwest Title
File Number: 98718

Statutory Warranty Deed98718-2
GUARDIAN NORTHWEST TITLE CO.

THE GRANTOR Sierra Pacific Industries, a California corporation for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to T.J. Pounder & Co. of U.S. Inc., a North Dakota corporation, dba Husky Asphalt Marketing Company the following described real estate, situated in the County of Skagit, State of Washington

Abbreviated Legal:

Section 9, Township 34, Range 3; Ptn N ½ SE

Tax Parcel Number(s): P21268, 340309-1-004-0002

Legal Description attached hereto as Exhibit "A" and made a part thereof

SUBJECT TO: Exceptions attached hereto and made a part thereof

Dated 1/06/2010

184
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

Sierra Pacific Industries

See attached document

By: M.D. Emmerson, Vice President & CFO

JAN 25 2010

Amount Paid \$ 40,945.00
Skagit Co. Treasurer
By J. M. Deputy

STATE OF _____ }
COUNTY OF _____ } SS:

I certify that I know or have satisfactory evidence that _____

_____ is/are the person(s) who appeared before
me, and said person(s) acknowledge that _____ signed this instrument, on oath stated
is/are authorized to execute the instrument and acknowledge that as the
_____ of _____

to be the free and voluntary act of such party(ies) for the uses and purposes mentioned in this instrument.

Dated: _____

Notary Public in and for the State of _____

Residing at _____

My appointment expires: _____

When recorded return to:

H.C. (Chuck) Juergens, Manager
707 8th Avenue SW, Box 6525 Station D
Calgary, Alberta T2p 3g7,

Recorded at the request of:

File Number: 98718

Statutory Warranty Deed

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SUBJECT TO: Exceptions attached hereto and made a part thereof

Dated 1/06/2010

Sierra Pacific Industries

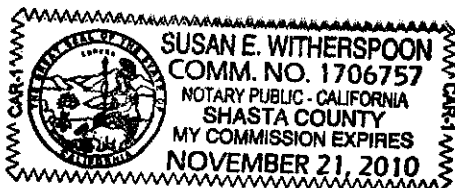
By: M.D. Emmerson, Vice President & CFO

STATE OF California
COUNTY OF Shasta } SS:

I certify that I know or have satisfactory evidence that M.D. Emmerson
is/are the person(s) who appeared before
me, and said person(s) acknowledge that he signed this instrument, on oath stated he
is/are authorized to execute the instrument and acknowledge that as the
Vice President of Sierra Pacific Industries
to be the free and voluntary act of such party(ies) for the uses and purposes mentioned in this instrument.

Dated: January 13, 2010

Susan E. Witherspoon
Notary Public in and for the State of California
Residing at Redding CA
My appointment expires: 11-21-10



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Skagit County Auditor

Legal Description

The land referred to in this report/policy is situated in the State of Washington, County of Skagit, and is described as follows:

Lot 7, "Sierra Pacific Binding Site Plan PL 08-0315" approved November 16, 2009 and recorded November 16, 2009 as Skagit County Auditor's File No. 200911160068; TOGETHER WITH access and utility easements appurtenant thereto as delineated on the face of said Binding Site Plan over, across and under a Westerly portion of Lot 6 and an Easterly portion of Lot 8.

All of the above being a portion of the North $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of Section 9, Township 34 North, Range 3 East, W.M..

ALSO TOGETHER WITH that certain Storm Water Easement recorded as Skagit County Auditor's File No. 201001250145 over, across and under portions of Lot 8 of said Sierra Pacific Binding Site Plan and portions of the Skagit County road right-of-way commonly known as McFarland Road, established by Skagit County Auditor's File No. 200107270007.



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Exceptions:

A. MATTERS AS DISCLOSED AND/OR DELINEATED ON THE FACE OF THE FOLLOWING BINDING SITE PLAN:

Binding Site Plan Sierra Pacific PL 08-0315
Recorded: November 16, 2009
Auditor's No.: 200911160068

Said Survey is subsequent to other surveys shown herein.

B. MATTERS AS DISCLOSED AND/OR DELINEATED ON THE FACE OF THE FOLLOWING RECORDED SURVEY:

Recorded: June 2, 2000
Auditor's No.: 200006020092
Survey Affects: Plan of Fredonia and other property

C. MATTERS AS DISCLOSED AND/OR DELINEATED ON THE FACE OF THE FOLLOWING RECORDED SURVEY:

Recorded: May 6, 2004
Auditor's No.: 200405060105

Said matters include but are not limited to the following:

1. No property or lot corners have been set during this survey and no occupational indicators, if any exist, have been located.
2. Stormwater runoff from Lots 1-6, shown hereon, will drain into the existing stormwater pond located within a portion of Lot 6.
3. Before building permit(s) are issued to the owner(s) of Lots 1 through 6, the access road to each lot will be constructed. Any access road constructed will conform to County standards in effect at that time. The owner(s) of Lots 1-6 shall equally be responsible for the construction and maintenance of the road to access said lots. The road easement shown hereon may be moved at the discretion of the property owner at a future date; however, the owner(s) of Lots 1 through 6 will still be equally responsible for the construction and maintenance of the road regardless of where it is constructed.
4. The access road to serve Lots 1 through 6 shall be a private road until such time that the property owner(s) successfully petition the County to accept the road.
5. 60-foot wide easement for ingress, egress and utilities as delineated thereon.
6. Proposed McFarland Road as delineated thereon.

(Affects: Lots 1 through 8)



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D. LOT CERTIFICATION, INCLUDING THE TERMS AND CONDITIONS THEREOF. REFERENCE TO THE RECORD BEING MADE FOR FULL PARTICULARS. THE COMPANY MAKES NO DETERMINATION AS TO ITS AFFECTS.

Recorded: November 16, 2009
Auditor's No.: 200911160070

Said Lot Certification is subsequent to other Lot Certifications as shown herein.

E. LOT CERTIFICATION, INCLUDING THE TERMS AND CONDITIONS THEREOF. REFERENCE TO THE RECORD BEING MADE FOR FULL PARTICULARS. THE COMPANY MAKES NO DETERMINATION AS TO ITS AFFECTS.

Recorded: December 6, 2005
Auditor's File No.: 200512060056

F. LOT CERTIFICATION, INCLUDING THE TERMS AND CONDITIONS THEREOF. REFERENCE TO THE RECORD BEING MADE FOR FULL PARTICULARS. THE COMPANY MAKES NO DETERMINATION AS TO ITS AFFECTS.

Recorded: April 3, 2009
Auditor's No.: 200904030001

G. REGULATORY NOTICE/AGREEMENT THAT MAY INCLUDE COVENANTS, CONDITIONS AND RESTRICTIONS AFFECTING THE SUBJECT PROPERTY:

Executed By: API Properties
Recorded: December 14, 2005
Auditor's File No.: 200512140136
Document Title: Title Notification
Regarding: Special Flood Hazard Area

Reference is hereby made to the record for the full particulars of said notice/agreement. However, said notice/agreement may have changed or may in the future change without recorded notice.

Said Notice affects Lots 6 and 7 and presumably other lots but it has an imprecise legal description.

H. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Port of Skagit County
Dated: January 18, 2005
Recorded: March 17, 2005
Auditor's No.: 200503170064
Purpose: Avigation Easement
Area Affected: Subject property



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I. REGULATORY NOTICE/AGREEMENT THAT MAY INCLUDE COVENANTS, CONDITIONS AND RESTRICTIONS AFFECTING THE SUBJECT PROPERTY:

Executed By: Port of Skagit County
Recorded: March 5, 2009
Auditor's No.: 200903050091
Regarding: "Airport Noise and Overflight Effects"

Reference is hereby made to the record for the full particulars of said notice/agreement. However, said notice/agreement may have changed or may in the future change without recorded notice.

J. EASEMENT AND PROVISIONS THEREIN:

Grantee: Puget Sound Energy
Dated: May 15, 2009
Recorded: June 8, 2009
Auditor's No.: 200906080133
Purpose: Right to construct, operate, maintain, repair, replace and enlarge one or more electric transmission and/or distribution lines over and/or under the right of way;
Affects: Ten (10) foot wide portions of the subject property

K. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Skagit County
Dated: November 16, 2009
Recorded: November 16, 2009
Auditor's No.: 200911160069
Purpose: "Protected Critical Area Easement"
Area Affected: Portions of Lots 6 and 7

L. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Ernest G. Brown III, et ux
Dated: January __, 2010
Recorded: January __, 2010
Auditor's No.: 201001
Purpose: "accommodating the present encroachment"
Area Affected: Easterly side of Lot 7

To Be Recorded Concurrently

M. AGREEMENT, AND THE TERMS AND PROVISIONS THEREOF:

Between: Sierra-Pacific Industries
And: T.J. Pounder & Co. of U.S., Inc., a North Dakota corporation
Dated: January __, 2010
Recorded: January __, 2010
Auditor's No.: 201001
Regarding: Use of air space set forth therein
Affects: Lots 1 through 8, inclusive, Tracts B & F

To Be Recorded Concurrently



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N. PROTECTIVE COVENANTS AND/OR EASEMENTS, BUT OMITTING RESTRICTIONS, IF ANY,
BASED ON RACE, COLOR, RELIGION OR NATIONAL ORIGIN:

Dated: January __, 2010
Recorded: January __, 2010
Auditor's No.: 201001 _____ *To Be Recorded Concurrently*
Executed By: Sierra Pacific Industries and T.J. Pounder &
Co. of U.S., Inc., a North Dakota corporation
Affects: Lots 1 through 8, inclusive

O. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Sierra Pacific Industries
Dated: January __, 2010
Recorded: January __, 2010
Auditor's No.: 201001 _____ *To Be Recorded Concurrently*
Purpose: Storm water
Area Affected: Lots 7 and 8

- P. RIGHT-OF-WAY EASEMENT recorded as Auditor's File No. 20010727007
Q. THE SANITARY SEWER EASEMENT recorded as Auditor's File No. 200912170053
R. WATER LINE EASEMENT recorded as Auditor's File No. 200707100078
S. SEWER LINE EASEMENT recorded as Auditor's File No. 200201070173



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