



201211270030

Skagit County Auditor

After Recording Please Mail to:

Philip N. Bastian
1604 Hewitt Avenue, Ste. 601
Everett, WA 98201

11/27/2012 Page 1 of 4 12:32PM

ACCOMMODATION RECORDING
LAND TITLE OF SKAGIT COUNTY

W-197453

MEMORANDUM OF REAL ESTATE
PURCHASE AND SALE AGREEMENT

Date: November 26, 2012
Grantor(s): EDWARD A. LITTLE and JENNIFER FAYE LITTLE, husband and wife,
and FLORENCE F. LOVRIC, a single individual ("Seller")
Grantee(s): TETHYS ENTERPRISES, INC., a Washington corporation ("Buyer")
Abbreviated Legal:
Additional Legal on page: 1-2
Assessor's Parcel and
XrefID No(s): P101797, P103480
340203-0-006-0108, 340203-0-006-0201

This MEMORANDUM OF REAL ESTATE PURCHASE AND SALE AGREEMENT evidences that a Real Estate Purchase and Sale Agreement (the "Agreement") was entered into as of November 26th 2012 by and between EDWARD A. LITTLE and JENNIFER FAYE LITTLE, husband and wife, and FLORENCE F. LOVRIC, a single individual ("Seller") and TETHYS ENTERPRISES, INC. ("Buyer") for the following real property, identified by Skagit County Assessor's Parcel Number(s), XrefID Number(s) and legal description ("Land"):

P101797 / 340203-0-006-0108
P103480 / 340203-0-006-0201

P101797: ALL OF THE 50FT R/W (ONLY) OF PUGET SOUND & BAKER RIVER RR AS CONVD BY DEED OCT 14, 1922 AF#159600 LYING WITHIN W1/2 SE1/4 NW1/4 SEC 3 TGW TH PTN OF R/W OF PUGET SOUND & BAKER RIVER RR LYING 25FT NWLY OF & AT R/A TO C/L THOF IN E1/2 SE1/4 NW1/4 SEC 3 AS SD R/W WAS CONVD BY DEED SEPT 19, 1922 AF#158994 EXC THFR LYING NLY OF NLY LINE OF STATE HWY AS CONVD TO STATE OF WASH BY DEED DEC 30, 1960 AF#602563 TGW TH PTN OF R/W OF PUGET SOUND &

BAKER RIVER RR WHICH LIES WITHIN TH PTN OF N1/2 NW1/4 NE1/4 SW1/4 SEC 3 LYING NLY OF COUNTY RD AS SD R/W WAS CONVDYD BY DEED MAR 22, 1923 AF#162877.

P103480: THAT PORTION OF RIGHT OF WAY OF THE PUGET SOUND AND BAKER RIVER RAILWAY COMPANY WHICH LIES IN THAT PORTION OF SOUTH 1/2 OF SECTION 3 LYING SOUTHERLY OF STEVENSON ROAD (AKA PADILLA HEIGHTS ROAD) AS SAID RIGHT OF WAY WAS CONVEYED TO THE PUGET SOUND AND BAKER RAILWAY COMPANY BY DEEDS AS RECORDED AS FOLLOWS: SOUTH 1/2 NORTHWEST 1/4 NORTHEAST 1/4 SOUTHWEST 1/4 AND SOUTHWEST 1/4 NORTHEAST 1/4 SOUTHWEST 1/4 AND SOUTH 1/2 SOUTHWEST 1/4 SOUTHWEST 1/4 AND NORTHEAST 1/4 SOUTHWEST 1/4 SOUTHWEST 1/4 AND NORTH 1/2 NORTHWEST 1/4 NORTHEAST 1/4 SOUTHWEST 1/4. EXCEPT THAT PORTION ROAD RIGHT OF WAY PER AF#9807230108 DESCRIBED AS FOLLOWS: THAT PORTION OF THE FOLLOWING DESCRIBED RIGHT OF WAY LYING WITHIN THE NORTH 50 FEET OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 34 NORTH, RANGE 2 EAST: THAT PORTION OF THE RIGHT OF WAY OF THE PUGET SOUND AND BAKER RIVER RAILWAY COMPANY WHICH LIES IN THAT PORTION OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 34 NORTH, RANGE 2 EAST, LYING SOUTHERLY OF THE STEVENSON ROAD AS SAID RIGHT OF WAY WAS CONVEYED TO THE PUGET SOUND RIVER RAILWAY COMPANY BY THE DEED RECORDED ON 12/26/22, AF#161043, VOLUME 128, PAGE 254.

SITUATE IN COUNTY OF SKAGIT, STATE OF WASHINGTON.

The Agreement contains the following provision:

31. **Anacortes Water Contract.** Seller agrees this Agreement may be used to satisfy the requirements of Section 3.1 of the Agreement Regarding Water Service, between the City of Anacortes, Washington and Tethys Enterprises, Inc., dated October 1, 2010. Subject to the terms of this Agreement, Seller acknowledges Buyer's exclusive control of the right to acquire the Property. This Agreement or a memorandum thereof, as required by the Title Company, may be recorded in the public record by the Skagit County Auditor's office.

Seller represents that the Land, according to the records of the Skagit County Assessor, is 3.7 acres in size.

Seller further represents that the Land contains or is contiguous to a former, private rail right-of-way.

IN WITNESS WHEREOF, the Seller and Buyer have duly executed this Memorandum of Real Estate Purchase and Sale Agreement.

Memorandum of REPSA, page 2 of 4 pages.



201211270030
Skagit County Auditor

11/26/12

Date

11-26-12

Date

11-26-12

Date

Edward A. Little
EDWARD A. LITTLE, Seller

Jennifer Faye Little
JENNIFER FAYE LITTLE, Seller

Florence F. Lovric
FLORENCE F. LOVRIC, Seller

TETHYS ENTERPRISES, INC.

Nov 26, 2012
Date

By [Signature]
Its MATTHEW KELLY, Seller
VICE PRESIDENT

STATE OF WASHINGTON)
COUNTY OF WHATCOM) ss.

Florence F. Lovric

I certify that I know or have satisfactory evidence that EDWARD A. LITTLE and JENNIFER FAYE LITTLE signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: Nov 26 2012



Frank J. Chmelik
Notary Public for the State of Washington.
My appointment expires: _____

Memorandum of REPSA, page 3 of 4 pages.



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Skagit County Auditor

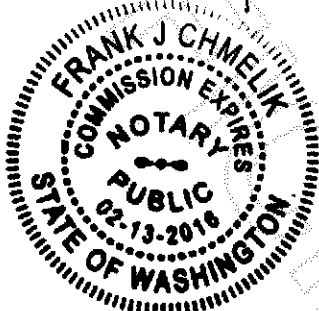
STATE OF WASHINGTON)

) ss.

COUNTY OF WHATCOM)

I certify that I know or have satisfactory evidence that FLORENCE F. LOVRIC signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: Nov 26, 2012



Frank J. Chmelik

Notary Public for the State of Washington.

My appointment expires: _____

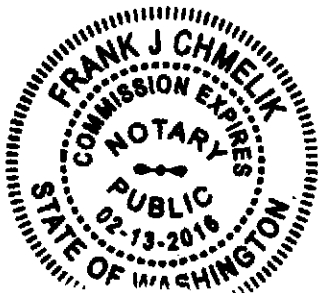
STATE OF WASHINGTON)

) ss.

COUNTY OF WHATCOM)

I certify that I know or have satisfactory evidence that MEM. Matthew Kelly signed this instrument and on oath stated that he was authorized to execute the instrument and acknowledged it as the Matthew Kelly of Tethys Enterprises, Inc. to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: Nov 26, 2012



Frank J. Chmelik

Notary Public for the State of Washington.

My appointment expires: _____

