

DESCRIPTIONS

P70414
LOTS 8 AND 9, BLOCK 2, PLAT OF AVON, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 1 OF PLATS, PAGE 2, RECORDS OF SKAGIT COUNTY, WASHINGTON.
SITUATED IN SKAGIT COUNTY, WASHINGTON.

P70412
PARCEL A:
LOTS 4 AND 5, BLOCK 2, PLAN OF AVON, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 1 OF PLATS, PAGE 2, RECORDS OF SKAGIT COUNTY, WASHINGTON.
TOGETHER WITH THE NORTHERLY HALF OF GROVE STREET ADJACENT TO SAID LOT 5, AND THE SOUTHEASTERLY HALF OF THE ALLEY ADJACENT TO SAID LOTS 4 AND 5, AS VACATED AND AMENDED BY SKAGIT COUNTY SUPERIOR COURT CAUSE NO. 95-2-00458-2 ON NOVEMBER 14, 1997.
SITUATED IN SKAGIT COUNTY, WASHINGTON.

PARCEL B:
A PERPETUAL EASEMENT FOR INGRESS, EGRESS, AND ALL UTILITIES ACROSS THE FOLLOWING DESCRIBED REAL ESTATE, DESCRIBED AS FOLLOWS: THE WESTERMOST 20 FEET EXTENDING NORTH AND SOUTH ACROSS LOTS 1, 2, AND 3, BLOCK 2, PLAN OF AVON, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 1 OF PLATS, PAGE 2, RECORDS OF SKAGIT COUNTY, WASHINGTON.
SITUATED IN SKAGIT COUNTY, WASHINGTON.

P70411
LOTS 1 TO 5, INCLUSIVE, BLOCK 1, PLAN OF AVON, AS PER PLAT RECORDED IN VOLUME 1 OF PLATS, PAGE 2, RECORDS OF SKAGIT COUNTY, WASHINGTON.
SITUATED IN SKAGIT COUNTY, WASHINGTON.

P90568
LOTS 1, 2 AND 3, BLOCK 2, PLAN OF AVON, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 1 OF PLATS, PAGE 2, RECORDS OF SKAGIT COUNTY, WASHINGTON.
SITUATED IN SKAGIT COUNTY, WASHINGTON.

P70430
LOTS 1 THROUGH 10, INCLUSIVE, BLOCK 4, PLAN OF AVON, AS PER PLAT RECORDED IN VOLUME 1 OF PLATS, PAGE 2, RECORDS OF SKAGIT COUNTY, WASHINGTON.
TOGETHER WITH THAT PORTION OF THE VACATED ALLEY BETWEEN SAID LOTS AND THAT PORTION OF THE SOUTHERLY HALF OF VACATED ACADIA STREET WHICH HAS REVERTED TO SAID PREMISES BY OPERATION OF LAW.

EXCEPT FROM THE ABOVE DESCRIBED PREMISES, THOSE PORTIONS CONVEYED TO, OR CONDEMNED BY DIKING DISTRICT NO. 12 IN SKAGIT COUNTY SUPERIOR COURT CAUSE NO. 3113 AND RECORDED APRIL 15, 1937 AND SEPTEMBER 8, 1937, UNDER AUDITOR'S FILE NO. 286506 AND 294187, RESPECTIVELY.
SITUATED IN SKAGIT COUNTY, WASHINGTON.

P70419
THE EAST 30 FEET OF LOT 2, BLOCK 3, PLAN OF AVON, AS PER PLAT RECORDED IN VOLUME 1 OF PLATS, PAGE 2, RECORDS OF SKAGIT COUNTY, WASHINGTON.

P70416
THE EAST 30 FEET OF THE SOUTH HALF OF LOT 1, BLOCK 3, PLAN OF AVON, AS PER PLAT RECORDED IN VOLUME 1 OF PLATS, PAGE 2, RECORDS OF SKAGIT COUNTY, WASHINGTON.
SITUATED IN SKAGIT COUNTY, WASHINGTON.

P70423
THE EAST 30 FEET OF LOT 5, BLOCK 3, PLAN OF AVON, AS PER PLAT RECORDED IN VOLUME 1 OF PLATS, PAGE 2, RECORDS OF SKAGIT COUNTY, WASHINGTON.
SITUATED IN SKAGIT COUNTY, WASHINGTON.

P70421
THE EAST 30 FEET OF LOT 4, BLOCK 3, PLAN OF AVON, AS PER PLAT RECORDED IN VOLUME 1 OF PLATS, PAGE 2, RECORDS OF SKAGIT COUNTY, WASHINGTON.
SITUATED IN SKAGIT COUNTY, WASHINGTON.

DESCRIPTIONS CONTINUED

P21558
THAT PORTION OF GOVERNMENT LOTS 3 AND 4 IN SECTION 12, TOWNSHIP 34 NORTH, RANGE 3 EAST, W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF GOVERNMENT LOT 3; THENCE NORTHEASTERLY ALONG THE SOUTH LINE OF THE COUNTY ROAD 151 FEET AND 8 INCHES; THENCE SOUTH 68°04' (EAST) 424 FEET, MORE OR LESS, TO THE SKAGIT RIVER; THENCE SOUTH 46°58' WEST ALONG SAID RIVER 162 FEET; THENCE NORTH 68°04' WEST 424 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, EXCEPT THE FIVE FOLLOWING DESCRIBED TRACTS:

1. THAT WESTERLY PORTION THEREOF LYING WITHIN THE STREET RIGHT-OF-WAY KNOWN BOTH AS SECOND STREET AND BENNETT ROAD;

2. THAT PORTION THEREOF APPROPRIATED FOR DIKING DISTRICT NO. 12 IN SKAGIT COUNTY CAUSE NO. 3113 ON JUNE 30, 1897;

3. THAT PORTION THEREOF, IF ANY LYING WITHIN THE AS-BUILT RIGHTS OF WAY OF DIKING DISTRICT NO. 12;

4. ANY PORTION THEREOF LYING WITHIN THE BOUNDARIES OF THE FOLLOWING DESCRIBED TRACT:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHWEST ¼ OF THE SOUTHWEST ¼ OF SAID SECTION; THENCE SOUTH 1°55 FEET; THENCE EAST 47°52 FEET; THENCE NORTHEASTERLY TO THE POINT OF BEGINNING; AND

5. THE FOLLOWING DESCRIBED TRACT CONVEYED TO DIKING DISTRICT NO. 12 BY DEED RECORDED MARCH 19, 1935 UNDER AUDITOR'S FILE NO. 286239, AS FOLLOWS:

A TRACT OF LAND SITUATED IN THE NORTHEAST PART OF LOT 4, SECTION 12, TOWNSHIP 34 NORTH, RANGE 3 EAST W.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT SOUTH 69°0' EAST 38.7 FEET FROM THE SOUTHEAST CORNER OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 12 AFORSAID; (IT BEING THE PROPERTY LINE BETWEEN THE PROPERTIES OF STEVE MARTIN AND W.A. WILGUS) AND 30 FEET NORTHWEST OF THE NORTH TOE OF DIKE; THENCE NORTH 22°30' EAST A DISTANCE OF 143.5 FEET TO A STAKE; THENCE SOUTH 69° EAST 30 FEET TO THE NORTHWEST TOE OF DIKE; THENCE SOUTH 22°40' WEST 143.5 FEET TO A POINT AT THE NORTHWEST TOE OF DIKE; THENCE NORTH 69°0' WEST 30 FEET TO POINT OF BEGINNING.
SITUATED IN SKAGIT COUNTY, WASHINGTON.
(SEE NOTE 16.)

P21560
THAT PORTION OF GOVERNMENT LOT 4 AND THAT PORTION OF GOVERNMENT LOT 3, IF ANY, IN SECTION 12, TOWNSHIP 34 NORTH, RANGE 3 EAST, W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 3; THENCE SOUTHWESTERLY ALONG THE SOUTHEASTERLY LINE OF SECOND STREET, AS EXTENDED AND NOW ESTABLISHED IN AVON, TO A POINT THAT IS 66 FEET NORTH, 21°30' EAST FROM THE NORTHERLY LINE OF BRUNSWICK STREET, AS SHOWN OF "PLAN OF AVON, AS PER PLAT RECORDED IN VOLUME 1 OF PLATS, PAGE 2, RECORDS OF SKAGIT COUNTY; THENCE SOUTH 69° EAST, PARALLEL WITH THE BRUNSWICK STREET TO THE SKAGIT RIVER; THENCE NORTHEASTERLY, ALONG SAID RIVER, TO THE SOUTHEAST CORNER OF A TRACT DEEDED TO C.F. DRALLE, ET UX, BY DEED DATED AUGUST 5, 1955, AND RECORDED AUGUST 8, 1955, AS AUDITOR'S FILE NO. 522165; THENCE NORTHEASTERLY, ALONG THE SOUTHWESTERLY LINE OF SAID DRALLE TRACT, TO THE POINT OF BEGINNING.

EXCEPT THAT PORTION THEREOF APPROPRIATED FOR DIKING DISTRICT NO. 12 IN SKAGIT COUNTY CAUSE NO. 3113 ON JUNE 30, 1897; ALSO EXCEPT THAT CERTAIN 30 FOOT WIDE STRIP OF LAND CONVEYING TO DIKING DISTRICT NO. 12 BY DEED DATED NOVEMBER 5, 1923 AND RECORDED MARCH 19, 1935 AS AUDITOR'S FILE NO. 268264 IN VOLUME 167 OF DEEDS, PAGES 39 AND 40; ALSO EXCEPT THAT PORTION THEREOF, IF ANY, LYING WITHIN THE AS-BUILT RIGHTS-OF-WAY OF DIKING DISTRICT NO. 12.
SITUATED IN SKAGIT COUNTY, WASHINGTON.

P21561
THAT PORTION OF GOVERNMENT LOT 4 OF SECTION 12, TOWNSHIP 34 NORTH, RANGE 3 EAST, W.M., LYING EAST OF THE EAST LINE OF SECOND STREET AND LYING NORTH OF THE NORTH LINE OF BRUNSWICK STREET (ALSO SHOWN ON SOME MAPS AS AVON STREET) IN THE "PLAN OF AVON" AS PER PLAT RECORDED IN VOLUME 1 OF PLATS, PAGE 2, RECORDS OF SKAGIT COUNTY, AND LYING WITHIN THE FOLLOWING DESCRIBED TRACT:

BEGINNING AT A POINT WHERE THE NORTH LINE OF BRUNSWICK STREET EXTENDED, INTERSECTS THE RIGHT BANK OF THE SKAGIT RIVER; THENCE NORTH 21° EAST 66 FEET; THENCE NORTH 69° WEST 660 FEET; THENCE SOUTH 20° WEST 66 FEET, MORE OR LESS, TO THE NORTH LINE OF SAID BRUNSWICK STREET; THENCE NORTH ALONG THE NORTH LINE OF BRUNSWICK STREET 680 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING.

EXCEPT THAT PORTION THEREOF APPROPRIATED FOR DIKING DISTRICT NO. 12 IN SKAGIT COUNTY CAUSE NO. 3113 ON JUNE 30, 1897; ALSO EXCEPT THAT PORTION THEREOF, IF ANY, LYING WITHIN THE AS-BUILT RIGHTS-OF-WAY OF DIKING DISTRICT NO. 12.
SITUATED IN SKAGIT COUNTY, WASHINGTON.

AUDITOR'S CERTIFICATE

201004160074
Skagit County Auditor
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AT THE REQUEST OF SEMRAU ENGINEERING & SURVEYING P.L.L.C.

Stuart August

Deputy Auditor

NOTES

- 1. - INDICATES IRON REBAR SET WITH YELLOW CAP - SURVEY NUMBER SEMRAU 28626
- 2. - INDICATES EXISTING REBAR OR IRON PIPE FOUND.
- 2. DESCRIPTIONS FOR THIS SURVEY ARE FROM TRUSTEE'S SALE GUARANTEE LITIGATION/CONTRACT FORECURE GUARANTEES PREPARED BY CHICAGO TITLE COMPANY UNDER ORDER NUMBERS 620005622 TO 620005630, INCLUSIVE, DATED AUGUST 12, 2009.
- AND FROM SUBDIVISION GUARANTEES PREPARED BY GUARDIAN NORTHWEST TITLE AND ESCROW UNDER ORDER NUMBERS 98475 TO 98478, INCLUSIVE, DATED OCTOBER 15, 2009 AND OCTOBER 16, 2009.

3. BASIS OF BEARING: WEST LINE OF THE SOUTHWEST ¼ OF SECTION 12, T. 34 N. R. 3E., W.M.
BEARING = NORTH 00°36'35" EAST

4. FOR ADDITIONAL SURVEY INFORMATION SEE RECORD OF SURVEY'S RECORDED UNDER AUDITOR'S FILE NO. 9805080034 AND IN VOLUME 17 OF SURVEYS, PAGE 59.

5. INSTRUMENTATION: LEICA TCA 1105 THEODOLITE DISTANCE METER.

6. SURVEY PROCEDURE: STANDARD FIELD TRAVERSE.

7. THIS SURVEY WAS REQUESTED BY CHUCK BENNETT, DIKE DISTRICT 12.

8. THIS SURVEY HAS SHOWN OCCUPATIONAL INDICATORS AS PER W.A.C. CHAPTER 332.130. LINES OF OCCUPATION MAY INDICATE AREAS FOR POTENTIAL CLAIMS OF UNWRITTEN OWNERSHIP. THIS BOUNDARY SURVEY HAS ONLY SHOWN THE RELATIONSHIP OF LINES OF OCCUPATION TO THE DEEDED LINES OF RECORD. NO RESOLUTION OF OWNERSHIP BASED ON UNWRITTEN RIGHTS HAS BEEN MADE OR IMPLIED BY THIS SURVEY.

9. THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS, RESTRICTIONS, COVENANTS AND OTHER INSTRUMENTS OF RECORD INCLUDING BUT NOT LIMITED TO THOSE INSTRUMENTS NOTED IN THE TITLE GUARANTEES MENTIONED IN 2. ABOVE, AS GUARANTEES 9010190095, 9802100068, 9703030037, 9711180020, 6502220003, 9806080034, 9805080034, 268264, 2844187, 200202080167, 522263, 9801200037, 200610040148, 200907230036, 200606280174, 801261, 200604280219, 20521430, 200906028073, AND ALSO SCSC CAUSE NO. 99-2-00458-2, SCSC CAUSE NO. 09-2-01856-6, SCSC CAUSE NO. 09-2-01856-7, SCSC CAUSE NO. 09-2-00167-0, SCSC CAUSE NO. 3113, AND SCSC CAUSE NO. 2865.

10. EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS SURVEY MAP, THIS SURVEY DOES NOT PURPORT TO REFLECT ALL OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS, BUILDING SETBACKS LINES, RESTRICTIVE COVENANTS, SUBDIVISION RESTRICTIONS, ZONING OR OTHER LAND-USE REGULATIONS AND ANY OTHER FACTS THAT MAY BE DISCLOSED.

11. THIS SURVEY MAY SHOW OCCUPATIONAL INDICATORS AS PER W.A.C. CHAPTER 332.130. LINES OF OCCUPATION MAY INDICATE AREAS FOR POTENTIAL CLAIMS OF UNWRITTEN OWNERSHIP. THIS BOUNDARY SURVEY HAS ONLY SHOWN THE RELATIONSHIP OF LINES OF OCCUPATION TO THE DEEDED LINES OF RECORD. NO RESOLUTION OF OWNERSHIP BASED ON UNWRITTEN RIGHTS HAS BEEN MADE OR IMPLIED BY THIS SURVEY.

12. VACATED STREETS AND ALLEY ARE APPORTIONED PERPENDICULAR TO THE MARGINS.

13. SCSC CAUSE NO. 95-2-00458-2 IS AN AGREED ORDER QUIETING TITLE IN GROVE STREET IN THE PLAT OF AVON (ALSO KNOWN AS THE PLAN OF AVON) AND VACATING SAID GROVE STREET BY OPERATION OF LAW ALONG WITH THE "PLATTED ALLEY IN THE PLAT OF AVON THAT RUNS FROM BRUNSWICK STREET, PARALLEL TO BENNETT STREET (PLATTED AS SECOND STREET)". WE HAVE ASSUMED THIS TO BE ALL OF THE ALLEY IN BLOCKS 2 AND 3, PLAN OF AVON.
DIKE DISTRICT NO. 12 MAY STILL HAVE EASEMENT RIGHTS IN A PORTION OF GROVE STREET AS DISCLOSED BY INSTRUMENTS RECORDED UNDER AUDITOR'S FILE NUMBERS 9010190095 AND 9703030037.

14. SKAGIT COUNTY COMMISSIONER'S FILE NO. 7750 AND RESOLUTION NO. 493 VACATED THAT PORTION OF ACADIA STREET IN THE PLAT OF AVON FROM SECOND STREET (BENNETT ROAD) EAST TO THE DIKE AND ALSO ALLEY'S THROUGH BLOCK 4, AND THE SOUTH TWO LOTS OF BLOCK 3.

15. AFN 9010190095 IS AN "AGREEMENT FOR RELEASE OF RIGHT OF WAY IN EXCHANGE FOR ACCESS, A PERPETUAL NON-EXCLUSIVE EASEMENT UPON ANY ROADWAY IMPROVEMENTS DIKE CONSTRUCTED BY JOHNSONS OR SUCCESSORS ON LOTS 1, 2, 3, 4 OR 5, BLOCK 2, DIKE DISTRICT NO. 12, ALSO RELEASED ITS RIGHT OF WAY INTEREST IN THE WEST 1/2 OF LOTS 4 AND 5, BLOCK 2, PLAN OF AVON.
AFN 9802100068 IS A RESTRICTIVE COVENANT LIMITING RESIDENTS OF LOT 4 AND 5, BLOCK 2, TO ADULTS ONLY.
AFN 9010190095 ALSO STATES "DIKE DISTRICT NO. 12 CONDEMNED RIGHT-OF-WAY ACROSS LOTS 4 AND 5 OF THE ABOVE-DESCRIBED REAL PROPERTY IN SKAGIT COUNTY SUPERIOR COURT CAUSE NO. 2865", WE BELIEVE THAT THIS SHOULD HAVE BEEN SCSC CAUSE NO. 3113 SINCE SCSC CAUSE NO. 2865 IS FOR DIKE DISTRICT NO. 8.

16. IN EXCEPTION 5. OF P21558 THERE IS A DISTANCE CALL OF "38.7 FEET". WE BELIEVE THIS DISTANCE SHOULD BE 338.7 FEET AS NOTED IN THE DESCRIPTION OF AN ADJOINING TRACT RECORDED UNDER AUDITOR'S FILE NO. 268264 AND ALSO AS NOTED ON A MAP CALLED "PLAT SHOWING LOCATION OF 30' STRIP PURCHASED (SIC) BY DIKE DISTRICT NO. 12" IN 1923.

17. SCSC CAUSE NO. 3113 DESCRIPTIONS ARE FROM A COPY OF THE COURT DOCUMENT OBTAINED FROM GUARDIAN NORTHWEST TITLE AND ESCROW.

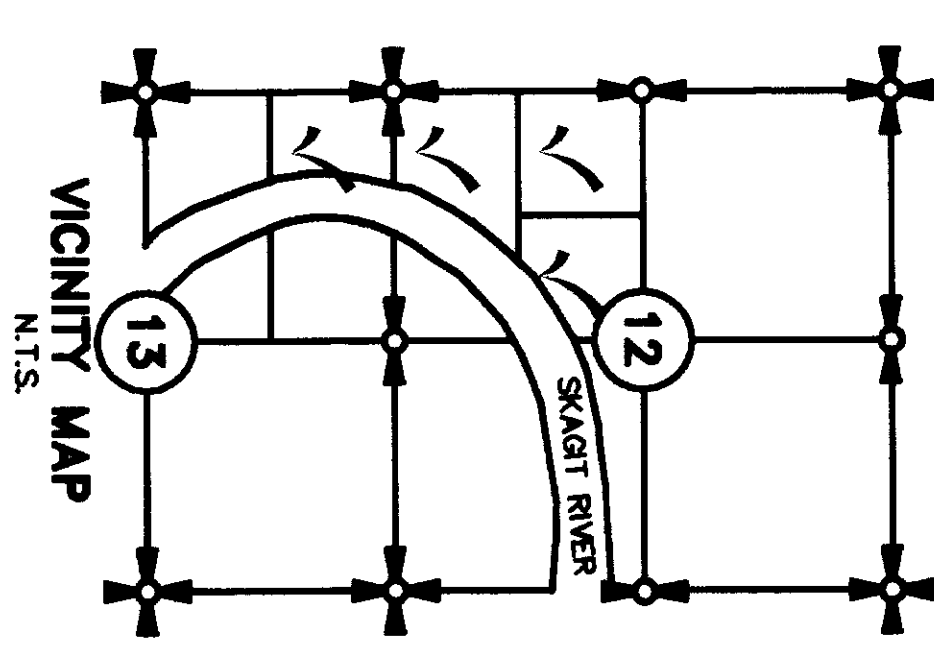
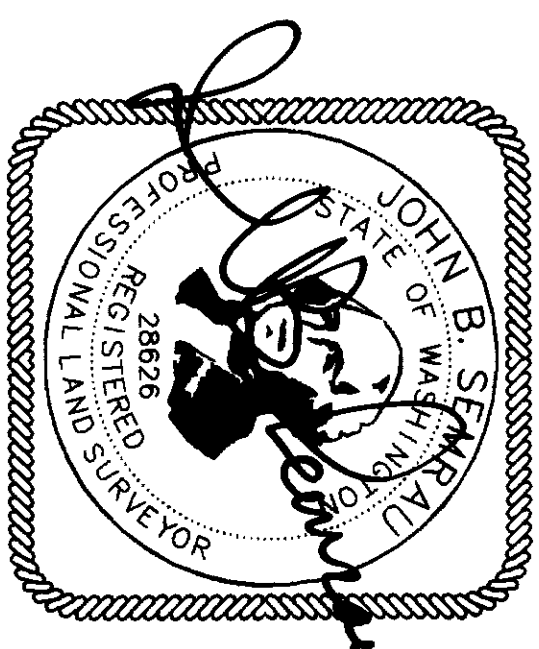
SHEET 1 OF 3

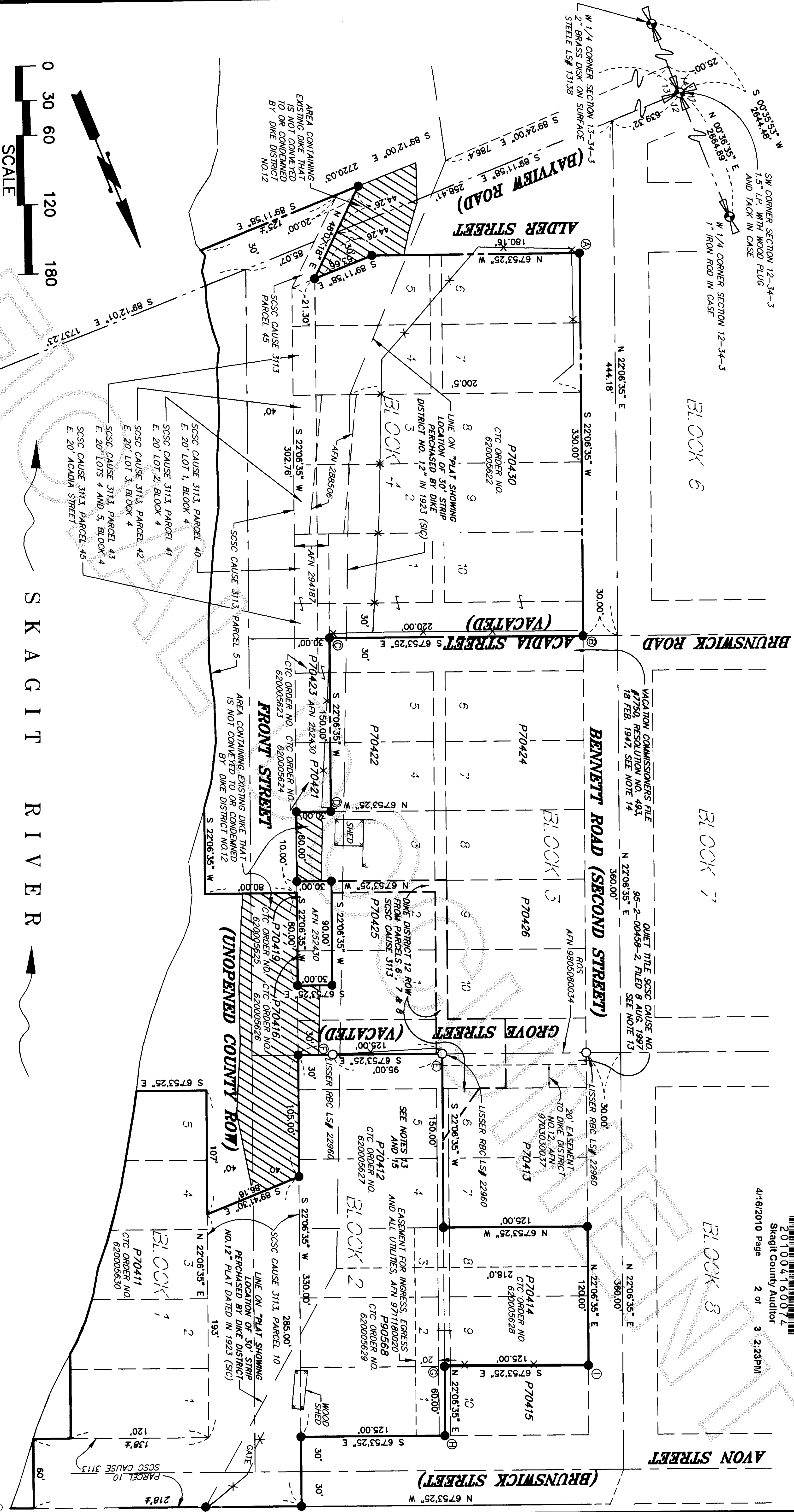
SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF CHUCK BENNETT, DIKE DISTRICT 12.

JOHN B. SEMRAU, P.E., P.L.S., CERTIFICATE NO. 28626
SEMRAU ENGINEERING & SURVEYING, P.L.L.C.
MOUNT VERNON, WA 98273
PHONE 360-424-9566

DATE: 4.16.10





CORNER DESCRIPTIONS

- ① - SET REBAR 6.2' WEST, 4.0' NORTH OF FENCE CORNER
- ② - SET REBAR 7.0' NORTH OF WEST END FENCE
- ③ - SET REBAR 0.8' EAST, 4.2' NORTH OF FENCE CORNER
- ④ - SET REBAR 3.1' NORTH OF FENCE LINE AND ALSO 8.5' WEST OF AND 3.4' NORTH OF FENCE CORNER
- ⑤ - FOUND REBAR 5.1' NORTH OF E-W FENCE LINE
- ⑥ - FOUND REBAR 0.2' NORTH, 1.0' EAST OF FENCE CORNER
- ⑦ - SET REBAR 1.3' NORTH, 0.1' EAST OF FENCE CORNER
- ⑧ - SET REBAR ON N-S ORNAMENTAL TREE LINE
- ⑨ - SET REBAR 1.1' NORTH, 0.4' EAST OF WEST END OF FENCE

KEY

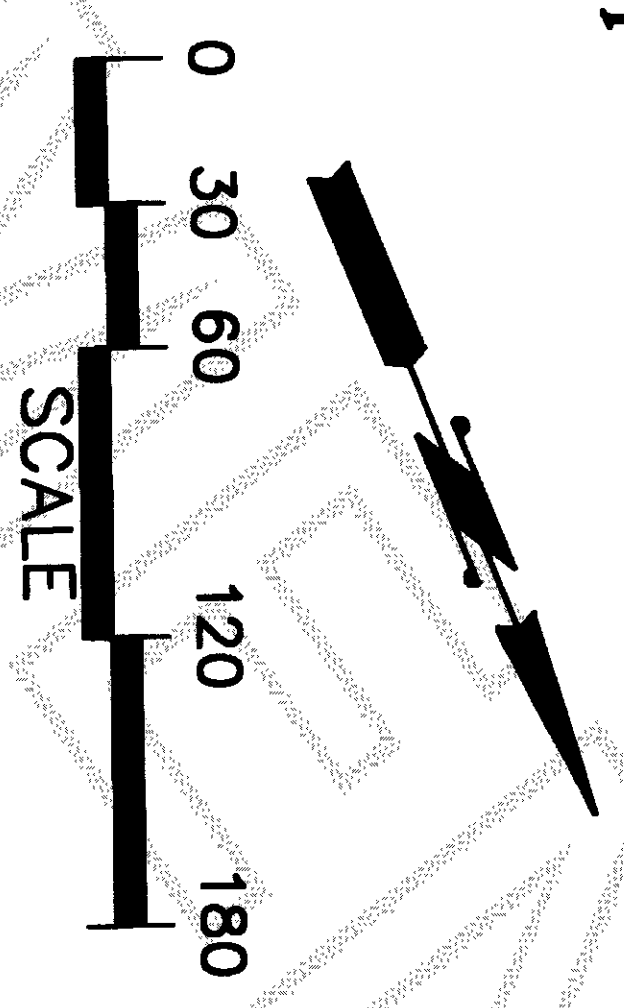
- - INDICATES IRON REBAR SET WITH YELLOW CAP - SURVEY NUMBER SEMRAU 28626
- - INDICATES EXISTING REBAR OR IRON PIPE (IP) FOUND.
- ⊙ - INDICATES MONUMENT FOUND.
- F.G. - FRANK GILKEY INFORMATION FROM SURVEY FOR HANK DONNERBERG IN SEPTEMBER 1953
- GNW - GUARDIAN NORTHWEST TITLE COMPANY
- CTC - CHICAGO TITLE CO.
- SCSC - SKAGIT COUNTY SUPERIOR COURT
- ROW - RIGHT OF WAY

4-16-10

SHEET 2 OF 3

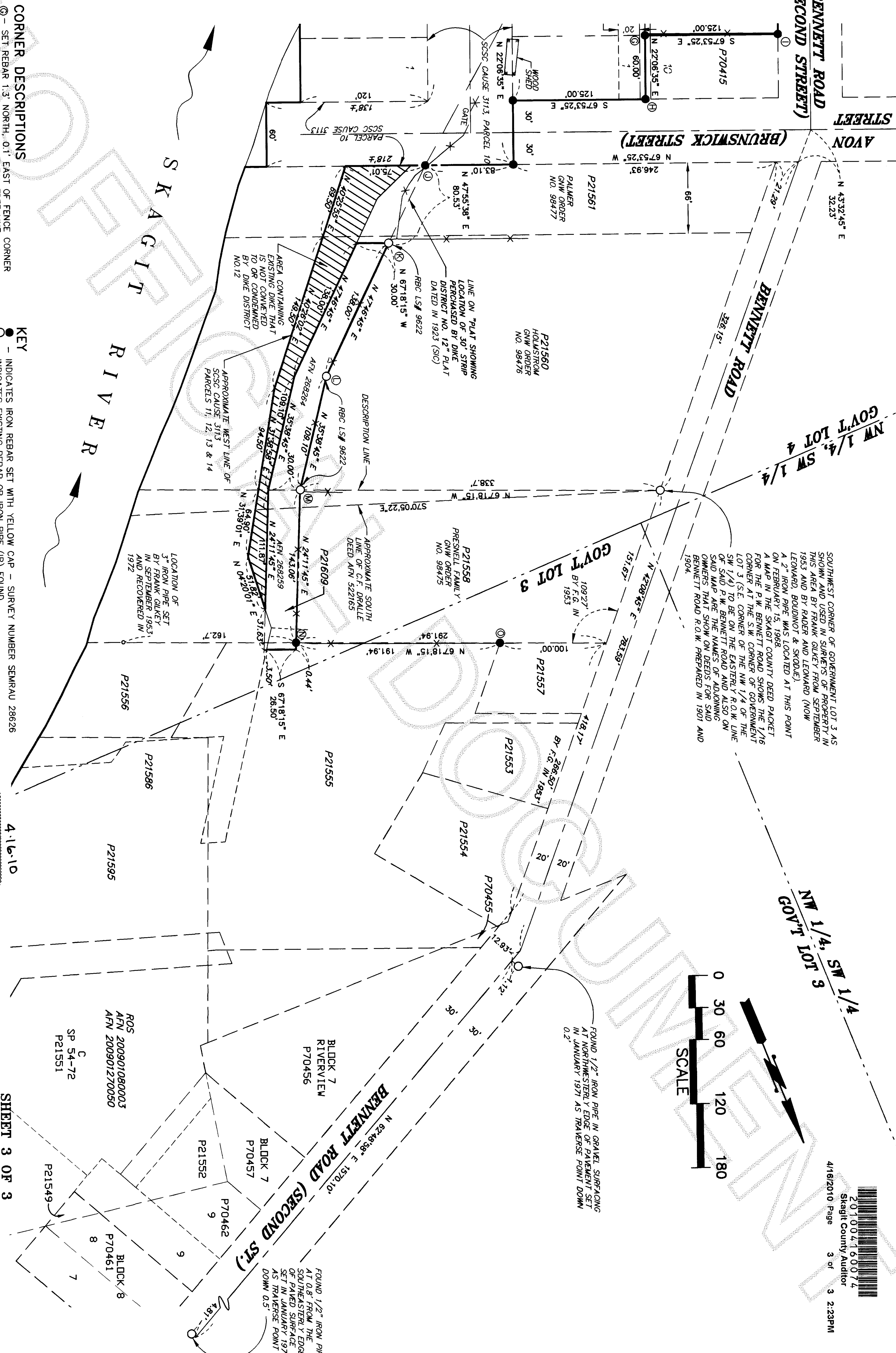
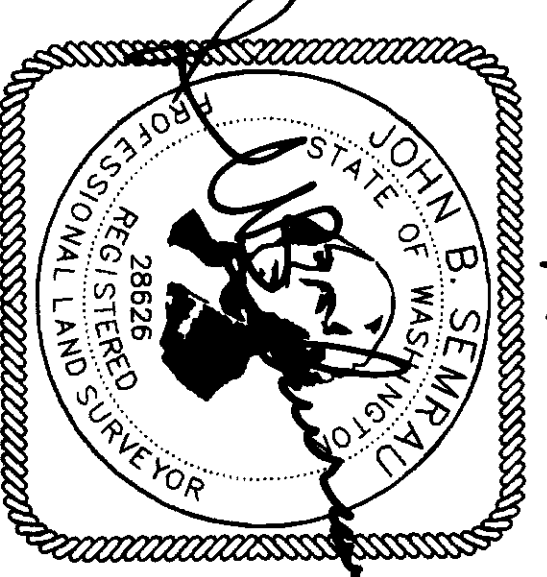
SURVEY OF A PORTION OF THE
"PLAN OF AVON" AND
SECTIONS 12 & 13, T. 34 N., R. 3 E., W.M.
SKAGIT COUNTY, WASHINGTON
FOR: DIKE DISTRICT NO.12

201004160074
Skagit County Auditor
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- CORNER DESCRIPTIONS**
- ① - SET REBAR 1.3' NORTH, 0.1' EAST OF FENCE CORNER
 - ② - SET REBAR ON N-S ORNAMENTAL TREE LINE
 - ③ - SET REBAR 1.1' NORTH, 0.4' EAST OF WEST END OF FENCE
 - ④ - SET REBAR 1.1' SOUTH OF FENCE LINE
 - ⑤ - FOUND REBAR 0.5' WEST OF FENCE LINE
 - ⑥ - FOUND REBAR 0.1' WEST OF FENCE LINE
 - ⑦ - FOUND REBAR 0.3' WEST, 0.6' SOUTH OF FENCE CORNER
 - ⑧ - SET REBAR AT FENCE CORNER
 - ⑨ - SET REBAR 0.2' SOUTH OF FENCE LINE

- KEY**
- - INDICATES IRON REBAR SET WITH YELLOW CAP - SURVEY NUMBER SEMRAU 28626
 - - INDICATES EXISTING REBAR OR IRON PIPE (IP) FOUND
 - ⊙ - INDICATES MONUMENT FOUND
 - ⊕ - FRANK GILKEY INCORPORATION FROM SURVEY FOR HANK DONNERBERG IN SEPTEMBER 1953
 - ⊖ - GUARDIAN NORTHWEST TITLE COMPANY
 - ⊗ - CHICAGO TITLE CO.
 - ⊘ - SKAGIT COUNTY SUPERIOR COURT



SURVEY OF A PORTION OF THE
"PLAN OF AVON" AND
SECTION 12 & 13, T. 34 N., R. 3 E., W.M.
SKAGIT COUNTY, WASHINGTON
FOR: DIKE DISTRICT NO.12