

City of Sedro-Woolley
325 Metcalf St
Sedro-Woolley, WA 98284
Attention: Mark A. Freiburger, PE, Director of Public Works
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX



201602010085

Skagit County Auditor

\$79.00

2/1/2016 Page

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FEB 01 2016

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

TEMPORARY CONSTRUCTION EASEMENT

GUARDIAN NORTHWEST TITLE CO.

Grantor(s): White Pass Investments, LLC, a Washington Limited Liability Company
Grantee: City of Sedro-Woolley
Abbreviated Legal: Ptn. Lot 11, Block 3, Lots 6 to 11, Block 4, Susan Taylor Add to Sedro Woolley
and Section 25, Township 35 North, Range 4 East; Ptn. NW NW
Tax Parcel No.: P77315, 4174-004-011-0001, P77308, 4174-003-011-0003, P37593, 350425-0-007-
0009, P37650, 350425-2-003-0009
Project Name: Jameson Arterial Extension Project

THE GRANTOR(S), White Pass Investments, LLC, a Washington Limited Liability Company, for and in consideration of mutual benefits and in further consideration of the general public welfare and of the peculiar and special benefits to accrue to us therefrom, and with no monetary consideration, do(es) by these presents grant and convey to the City of Sedro-Woolley a Municipal Corporation in Skagit County, Washington, its agents, employees, and contractors the nonexclusive right to enter upon lands now owned by the Grantor(s) for any and all purposes incidental to the construction of the above-mentioned improvement, which lands are situated in Skagit County, State of Washington, described as follows, to wit:

Per Exhibit A attached hereto and made a part hereof by this reference

It is understood and agreed that the rights herein granted shall be at all times exercised in a manner that does not unreasonably interfere with the use of the property by the grantor.

It is further understood and agreed that the City of Sedro-Woolley agrees to indemnify and save the grantors harmless from all claims and causes of action of any nature whatsoever arising out of the exercise by the City of the rights herein granted.

It is further understood and agreed that the City will give 30 calendar days' notice prior to start of construction within the temporary easement area, and that the City will limit work within the temporary construction area to 120 calendar days. The city will ensure that access to buildings in the vicinity of the project site is maintained at all times. The city will install temporary construction fencing at the edge of the temporary construction easement to secure the site during non-working hours.

This permit, and all rights granted hereunder, shall terminate automatically and without notice upon the completion of the above project or on December 31, 2016, whichever occurs first.

The Grantor(s) acknowledge(s) that the property and/or property rights conveyed herein are a donation; the consideration is a mutual benefit to be derived; and the Grantor(s) has been informed of its right to receive just compensation and have waived said rights.

IN WITNESS WHEREOF, said corporation has caused this instrument to be executed by its proper officers this 28 day of January, 20 16.

White Pass Investments, LLC

By [Signature]
Printed Name: Jeff Hamilton
Its: managing member

By _____
Printed Name: _____
Its: _____

STATE OF WASHINGTON }

County of _____ }

SS.

I certify that I know or have satisfactory evidence that Jeffery S. Hamilton and _____ (is/are) the person(s) who appeared before me, and said person(s) acknowledged that (he/she/they) signed this instrument, on oath stated that (he is/she is /they are) authorized to execute the instrument and acknowledged it as the Managing Member and _____ of White Pass Investments, LLC, a Washington Limited Liability Company, to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

DATED: 1/28/2016

Julie Rosario, Julie Rosario
Name (typed or printed):
NOTARY PUBLIC in and for the State of Washington
Residing at Skagit County
My appointment expires: 7/22/2017

JULIE L. ROSARIO
STATE OF WASHINGTON
NOTARY --- PUBLIC
My Commission Expires 7-22-2017

EXHIBIT A

TEMPORARY CONSTRUCTION EASEMENT (P77315)

Part of Lots 6, 7, 8, 9, 10 and 11, Block 4, "SUSAN TAYLOR ADDITION TO SEDRO WOOLLEY", as per plat recorded in Volume 6 of Plats, page 43, records of Skagit County, Washington,

TOGETHER WITH the East 1/2 of vacated Curtis Street adjacent to said Lot 6,

AND TOGETHER WITH the North 1/2 of the vacated James Young and Sterling Road, by Final Order of Vacation dated November 7, 1960, and filed in Volume 30 of Commissioners Records, page 225, adjacent to said Lots 6, 7, 8, 9, 10 and 11, more particularly described as follows:

Commencing at the intersection of the Centerlines of vacated Curtis Street and James Young and Sterling Road; thence N01°23'36"E on the Centerline of said vacated Curtis Street a distance of 32.43 feet to the Actual Point of Beginning; thence continuing thence N01°23'36"E on the Centerline of said vacated Curtis Street a distance of 5.00 feet; thence N89°49'27"E a distance of 32.19 feet; thence N88°38'04"E a distance of 158.24 feet to the beginning of a tangent curve to the left having a central angle of 5°32'42", a radius of 2394.50 feet, and an arc length of 231.74 feet; thence N83°05'22"E tangent to said curve a distance of 127.55 feet; thence S06°54'38"E a distance of 5.00 feet; thence S83°05'22"W a distance of 127.55 feet to the beginning of a tangent curve to the right having a central angle of 5°32'42", a radius of 2399.50 feet, and an arc length of 232.22 feet; thence S88°38'04"W tangent to said curve a distance of 158.21 feet; thence S89°49'27"W a distance of 32.46 feet to the Point of Beginning.

AND Commencing at the intersection of the Centerlines of vacated Curtis Street and James Young and Sterling Road; thence S87°43'24"E on said Centerline of James Young and Sterling Road a distance of 269.07 feet to the Actual Point of Beginning; thence continuing S87°43'24"E on said Centerline a distance of 47.96 feet to the beginning of a non-tangent curve to the right, having a central angle of 1°46'23", a radius of 2454.50 feet, an arc length of 75.95 feet and a chord bearing N84°50'54"E a distance of 75.95 feet; thence N78°08'36"E non-tangent to said curve on said Centerline a distance of 54.69 feet; thence S83°05'22"W a distance of 17.11 feet to the beginning of a tangent curve to the right, having a central angle of 3°45'36", a radius of 2449.50 feet, and an arc length of 160.72 feet to the Point of beginning.

Situate in the City of Sedro Woolley, County of Skagit, State of Washington.

Containing 3,377 square feet.

TOGETHER WITH TEMPORARY CONSTRUCTION EASEMENT (P37593, P37650)

That portion of the Northwest ¼ of the Northwest ¼ of Section 25, Township 35 North, Range 4 East, W.M., lying Southerly of the James Young and Sterling County Road, also known as Jameson Street, and lying Westerly of the Burlington Northern Railroad right of way as conveyed by deeds to the Seattle and Lake Shore Railway Company recorded March 4, 1890 in Volume 9 of Deeds, page 699, and recorded April 25, 1890, in Volume 10 of Deeds, page 452, records of Skagit County, Washington, EXCEPT that portion conveyed to the State of Washington for State Highway 1-A by deed recorded January 6, 1958, under Auditor's File No. 560324.

TOGETHER WITH that portion of the South $\frac{1}{2}$ of the vacated James Young and Sterling Road lying between the Easterly line of State Highway 1-A and the Westerly line of Batey Road, by Final Order of Vacation dated November 7, 1960 and filed in Volume 30 of Commissioners Records, page 225, more particularly described as follows:

Commencing at the intersection of the Centerlines of vacated Curtis Street and James Young and Sterling Road; thence $N87^{\circ}43'24''W$ on the centerline of said vacated James Young and Sterling Road a distance of 138.75 feet to the East line of said State Highway 1-A; thence $S00^{\circ}45'45''W$ on said East line a distance of 50.83 feet to the Actual Point of Beginning; thence East-Northeasterly along a non-tangent curve to the right, having a central angle of $6^{\circ}32'14''$, a radius of 89.50 feet, an arc length of 10.21 feet and a chord bearing $N69^{\circ}34'29''E$ a distance of 10.21 feet to the beginning of a compound curve to the right, having a central angle of $9^{\circ}38'06''$, a radius of 192.85 feet, and an arc length of 32.43 feet; thence $N7^{\circ}31'33''W$ perpendicular to said curve a distance of 10.00 feet to the beginning of a non-tangent curve to the right, having a central angle of $9^{\circ}38'39''$, a radius of 202.85 feet, an arc length of 34.14 feet and a chord bearing $N87^{\circ}17'47''E$ a distance of 34.10 feet; thence $N1^{\circ}04'15''W$ perpendicular to said curve a distance of 4.05 feet; thence $N88^{\circ}55'45''E$ a distance of 115.38 feet; thence $N88^{\circ}38'04''E$ a distance of 142.71 feet to the beginning of a tangent curve to the left, having a central angle of $1^{\circ}47'06''$, a radius of 2449.50 feet, and an arc length of 76.31 feet to said centerline of vacated James Young and Sterling Road; thence $S87^{\circ}43'24''E$ on said centerline of said vacated James Young and Sterling Road a distance of 47.96 feet; thence Westerly along a non-tangent curve to the right, having a central angle of $2^{\circ}53'58''$, a radius of 2454.50 feet, an arc length of 124.21 feet, and a chord bearing $S87^{\circ}11'05''W$ a distance of 124.20 feet; thence $S88^{\circ}38'04''W$ tangent to said curve a distance of 142.71 feet; thence $S88^{\circ}55'45''W$ a distance of 115.41 feet; thence $S2^{\circ}07'06''W$ a distance of 4.05 feet to the beginning of a non-tangent curve to the left, having a central angle of $8^{\circ}10'26''$, a radius of 197.85 feet, an arc length of 28.23 feet and a chord bearing $S88^{\circ}02'37''W$ a distance of 28.20 feet; thence $S6^{\circ}02'25''E$ perpendicular to said curve a distance of 10.00 feet to the beginning of a non-tangent curve to the left, having a central angle of $14^{\circ}42'11''$, a radius of 187.85 feet, a arc length of 48.21 feet and a chord bearing $S76^{\circ}36'30''W$ a distance of 48.07 feet to said Easterly line of State Highway 1-A; thence $N0^{\circ}45'45''E$ on said Easterly line a distance of 5.03 feet to the Point of Beginning,

AND commencing at the intersection of the Centerlines of Jameson Street and Batey Road; thence $S78^{\circ}08'36''E$ on the centerline of said vacated James Young and Sterling Road a distance of 30.78 feet to the West right of way of Batey Road; thence $S1^{\circ}04'06''W$ on said West right of way a distance of 16.04 feet to the Actual Point of Beginning; thence $S83^{\circ}05'22''W$ a distance of 181.33 feet; thence $S78^{\circ}08'36''W$ a distance of 54.69 feet to said centerline of said vacated James Young and Sterling Road and the beginning of a non-tangent curve to the left, having a central angle of $0^{\circ}52'21''$, a radius of 2454.50 feet, an arc length of 37.38 feet and a chord bearing $N83^{\circ}31'32''E$ a distance of 37.38 feet; thence $N83^{\circ}05'22''E$ tangent to said curve a distance of 197.75 feet to said West right of way; thence $N1^{\circ}04'06''E$ on said West right of way a distance of 5.05 feet to the Point of Beginning,

AND ALSO commencing at the intersection of the Centerlines of Jameson Street and Batey Road; thence $S78^{\circ}08'36''E$ on the centerline of said vacated James Young and Sterling Road a distance of 30.78 feet to the West right of way of Batey Road; thence $S1^{\circ}04'06''W$ on said West right of way a distance of 30.78 feet to the South right of way of said Jameson Street and the Actual point of Beginning; thence $N78^{\circ}08'36''E$ on said South right of way a distance of 47.63 feet; thence $S11^{\circ}51'24''E$ a distance of 1.46 feet; thence $N84^{\circ}08'28''E$ a distance of 31.42 feet; thence $N81^{\circ}39'03''E$ a distance of 71.37 feet; thence

N81°19'15"E a distance of 11.33 feet to the West line of said Burlington Northern Railroad; thence S11°06'37"W on said West line a distance of 11.14 feet; thence S83°35'52"W a distance of 157.80 feet; thence N11°51'24" a distance of 5.00 feet to the Point of beginning.

Situate in the City of Sedro Woolley, County of Skagit, State of Washington.

Containing 4,604 square feet.

TOGETHER WITH TEMPORARY CONSTRUCTION EASEMENT (P77308)

Part of Lot 11, Block 3, "SUSAN TAYLOR ADDITION TO SEDRO WOOLLEY", as per plat recorded in Volume 6 of Plats, page 43, records of Skagit County, Washington,

EXCEPT that portion as conveyed to the State of Washington for State Highway 1-A by deed recorded January 6, 1958, under Auditor's File No. 560324,

TOGETHER WITH the West 1/2 of vacated Curtis Street adjacent to said Lot 11,

AND TOGETHER WITH the North 1/2 of the vacated James Young and Sterling Road, by Final Order of Vacation dated November 7, 1960, and filed in Volume 30 of Commissioners Records, page 225, adjacent to said Lot 11, more particularly described as follows:

Commencing at the intersection of the Centerlines of vacated Curtis Street and James Young and Sterling Road; thence N1°23'36"E on said Centerline of vacated Curtis Street a distance of 32.43 feet to the Actual Point of Beginning; thence continuing N1°23'36"E on said Centerline a distance of 5.00 feet; thence S89°49'27"W a distance of 9.17 feet; thence S89°30'56"W a distance of 63.31 feet to the beginning of a tangent curve to the right, having a central angle of 40°43'12", a radius of 101.36 feet, and an arc length of 72.04 feet to the East line of said parcel conveyed to the State of Washington for State Highway 1-A; thence S0°45'45"W on said East line a distance of 6.38 feet; thence Southeasterly along a non-tangent curve to the left, having a central angle of 38°32'08", a radius of 106.36 feet, an arc length of 71.53 feet and a chord bearing S71°13'00"E a distance of 70.19 feet; thence N89°30'56"E tangent to said curve a distance of 63.42 feet; thence N89°49'27"E a distance of 8.90 feet to said Centerline of vacated Curtis Street and the Point of Beginning.

Situate in the City of Sedro Woolley, County of Skagit, State of Washington.

Containing 721 square feet.

SEE ATTACHED EXHIBIT B (MAP)

