



201406100034

Skagit County Auditor \$78.00  
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**RECORDING REQUESTED BY AND  
WHEN RECORDED MAIL TO:**

Laura Minton Breckenridge  
Furlong Butler Attorneys  
825 Cleveland Avenue  
Mount Vernon, Washington 98273

(Space above this line is for Recorder's use)

**LAND TITLE OF SKAGIT COUNTY STATUTORY WARRANTY DEED**

144181-02

The information contained in this boxed section is for recording purposes only pursuant to RCW 356.18 and RCW 65.04, and is not to be relied upon for any other purpose, and shall not affect the intent of or any warranty contained in the document itself.

**Grantors:** GILBERTSON LAND COMPANY, LLC, a Washington limited liability company  
**Grantee:** SKAGIT AGGREGATES, LLC, a Washington limited liability company  
**Reference Number(s) of Documents Assigned or Released:** N/A  
**Abbreviated Legal Description:** Ptn SE 1/4 of NW 1/4 & SW 1/4, 17-33-5 E & Ptn SE 1/4 of SE 1/4, 18-33-5 E WM  
**Complete or Additional Legal Description on Exhibit A of Document, pages 3 and 4.**  
**Assessor's Parcel Number(s):** 330517-2-010-0001/P18117 and 330517-2-010-0100/P124373

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, GILBERTSON LAND COMPANY, a Washington limited liability company, hereby conveys and warrants to SKAGIT AGGREGATES, LLC, a Washington limited liability company, the real property located in the County of Skagit, State of Washington, more particularly described in **Exhibit A**, attached hereto.

SUBJECT TO: Only the permitted exceptions set forth in **Exhibit B** attached hereto.

DATED: June 10, 2014

**GRANTOR:**

GILBERTSON LAND COMPANY, LLC,  
a Washington limited liability company

By: Traci Gilbertson, Managing Member  
Traci Gilbertson, Managing Member

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX  
20142010  
JUN 10 2014

Amount Paid \$26,705.<sup>00</sup>  
Skagit Co. Treasurer  
By mm Deputy

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF SKAGIT )

On this 10~~th~~ day of June, 2014 before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Traci Gilbertson, Managing Member of Gilbertson Land Company, LLC, a Washington limited liability company, the company that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said company, for the uses and purposes therein mentioned, and on oath stated that she is authorized to execute the said instrument,

Witness my hand and official seal hereto affixed the say and year first above written.



Karen Ashley  
Printed Name: Karen Ashley  
Notary Public in and for the State of Washington  
Residing at Sedro-Woolley  
My Commission Expires: 9/11/2014



EXHIBIT A  
TO DEED  
LEGAL DESCRIPTION

Schedule "A-1"

144181-OE

DESCRIPTION:

PARCEL "A":

That portion of the Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ ; the North  $\frac{1}{2}$  of the Southwest  $\frac{1}{4}$  and the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$ , Section 17, Township 33 North, Range 5 East, W.M., lying Easterly of the Northern Pacific Railway Co. right-of-way as relocated as per decree entered June 30, 1913, in Skagit County Superior Court Cause No. 6944.

EXCEPT any portion thereof lying within a tract of land as conveyed to School District No. 67, by deed recorded July 20, 1914, in Volume 97 of Deeds, page 272, records of said County,

EXCEPT County road and railroads,

EXCEPT that portion described as follows:

Beginning at the West  $\frac{1}{4}$  corner of said Section 17;  
thence along the East-West center of Section line, South  $88^{\circ}21'21''$  East, 1,348.91 feet to the center-West  $1/16^{\text{th}}$  corner;  
thence along the West  $1/16^{\text{th}}$  line South  $01^{\circ}59'07''$  West 866.45 feet to the Southeasterly margin of the abandoned Northern Pacific Railroad Company right of way, as relocated per Decree entered June 30, 1913 in Skagit County Superior Court Cause No. 6944, being the point of beginning, said point being on a curve from which the radius point bears North  $37^{\circ}24'14''$  West 4,575.00 feet;  
thence Northeasterly along said margin and curve through a central angle of  $01^{\circ}28'35''$  a distance of 117.89 feet;  
thence on a radial bearing South  $38^{\circ}52'49''$  East 75.00 feet;  
thence parallel to and 75.00 feet Southeasterly from said margin along a curve from which the radius bears North  $38^{\circ}52'49''$  West 4,650.00 feet;  
thence Southwesterly along said curve through a central angle of  $02^{\circ}48'23''$  a distance of 227.76 feet;  
thence on a radial bearing North  $36^{\circ}04'26''$  West 75.00 feet to said margin being a point on a curve from which the radius point bears North  $36^{\circ}04'26''$  West 4,575.00 feet;  
thence Northeasterly along said curve through a central angle of  $01^{\circ}19'48''$  a distance of 106.20 feet to the point of beginning.

Situate in the County of Skagit, State of Washington.

PARCEL "B":

That portion of the Southeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$ , Section 18, Township 33 North, Range 5 East, W.M., lying Easterly of the Northern Pacific Railway Co., right of way as relocated as per decree entered June 13, 1913, in Skagit County Superior Court Cause No. 6944,

EXCEPT that portion conveyed to the State of Washington by instrument recorded September 6, 1938 in Volume 175 of Deeds, page 303.

Situate in the County of Skagit, State of Washington.



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DESCRIPTION CONTINUED:

PARCEL "C":

A non-exclusive easement for ingress, egress, slope and utilities over, under and across that portion of the Northern Pacific Railway Company's abandoned right of way, as relocated per Decree entered June 13, 1913, in Skagit County Superior Court Cause No. 6944, within the Southeast ¼ of Section 18, Township 33 North, Range 5 East, W.M., Skagit County, and described as follows:

Beginning at a concrete monument marking the Southeast corner of said Section 18;  
thence along the South line thereof, North 88°47'35" West 173.97 feet to the Easterly margin of said Northern Pacific Railway Company right of way;  
thence along said Easterly margin North 11°45'21" East 50.21 feet to the point of beginning;  
thence continuing along said Easterly margin North 11°45'21" East 124.35 feet to a point of curvature concave to the Southeast from which the radius point bears South 78°14'39" East 1,780.00 feet;  
thence Northeasterly along said curve 26.78 feet through a central angle of 00°51'43";  
thence South 85°51'53" West 27.70 feet;  
thence North 22°38'48" West 32.23 feet;  
thence North 14°27'50" East 102.30 feet;  
thence North 16°14'26" East 93.97 feet;  
thence North 28°47'09" West 17.22 feet;  
thence South 86°57'28" West 26.70 feet to the Easterly right of way margin of State Route 9, as originally deeded to Skagit County by Deed recorded December 17, 1915, under Auditor's File No. 111152, from which the centerline of said right of way measures 30.00 feet;  
thence along said Easterly margin South 22°59'25" West 86.41 feet;  
thence continuing along said Easterly margin South 06°56'25" West 265.20 feet;  
thence North 78°55'47" East 69.48 feet to the point of beginning.

Situate in the County of Skagit, State of Washington.



**EXHIBIT B  
TO DEED  
PERMITTED EXCEPTIONS**

**EXCEPTIONS:**

**A. RESERVATIONS CONTAINED IN DEED:**

Executed By: Emil Theiler  
Recorded: August 27, 1952  
Auditor's No.: 479210 Volume 252 of Deeds, page 210  
As Follows:

"...the grantor reserves in the Northwest ¼ of the Southwest ¼ of the above described property the right to continue, erect, maintain and replace the water system and water supply which is and will be a continuance and expansion of the present use thereof. Reference to said record is made for further particulars."

**B. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:**

Grantee: Pacific Northwest Pipe Line Corporation, a corporation  
Purpose: For pipeline  
Area Affected: Reference to said record is made for further particulars.  
Dated: April 6, 1956  
Recorded: September --, 1956  
Auditor's No.: 541498

Amendment to Right-of-Way Contract recorded May 25, 1970 under Auditor's File No. 739373.

**C. AMENDMENT TO RIGHT-OF-WAY AND EASEMENT CONTRACT AND THE TERMS AND CONDITIONS THEREOF**

Between: Northwest Pipeline Corporation, successor-in-interest to El Paso Natural Gas Company  
And: Greg Jeffrey Gilbertson  
Dated: June 21, 2002  
Recorded: July 5, 2002  
Auditor's No.: 200207050102  
Regarding: To allow for the installation and construction of the grantees proposed 36 inch pipeline and to specify the location of the easement

**D. MEMORANDUM OF TIMBER SALE AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:**

Between: Northwest Pipeline Corporation  
And: Greg Jeffrey Gilbertson  
Dated: June 21, 2002  
Recorded: July 5, 2002  
Auditor's No.: 200207050103

**E. LOT CERTIFICATION AND THE TERMS AND CONDITIONS THEREOF:**

Recorded: December 15, 2005  
Auditor's File No.: 200512150095

- Continued -



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EXCEPTIONS CONTINUED:

F. MATTERS DISCLOSED BY RECORD OF SURVEY:

Prepared By: Pacific Survey & Engineering Inc.  
Recorded: January 25, 2006  
Auditor's File No.: 200601250073

G. TITLE NOTIFICATION, AND THE TERMS AND CONDITIONS THEREOF:

Between: Skagit County  
And: Gilbertson Land Co. LLC  
Recorded: August 22, 2006  
Auditor's File No.: 200608220109  
Regarding:

This parcel lies within an area or within 500 feet of land designated as natural resource land (agricultural, forest or mineral resource land of long-term commercial significance) by Skagit County. A variety of natural resource land commercial activities occur or may occur in the area that may not be compatible with non-resource uses and may be inconvenient or cause discomfort to area residents. This may arise from the use of chemicals; or from spraying, pruning, harvesting or extraction with associated activities, which occasionally generates traffic, dust, smoke, noise, and odor. Skagit County has established natural resource management operations as a priority use on designated natural resource lands, and area residents should be prepared to accept such incompatibilities, inconveniences or discomfort from normal, necessary natural resource lands operation when performed in compliance with best management practices and local, state and federal law. In the case of mineral lands, application might be made for mining-related activities including extraction, washing, crushing, stockpiling, blasting, transporting and recycling of minerals. If you are adjacent to designated natural resource lands, you will have setback requirements from designated natural resource lands consistent with SCC 14.16.810.

H. PROTECTED CRITICAL AREA SITE PLAN AND/OR EASEMENT, AND THE TERMS AND CONDITIONS THEREOF:

Executed By: Gilbertson Land Company, LLC  
Recorded: August 31, 2006  
Auditor's File No.: 200608310126

I. RESERVATIONS CONTAINED IN DEED:

Executed By: Burlington Northern Railroad Company (formerly named Burlington Northern Inc.), a Delaware corporation  
Recorded: March 5, 1993  
Auditor's No.: 9303050095  
As Follows:

"EXCEPTING AND RESERVING, however, unto said Grantor, its successors and assigns, all of the coal, oil, gas, casinghead gas and all ores and minerals of every kind and nature, including sand and gravel, underlying the surface of the premises herein conveyed, together with the full right, privilege and license at any and all times to explore, or drill for and to protect, conserve, mine, take, remove and market any and all such products in any manner which will not damage structures on the surface of the premises herein conveyed, together with the right of access at all times to exercise said rights."  
(Affects Parcel "C" only)

- Continued -



EXCEPTIONS CONTINUED:

J. DEED OF RIGHT TO USE LAND FOR PUBLIC RECREATION PURPOSES AND THE TERMS AND CONDITIONS THEREOF:

Grantor: Skagit County Parks and Recreation  
Grantee: The State of Washington individually and as the representative of all the peoples of the State, the right to use the real property described below forever for the outdoor recreation purposes  
Dated: May 27, 1993  
Recorded: May 27, 1993  
Auditor's No.: 9305270052  
(Affects Parcel "C" only)

K. AGREEMENT AND EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Between: Skagit County, Washington, a political subdivision of the State of Washington (Skagit); State of Washington by and through the Interagency Committee for outdoor recreation (IAC)  
And: Gilbertson Land Company, L.L.C (LLC)  
Dated: October 2, 2006  
Recorded: October 5, 2006  
Auditor's No.: 200610050095  
(Affects Parcel "C" only)



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