

After Recording Return to:  
Skagit County Farmland Legacy Program  
1800 Continental Place  
Mount Vernon, WA 98273



201301220303  
Skagit County Auditor

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**Document Title:** Adjustment to Conservation Easement Acreage  
**Reference Number:** Auditor File 200704020247, *Parcel # 33981*  
**Grantor:** Double N Properties  
**Grantee:** Skagit County

**Abbreviated Legal Description:**

**Parcel A:**

That portion of the Southeast quarter of the Southeast quarter of Section 9, Township 35 North, Range 3 East of W.M.

**Parcel B:**

The Southeast quarter of the Southeast quarter of Section 9, Township 35 North, Range 3 East of W.M.

**Parcel C:**

The North  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  of Section 9, Township 35 North, Range 3 East, W.M., EXCEPT County road known as Field Road.

**Parcel D:**

The southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 9, Township 35 North, Range 3 East, W.M., EXCEPT County road known as Field Road, AND EXCEPT ditch rights of way.

**AMENDMENT #1**  
**ORIGINAL AGREEMENT #C20070180**

**Background:**

1. Double N Properties, hereinafter called "Grantor," and Skagit County, hereinafter called "County," with the permission of the representative of the Secretary of Agriculture of the United States, agree to amend the Conservation Easement recorded April 2, 2007, as Auditor's File #2007040247 between the parties listed above and identified as Skagit County Contract #C20070180, hereafter called Conservation Easement, as set forth below.
2. Upon obtaining a survey of the property adjacent to the protected property it became apparent that a small portion of the Conservation Easement was inadvertently placed on the adjacent property. It is therefore necessary to correct the legal description as well as the recorded amount of total acreage in the original Conservation Easement.
3. After amendment, the protected property will be 182.86 acres, a subtraction of .17 acres, and therefore requires an adjustment in the valuation. The valuation of the original easement was \$393,000 and the new valuation is \$392,635.16. Double N Properties is therefore required to pay \$364.84 back to the Grantees (County and the representative of the United States), which will be split between them.

Therefore, the Conservation Easement, C20070180, is hereby amended from 183.03 acres to 182.86 acres (a .17 acre difference) and amended to include the attached legal description, which denotes by ~~strikeout~~ the amended legal description as Exhibit D; and further depicts the adjusted protected property through the map in Exhibit E.

All other terms and conditions of the original and amended easement contract shall remain in effect.

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

JAN 22 2013

Amount Paid \$  
Skagit Co. Treasurer  
By *mlm* Deputy



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**Exhibit D  
Legal Description**

**PARCEL "A":**

That portion of the Northeast  $\frac{1}{4}$  of Section 16, Township 35 North, Range 3 East, W.M., described as follows:

Beginning at a point on the North line of said subdivision, 1,990.5 feet West of the Northeast corner thereof;  
thence East along the North line of said subdivision, 668.7 feet;  
thence South 000630 East along the centerline of an existing ditch, 1,715.0 feet, more or less, to the Northerly bank of the Samish River;  
thence Northwesterly along the Northerly bank of said river to a point that is South 000630 East from the point of beginning;  
thence North 000630 West, 1,580.0 feet, more or less, to the point of beginning.

EXCEPT County road known as Field Road,

AND EXCEPT that portion thereof, if any, lying within the boundaries of the following described tract:

That portion of the West  $\frac{1}{2}$  of the West  $\frac{1}{2}$  of the Northeast  $\frac{1}{4}$  of said Section 16, lying Northeasterly of the Samish River.

EXCEPT from the above described Parcel "A," mineral rights as reserved in Deeds recorded April 6, 1909, and February 15, 1912, in Volumes 65 and 88 of Deeds, pages 35 and 579, respectively.

Situate in the County of Skagit, State of Washington.

**PARCEL "B":**

The Southeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 9, Township 35 North, Range 3 East, W.M.,

EXCEPT County road known as Field Road,

AND EXCEPT the following tract:

Beginning at the Southeast corner of the Southeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$ , said Section 9;  
thence North along the East line of said subdivision, 112.0 feet;  
thence West parallel to the South line of said subdivision, 83.0 feet;  
thence South to the South line of said subdivision;  
thence East along the South line of said subdivision to the point of beginning.



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Situate in the County of Skagit, State of Washington.

Amended to:

Parcel "A"

That portion of the Southeast quarter of the Southeast quarter of Section 9, Township 35 North, Range 3 East of W.M. described as follows:

**Commencing** at the Cased Brass Plug marking the Southeast corner of said Section 9; Thence North 88°37'35" West, along the South line of said Section 9 and the centerline of Field Road, for a distance of 219.65 feet; Thence North 11°15'24" West for a distance of 20.50 feet to the North line of said Field Road and to the **Point of Beginning** of herein described tract; Thence continuing North 11°15'24" West for a distance of 112.10 feet; Thence North 75°58'01" West for a distance of 73.14 feet; Thence South 86°43'14" West for a distance of 38.76 feet; Thence South 04°00'42" West for a distance of 122.40 feet to the North line of said Field Road; Thence South 88°37'35" East along the North line of said Field Road, for a distance of 140.14 feet to the **Point of Beginning**.

Containing 14,847 S.F.

Together with and Subject to easements, agreements, covenants, conditions, reservations, rights and restrictions of record.

Situate in Skagit County, Washington.

Parcel "B"

The Southeast quarter of the Southeast quarter of Section 9, Township 35 North, Range 3 East of W.M., except the following described tract:

**Commencing** at the Cased Brass Plug marking the Southeast corner of said Section 9; Thence North 88°37'35" West, along the South line of said Section 9 and the centerline of Field Road, for a distance of 219.65 feet; Thence North 11°15'24" West for a distance of 20.50 feet to the North line of said Field Road and to the **Point of Beginning** of herein described tract; Thence continuing North 11°15'24" West for a distance of 112.10 feet; Thence North 75°58'01" West for a distance of 73.14 feet; Thence South 86°43'14" West for a distance of 38.76 feet; Thence South 04°00'42" West for a distance of 122.40 feet to the North line of said Field Road; Thence South 88°37'35" East along the North line of said Field Road, for a distance of 140.14 feet to the **Point of Beginning**.

AND Except County road known as Field Road.

Together with and Subject to easements, agreements, covenants, conditions, reservations, rights and restrictions of record.

Situate in Skagit County, Washington.



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PARCEL "C":

The North ½ of the Southeast ¼ of Section 9, Township 35 North, Range 3 East, W.M.,  
EXCEPT County road known as Field Road,

AND EXCEPT ditch rights of way.

Situate in the County of Skagit, State of Washington.

PARCEL "D":

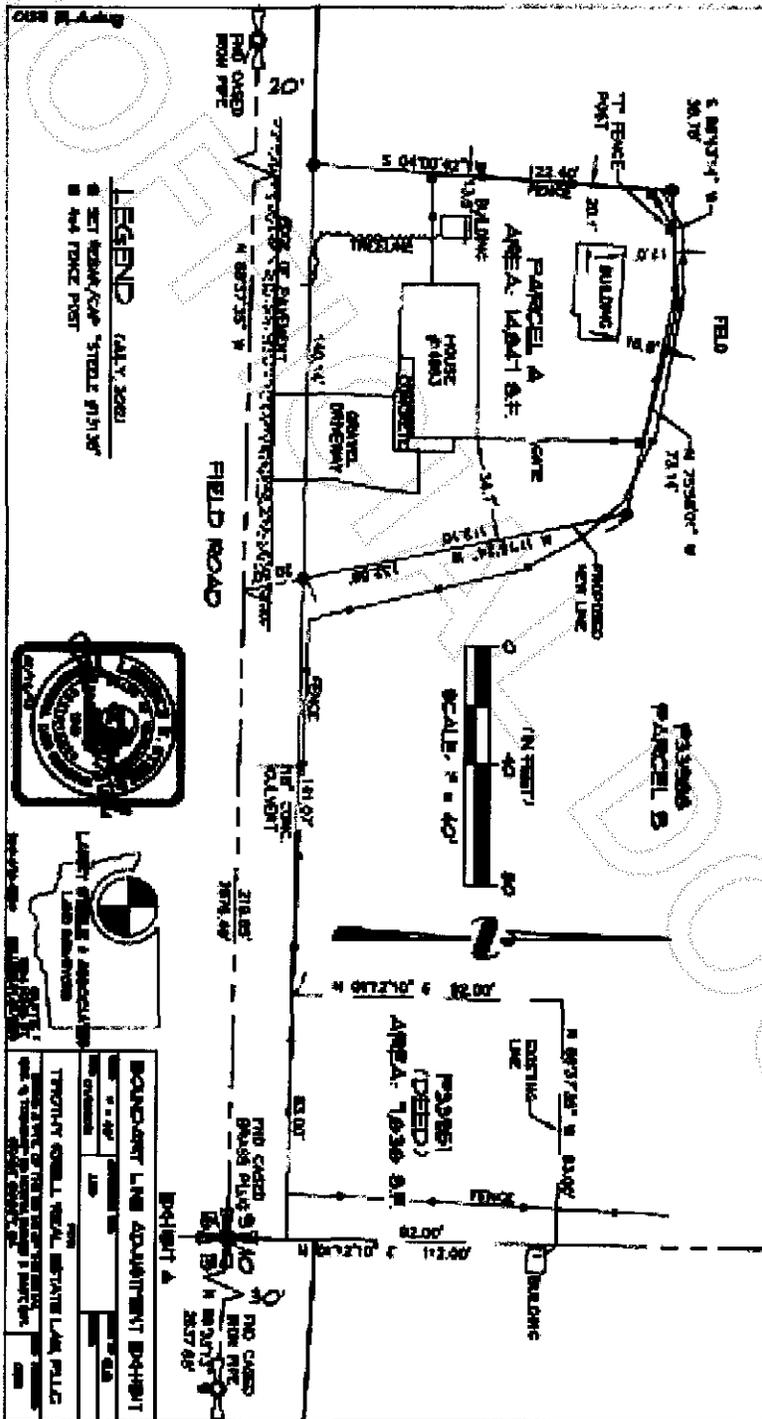
The Southeast ¼ of the Northeast ¼ of Section 9, Township 35 North, Range 3 East, W.M., EXCEPT  
County road known as Field Road, AND EXCEPT ditch rights of way.

Situate in the County of Skagit, State of Washington.



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Exhibit E — Map of Property Removed from Easement



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TO HAVE AND TO HOLD unto Skagit County, and the United States of America, their successors, and assigns forever.

IN WITNESS WHEREOF, the undersigned Grantor has executed this instrument this 7<sup>th</sup> day of

Dec. 2012

Gerald E. Nelson

Gerald E. Nelson, General Partner

STATE OF WASHINGTON  
COUNTY OF SKAGIT } SS:

On this 7<sup>th</sup> day of Dec. 2012 personally appeared before me, Gerald E. Nelson, the undersigned, Linda M. Christensen a Notary Public in and for the State of Washington, duly commissioned and sworn, Gerald E. Nelson is the individual described in and who executed the foregoing instrument as General Partner of Double N Properties and acknowledged to me that he signed and sealed this said instrument as his free and voluntary act and deed for the uses and purposes therein mentioned, and on oath stated that he authorized to execute the said instrument.

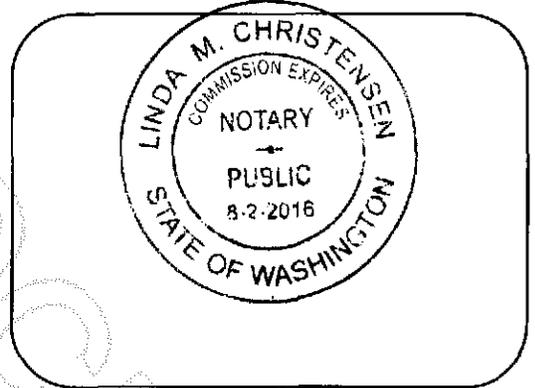
Dated: 12/7/2012

Linda M. Christensen

Notary Public residing at Mount Vernon, WA

Printed Name: Linda M. Christensen

My Commission Expires: 8-2-16



(Use this space for notarial stamp/seal)



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Skagit County Auditor

TO HAVE AND TO HOLD unto Skagit County, and the United States of America, their successors, and assigns forever.

IN WITNESS WHEREOF, the undersigned Grantor has executed this instrument this 7<sup>th</sup> day of Dec. 2012

James N. Nelson  
James N. Nelson, General Partner

STATE OF WASHINGTON  
COUNTY OF SKAGIT } SS:

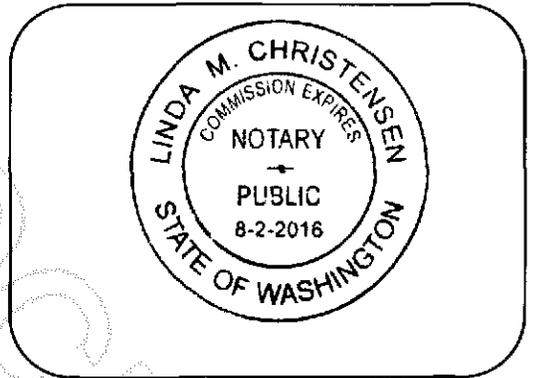
On this 7<sup>th</sup> day of December 2012 personally appeared before me, James N. Nelson, the undersigned, Linda M Christensen a Notary Public in and for the State of Washington, duly commissioned and sworn, James N. Nelson is the individual described in and who executed the foregoing instrument as General Partner of Double N Properties and acknowledged to me that he signed and sealed this said instrument as his free and voluntary act and deed for the uses and purposes therein mentioned, and on oath stated that he authorized to execute the said instrument.

Dated: 12/7/12

Linda M Christensen  
Notary Public residing at Mount Vernon, WA

Printed Name: Linda M Christensen

My Commission Expires: 8-2-16



(Use this space for notarial stamp/seal)



201301220303  
Skagit County Auditor

TO HAVE AND TO HOLD unto Skagit County, and the United States of America, their successors, and assigns forever.

IN WITNESS WHEREOF, the undersigned Grantor has executed this instrument this 7<sup>th</sup> day of Dec. 2012

[Signature]  
Norman W. Nelson, Jr., General Partner

STATE OF WASHINGTON  
COUNTY OF SKAGIT } SS:

On this 7<sup>th</sup> day of December 2012 personally appeared before me, Norman W. Nelson, Jr., the undersigned, Linda M Christensen a Notary Public in and for the State of Washington, duly commissioned and sworn, Norman W. Nelson, Jr. is the individual described in and who executed the foregoing instrument as General Partner of Double N Properties and acknowledged to me that he signed and sealed this said instrument as his free and voluntary act and deed for the uses and purposes therein mentioned, and on oath stated that he authorized to execute the said instrument.

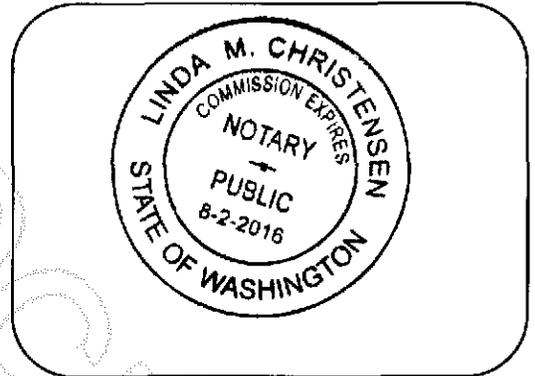
Dated: 12/7/2012

Linda M Christensen

Notary Public residing at Moest Vernon, WA

Printed Name: Linda M Christensen

My Commission Expires: 8-2-16



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TO HAVE AND TO HOLD unto Skagit County, and the United States of America, their successors, and assigns forever.

IN WITNESS WHEREOF, the undersigned Grantor has executed this instrument this 6<sup>th</sup> day of Dec. 2012

[Signature]  
Myron D. Ayers, General Partner

STATE OF WASHINGTON  
COUNTY OF SKAGIT } SS:

On this 6<sup>th</sup> day of December 2012 personally appeared before me, Myron D. Ayers, the undersigned, Linda Christensen a Notary Public in and for the State of Washington, duly commissioned and sworn, Myron D. Ayers is the individual described in and who executed the foregoing instrument as General Partner of Double N Properties and acknowledged to me that he signed and sealed this said instrument as his free and voluntary act and deed for the uses and purposes therein mentioned, and on oath stated that he authorized to execute the said instrument.

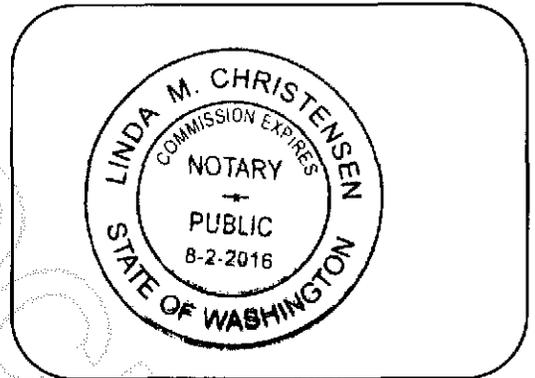
Dated: 12-6-12

Linda M Christensen

Notary Public residing at Mount Vernon WA

Printed Name: Linda M. Christensen

My Commission Expires: 8-2-16



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DATED this 26 day of December 2012.

**BOARD OF COUNTY COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON  
ABSENT**

\_\_\_\_\_  
Kenneth A. Dahlstedt, Chairman

Sharon D. Dillon  
Sharon D. Dillon, Commissioner

Ron Wesen  
Ron Wesen, Commissioner

Attest:

Linda Hamman  
Clerk of the Board

For contracts under \$5,000:  
Authorization per Resolution R20030146

Recommended:

[Signature]  
Department Head

\_\_\_\_\_  
County Administrator

Approved as to form:

[Signature]  
Civil Deputy Prosecuting Attorney

Approved as to indemnification:

[Signature]  
Risk Manager

Approved as to budget:

[Signature]  
Budget & Finance Director



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**ACCEPTANCE OF AMENDMENT BY THE NATURAL RESOURCES CONSERVATION SERVICE ON BEHALF OF THE UNITED STATES OF AMERICA**

The Natural Resources Conservation Service, an agency of the United States Government, hereby accepts and approves the foregoing Conservation Easement Deed Amendment #1, on behalf of the United States of America.

*A. Stefan Fechter*

Authorized Signatory for the NRCS

State of WASHINGTON

County of SPOKANE

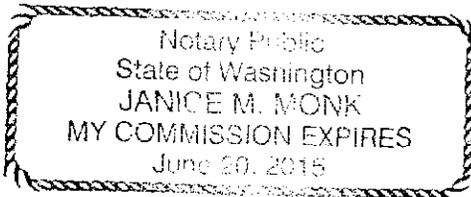
On this 9TH day of JANUARY, 2013, before me, the undersigned, a Notary Public in and for the State, personally appeared A. STEFAN FECHTER known or proved to me to be the person whose signature appears above, and who being duly sworn by me, did say that she/he is the State Conservationist of the Natural Resources Conservation Service, United States Department of Agriculture, is authorized to sign on behalf of the United States of America, and acknowledged and accepted the rights conveyed by the within Conservation Easement Deed.

In witness whereof, I have hereunto set my hand and official seal the day and year first above written.

*Janice M. Monk*  
Notary Public for the State of WASHINGTON

Residing at SPOKANE

My Commissions Expires JUNE 20, 2015



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