



201601050037

Skagit County Auditor

\$78.00

1/5/2016 Page

1 of

6 1:44PM

WHEN RECORDED RETURN TO:

First American Title Insurance Company
7200 College Boulevard
Overland Park, KS 66210
Attn: Thomas W. Jensen, Esq.

GUARDIAN NORTHWEST TITLE CO.

104200

DOCUMENT TITLE(S)

BARGAIN AND SALE DEED

REFERENCE NUMBER(S) OF DOCUMENTS ASSIGNED OR RELEASED:

Not Applicable

GRANTOR(S):

BANK OF AMERICA, NATIONAL ASSOCIATION, a national banking association

GRANTEE(S):

JANICKI INDUSTRIES, INC., a Washington corporation

ABBREVIATED LEGAL DESCRIPTION:

PTN. BLOCKS 3 AND 4, "WOOLLEY, THE HUB OF SKAGIT COUNTY, WASHINGTON"
ALSO SECTION 24, TOWNSHIP 35 NORTH, RANGE 4 EAST; PTN. NE SE

TAX PARCEL NUMBER(S):

Parcel No.: P77464, 4177-004-007-0103, P77466, 4177-004-900-0101, P37532, 350424-0-143-0104,
P77462, 4177-003-007-0105

BARGAIN AND SALE DEED

THE GRANTOR, **BANK OF AMERICA, NATIONAL ASSOCIATION**, a national banking association, successor by merger to Seattle First National Bank, for and in consideration of Ten Dollars and other valuable consideration in hand paid, bargains, sells, and conveys to **JANICKI INDUSTRIES, INC.**, a Washington corporation, whose mailing address is 1476 Moore Street, Sedro-Woolley, WA 98284, the following described estate, situated in the County of Skagit, State of Washington:

SEE **EXHIBIT A** ATTACHED HERETO AND MADE A PART HEREOF.

Abbreviated Legal: PTN. BLOCKS 3 AND 4, "WOOLLEY, THE HUB OF SKAGIT COUNTY, WASHINGTON" ALSO SECTION 24, TOWNSHIP 35 NORTH, RANGE 4 EAST; PTN. NE SE

Tax Parcel Number(s): Parcel No.: P77464, 4177-004-007-0103, P77466, 4177-004-900-0101, P37532, 350424-0-143-0104, P77462, 4177-003-007-0105

This conveyance is made and accepted subject to all matters (the "Permitted Exceptions") set forth on **Exhibit B**, attached hereto and incorporated herein by reference.

BY ACCEPTANCE HEREOF THE PARTY OF THE SECOND PART ("GRANTEE") ACKNOWLEDGES THAT THE PARTY OF THE FIRST PART ("GRANTOR") HAS NOT MADE AND DOES NOT MAKE ANY REPRESENTATIONS AS TO THE PHYSICAL CONDITION, OR ANY OTHER MATTER AFFECTING OR RELATED TO THE PROPERTY (OTHER THAN WARRANTIES OF TITLE AS PROVIDED AND LIMITED HEREIN). GRANTEE EXPRESSLY ACKNOWLEDGES AND AGREES THAT TO THE FULLEST EXTENT PERMITTED BY LAW, GRANTOR HEREBY DISCLAIMS AND GRANTEE HEREBY UNCONDITIONALLY AND IRREVOCABLY WAIVES AND RELEASES ANY AND ALL ACTUAL OR POTENTIAL RIGHTS GRANTEE MIGHT HAVE AGAINST GRANTOR OR ANY PERSON DIRECTLY OR INDIRECTLY CONTROLLING GRANTOR REGARDING ANY FORM OF WARRANTY, EXPRESS OR IMPLIED, OF ANY KIND OR TYPE, RELATING TO THE PROPERTY EXCEPT THOSE SET FORTH HEREIN, SUCH WAIVER AND RELEASE IS, TO THE FULLEST EXTENT PERMITTED BY LAW, ABSOLUTE, COMPLETE, TOTAL AND UNLIMITED IN EVERY WAY. SUCH WAIVER AND RELEASE INCLUDES TO THE FULLEST EXTENT PERMITTED BY LAW, A WAIVER AND RELEASE OF EXPRESS WARRANTIES (EXCEPT THOSE REPRESENTATIONS AND WARRANTIES OTHERWISE SET FORTH HEREIN), IMPLIED WARRANTIES, WARRANTIES OF FITNESS FOR A PARTICULAR USE, WARRANTIES OF MERCHANTABILITY, WARRANTIES OF HABITABILITY, STRICT LIABILITY RIGHTS AND CLAIMS OF EVERY KIND AND TYPE, INCLUDING CLAIMS REGARDING DEFECTS WHICH WERE NOT OR ARE NOT DISCOVERABLE, ALL OTHER EXTANT OR LATER CREATED OR CONCEIVED OF STRICT LIABILITY OR STRICT LIABILITY-TYPE CLAIMS AND RIGHTS.

GRANTOR'S OBLIGATIONS UNDER THIS DEED SHALL BE LIMITED SO AS NOT TO EXPAND IN ANY WAY GRANTOR'S AND ITS AFFILIATES' OBLIGATIONS UNDER THAT CERTAIN PURCHASE AND SALE AGREEMENT DATED AS OF NOVEMBER 16, 2015 BY AND BETWEEN JANICKI INDUSTRIES, INC. AND GRANTOR.

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

201618
JAN 05 2016

Amount Paid \$ 9,795.⁰⁰
Skagit Co. Treasurer
By *mm* Deputy

UNOFFICIAL DOCUMENT

If any term or provision of this Deed or the application thereof to any persons or circumstances shall, to any extent, be invalid or unenforceable, the remainder of this Deed or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable shall not be affected thereby, and each term and provision of this Deed shall be valid and enforced to the fullest extent permitted by law.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed as of
December 31, 2015.

**BANK OF AMERICA, NATIONAL ASSOCIATION, a
national banking association**

By: _____

Name: Kathleen M. Luongo

Title: Vice President

STATE OF MASSACHUSETTS

SS:

COUNTY OF SUFFOLK

I certify that I know or have satisfactory evidence that Kathleen M. Luongo, Vice President of Bank of America, National Association, a national banking association, is the person who appeared before me, and said person(s) acknowledged that she signed this instrument, on oath stated that Bank of America, National Association, a national banking association, authorized her to execute the instrument and acknowledge it as the Vice President thereof, to be the free and voluntary act of such party(ies) for the uses and purposes mentioned in this instrument.

Dated: December 29, 2015



Marlene M. Soto

Notary Public

Printed Name:

My commission expires:

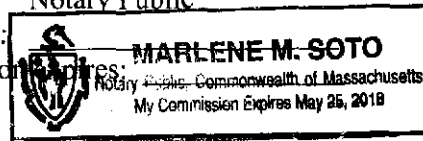


EXHIBIT A

LEGAL DESCRIPTION

ALL THAT PORTION OF THE FOLLOWING DESCRIBED TRACTS OF LAND (DESIGNATED AS PARCELS "A", "B", "C" AND "D") LYING EASTERLY OF A LINE WHICH IS PARALLEL TO AND 165 FEET WEST OF, AND MEASURED AT RIGHT ANGLES TO, THE WEST LINE OF MURDOCK STREET AS ESTABLISHED IN THE CITY OF SEDRO WOOLLEY:

PARCEL "A": LOTS 1 TO 7, INCLUSIVE, BLOCK 4, OF "WOOLLEY, THE HUB OF SKAGIT COUNTY, WASHINGTON", AS PER PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 92, RECORDS OF SKAGIT COUNTY, TOGETHER WITH THE VACATED ALLEY IN SAID BLOCK 4, WHICH UPON VACATION REVERTED TO SAID PREMISES BY OPERATION OF LAW.

PARCEL "B": ALSO THAT PORTION OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 35 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF BLOCK 4, OF "WOOLLEY, THE HUB OF SKAGIT COUNTY, WASHINGTON", AS PER PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 92; THENCE NORTH ALONG THE WEST LINE OF MURDOCK STREET 30 FEET; THENCE WESTERLY PARALLEL WITH THE NORTHERLY LINE OF BLOCK 4 OF SAID PLAT OF "WOOLLEY" TO THE FORMER FAIRHAVEN AND SOUTHERN (LATER GREAT NORTHERN) RAILWAY RIGHT-OF-WAY; THENCE SOUTHEASTERLY ALONG SAID ABANDONED RIGHT-OF-WAY TO THE NORTHWEST CORNER OF SAID BLOCK 4; THENCE EASTERLY ALONG THE NORTHERLY LINE OF SAID BLOCK 4 TO THE POINT OF BEGINNING.

PARCEL "C": THAT PORTION OF A STRIP OF LAND 100 FEET WIDE IN THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 35 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN, BEING 50 FEET WIDE ON EACH SIDE OF THE CENTERLINE OF THE FAIRHAVEN AND SOUTHERN RAILROAD COMPANY SPUR (LATER GREAT NORTHERN RAILWAY COMPANY) AS ORIGINALLY LOCATED AND ESTABLISHED AND CONVEYED TO SAID COMPANY BY DEED RECORDED SEPTEMBER 25, 1893 UNDER AUDITOR'S FILE NO. 17519 IN VOLUME 26 OF DEEDS, PAGE 574, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF SAID BLOCK 4 OF THE PLAT OF "WOOLLEY", SAID POINT BEING THE INTERSECTION OF THE WEST LINE OF MURDOCK STREET AND THE NORTHEASTERLY LINE OF SAID FORMER FAIRHAVEN AND SOUTHERN RAILROAD COMPANY RIGHT-OF-WAY; THENCE NORTHWESTERLY ALONG THE NORTHEASTERLY LINE OF SAID FAIRHAVEN AND SOUTHERN RAILROAD COMPANY RIGHT-OF-WAY TO THE SOUTHERLY LINE OF THAT CERTAIN TRACT CONVEYED TO THE SEATTLE AND MONTANA RAILROAD COMPANY, A CORPORATION, BY THAT DEED DATED JULY 24, 1906 AND RECORDED AUGUST 16, 1906, IN VOLUME 62 OF DEEDS, PAGE 286; THENCE WESTERLY ALONG THE SOUTHERLY LINE, AND THE SOUTHERLY LINE EXTENDED, OF SAID TRACT TO THE WESTERLY LINE OF BLOCK 3, OF SAID PLAT OF "WOOLLEY", EXTENDED NORTH; THENCE SOUTH ALONG THE EXTENDED WESTERLY LINE OF SAID BLOCK 3 OF THE SOUTHWESTERLY LINE OF SAID FAIRHAVEN AND SOUTHERN RAILROAD COMPANY RIGHT-OF-WAY; THENCE SOUTHEASTERLY ALONG SAID RAILROAD RIGHT-OF-WAY TO THE NORTH LINE OF FERRY STREET; THENCE EAST ALONG THE NORTH LINE OF FERRY STREET TO THE WEST LINE OF MURDOCK STREET; THENCE NORTH TO THE POINT OF BEGINNING.

PARCEL "D": LOT 7 OF BLOCK 3, OF "WOOLLEY, THE HUB OF SKAGIT COUNTY, WASHINGTON", AS PER PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 92, RECORDS OF SKAGIT COUNTY, WASHINGTON.

TOGETHER WITH THAT PORTION OF VACATED STREET ADJACENT THERETO, WHICH UPON VACATION REVERTED TO SAID PREMISES BY OPERATION OF LAW.

EXHIBIT B

PERMITTED EXCEPTIONS

1. Rights of parties in possession.
2. Governmental rights of police power or eminent domain unless notice of the exercise of such rights appears in the public records as of the date hereof; and the consequences of any law, ordinance or governmental regulation including, but not limited to, building and zoning ordinances.
3. Defects, liens, encumbrances, adverse claims or other matters 1) not known to the Grantor and not shown by the public records but known to the Grantee as of the date hereof and not disclosed in writing by the Grantee to the Grantor prior to the date hereof; 2) resulting in no loss or damage to the Grantee; or 3) attaching or created subsequent to the date hereof.
4. Visible and apparent easements and all underground easements, the existence of which may arise by unrecorded grant or by use.
5. Any and all unrecorded leases, if any, and rights of parties therein.
6. Taxes and assessments for the year of closing and subsequent years.
7. All judgments, liens (excluding construction liens), assessments, code enforcement liens, encumbrances, declarations, mineral reservations, covenants, restrictions, reservations, easements, agreements and any other matters as shown on the public records.
8. Any state of facts which an accurate survey or inspection of the Property would reveal, including inland/tidal wetlands designation if applicable.
9. Any liens for municipal betterments assessed after the date of this Agreement and/or orders for which assessments may be made after the date of this Agreement.