

**WHEN RECORDED RETURN TO:**

Thomas W. Read  
Alston, Courtnage & Bassetti LLP  
1000 Second Avenue, Suite 3900  
Seattle, WA 98104-1045



201005100086  
Skagit County Auditor

5/10/2010 Page 1 of 5 11:57AM

**Document Title:** MEMORANDUM OF LEASE AND ROCK SUPPLY AGREEMENT

**Grantor:** Miles Sand & Gravel Company dba Concrete Nor'West Division

**Grantee:** Lakeside Industries, Inc.

**Legal Description:**

**Abbreviated Legal Description:** Ptns of NE  $\frac{1}{4}$  of SE  $\frac{1}{4}$ ; SE  $\frac{1}{4}$  of NE  $\frac{1}{4}$ ; and SW  $\frac{1}{4}$  of NE  $\frac{1}{4}$ , all in Sec. 13, Twshp 35 N, R5E, W.M.; and Ptn of SE  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of Sec 18, Twshp 35N, R5E, W.M.

**Full Legal Description:** See Exhibit A attached.

**Assessor's Tax Parcel Nos.:** P36835, P36836, P36860, P36837, P34259, P34225, P34223

**Reference Nos. of Documents Released or Assigned:** N/A

---

**MEMORANDUM OF LEASE AND ROCK SUPPLY AGREEMENT**

This Memorandum of Lease and Rock Supply Agreement is dated as of April 9, 2010, and is by and between MILES SAND & GRAVEL, dba CONCRETE NOR'WEST DIVISION ("Owner"), and LAKESIDE INDUSTRIES, INC. ("Occupant").

1. Agreement. Owner and Occupant have entered into a Lease and Rock Supply Agreement dated February 9, 2010, to allow Occupant to occupy a portion of the real property described on attached Exhibit A for use as an asphalt plant.

2. Term. The Occupant has the right to use a portion of the Property for this purpose until December 31, 2019, subject to two options to renew the term of the Agreement for five years each, or until December 31, 2029.

3. Purpose. This Memorandum is prepared for the purpose of recordation only, and does not modify the Lease and Rock Supply Agreement in any way.

**OWNER:**

CONCRETE NOR'WEST

By *[Signature]*  
Its President

**OCCUPANT:**

LAKESIDE INDUSTRIES, INC.

By *[Signature]*  
Its PRESIDENT

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

MAY 04 2010

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



201005100086

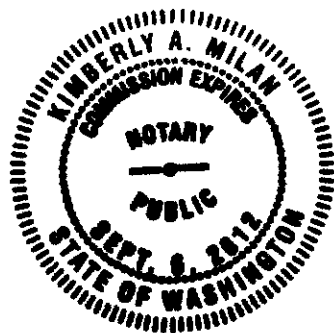
Skagit County Auditor

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF King )

On this 19<sup>th</sup> day of April, 2010, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn personally appeared Michael J. Lee, known to me to be the President of **LAKESIDE INDUSTRIES, INC.**, the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the purposes therein mentioned, and on oath stated that he/she was authorized to execute said instrument.

I certify that I know or have satisfactory evidence that the person appearing before me and making this acknowledgment is the person whose true signature appears on this document.

WITNESS my hand and official seal hereto affixed the day and year in the certificate above written.



Kimberly A. Milan  
Signature

Kimberly A. Milan  
Print Name

NOTARY PUBLIC in and for the State of  
Washington, residing at Pierce.  
My commission expires 9/6/2012



201005100086

Skagit County Auditor

5/10/2010 Page

3 of

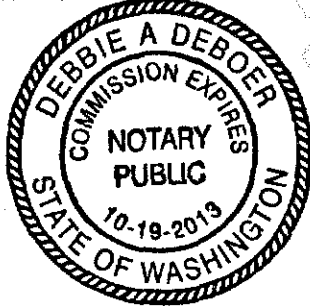
5 11:57AM

STATE OF WASHINGTON )  
COUNTY OF Pierce ) ss.

On this 29<sup>th</sup> day of April, 2010, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn personally appeared Walt Mues, known to me to be the President of CONCRETE NOR'WEST, the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the purposes therein mentioned, and on oath stated that he/she was authorized to execute said instrument.

I certify that I know or have satisfactory evidence that the person appearing before me and making this acknowledgment is the person whose true signature appears on this document.

WITNESS my hand and official seal hereto affixed the day and year in the certificate above written.



Debbie A DeBoer  
Signature

Debbie A DeBoer  
Print Name

NOTARY PUBLIC in and for the State of  
Washington, residing at Edgewood  
My commission expires 10-19-2013



201005100086  
Skagit County Auditor

**EXHIBIT A**

**LEGAL DESCRIPTION**

Attached to that certain Statutory Quitclaim Deed from Meridian Minerals Company, as Grantor, to Miles Sand and Gravel Company, a Washington Corporation, as Grantee, dated the 18<sup>th</sup> of March, 1992.

The land referred to herein is situated in the County of Skagit, State of Washington, and is described as follows:

All that part of the Northeast Quarter, Southeast Quarter and of the Southeast Quarter, Northeast Quarter, and of the South 580 feet of the Southwest Quarter, Northeast Quarter of Section 13, Township 35 North, Range 3 East, W.M., lying Northerly of the 100 foot wide right-of-way of the Burlington Northern Railroad Company.

ALSO, all that part of Government Lots 2 and 3 of the South 660 feet of the Southeast Quarter, Northwest Quarter of Section 18, Township 35 North, Range 4 East, W.M., lying Northerly of the 100 foot wide right-of-way of the Burlington Northern Railroad Company and lying Westerly of the Samish River and lying Westerly and Southerly of primary State Highway No. 1; TOGETHER WITH a non-exclusive easement for a 33-foot wide private driveway in the Northeast Quarter of Section 13, Township 35 North, Range 3 East, W.M., being 16.5 feet wide on each side of the following described centerline:

Beginning at a point on the West line of the Southeast Quarter, Northeast Quarter, of said Section 13, being 16 feet South of the Northwest corner of said Southeast Quarter, Northeast Quarter; thence in a Northwesterly direction in a straight line, forming an angle of 33 degrees 25' with the Northerly extension of said West line, for a distance of 1,000 feet, more or less, to the intersection with the public highway right-of-way as it existed on August 31, 1953.



201005100086  
Skagit County Auditor

5/10/2010 Page

5 of

5 11:57AM