

RECORDED AT THE REQUEST OF:  
AND AFTER RECORDING RETURN TO:



Skagit County Auditor

2/12/2016 Page

1 of

11

\$83.00  
2:35PM

City of Mount Vernon  
910 Cleveland Avenue  
Mount Vernon, Washington 98273-0809  
Attn: City Attorney

### **BARGAIN AND SALE DEED**

Grantor: **COMMERCIAL COLD STORAGE, INC.**  
A Washington Corporation

Grantee: **CITY OF MOUNT VERNON**  
A Washington Municipal Corporation

Abbreviated Legal Description: A portion of the Southeast 1/4 of the Southeast 1/4 and the Southwest 1/4 of the Southeast 1/4 (Government Lot 6) of Section 19, and the Northwest 1/4 of the Northeast 1/4 of Section 30, all in Township 34 North, Range 4 East, W.M., Skagit County, Washington.

(Complete legal description appears in Exhibit 1, 2 and 3 hereto).

Assessor's Tax Parcel Numbers: Skagit County Assessor's Tax Parcels: P26489, P26531, P26532, P26490, P26491, P26504 and P26505.

## BARGAIN AND SALE DEED

THE GRANTOR, Commercial Cold Storage, Inc., a Washington corporation, for and in consideration of ONE DOLLAR (\$1.00) AND OTHER GOOD AND VALUABLE CONSIDERATION, in hand paid, and under threat of City of Mount Vernon condemnation, bargains, sells and conveys to the City of Mount Vernon, a Washington municipal corporation, the real estate situated in the County of Skagit, State of Washington described in **Exhibit 1** attached hereto, RESERVING to itself, its successors and assigns, a perpetual easement with right of entry and continued access for the maintenance, repair and replacement of existing and future underground utilities, the approximate location of which is set forth in Exhibit 5-1 of the Property Rights Acquisition and Settlement Agreement between Commercial Cold Storage, Inc. and the City of Mount Vernon, Washington dated February 4, 2016, (See Plans Attached hereto as Exhibit 3 affecting Parcels B and D) AND, FURTHER subject to the permitted exceptions described in **Exhibit 2** attached hereto.

DATED as of Febr 12, 2016.

GRANTOR:

Commercial Cold Storage, Inc.  
a Washington corporation

By:

Reidar Tyenes

Name:

REIDAR TYENES

Title:

CHAIRMAN

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

2016 448  
FEB 12 2016

Amount Paid \$ 0  
Skagit Co. Treasurer  
By mm Deputy

STATE OF WASHINGTON

COUNTY OF Skagit

ss.

I certify that I know or have satisfactory evidence that Reidar Tynes is the person who appeared before me, and said person acknowledged that said person signed this instrument, on oath stated that said person was authorized to execute the instrument and acknowledged it as the Chairman of Commercial Cold Storage, Inc., a Washington corporation, to be the free and voluntary act of such corporation for the uses and purposes mentioned in the instrument.

Dated this 12<sup>th</sup> day of February, 2016.



Kerri A. Grechishkin  
(Signature of Notary)

Kerri A. Grechishkin  
(Legibly Print or Stamp Name of Notary)

Notary public in and for the state of Washington,  
residing at Mount Vernon

My appointment expires 5/11/19

## EXHIBIT 1 TO BARGAIN AND SALE DEED

### LEGAL DESCRIPTION FOR FEE ACQUISITION

That portion of the below described **Parcels A, B, C, and D** being a part of the Southeast 1/4 of the Southeast 1/4 and the Southwest 1/4 of the Southeast 1/4 (Government Lot 6) of Section 19, and the Northwest 1/4 of the Northeast 1/4 of Section 30, all in Township 34 North, Range 4 East, W.M., more particularly described as follows:

A portion of the below described **Parcel D** lying Northerly and Westerly of the following described line:

Commencing at a point on the West line of First Street, being the intersection of the West line of First Street with the North line of Snoqualmie Street extended Westerly, according to the plat of "Riverside Addition to the Town of Mount Vernon", recorded in Volume 3 of Plats, page 24, records of Skagit County, Washington; Thence North  $21^{\circ}31'26''$  East, for a distance of 435.25 feet along said West line of First Street to the Easterly corner of the below described **Parcel D**; Thence North  $68^{\circ}28'34''$  West along the Northerly line of said **Parcel D**, for a distance of 90.25 feet to the **Point of Beginning** of herein described line; Thence South  $21^{\circ}26'50''$  West, for a distance of 384.95 feet, to a point hereinafter referred to as "**Point A**"; Thence North  $88^{\circ}02'54''$  West, for a distance of 90 feet, more or less, to the bank of the Skagit River and the **Terminus** of herein described line.

Containing 22,212 square feet, more or less.

Together with that portion of the below described **Parcels A, B, and C** lying Westerly of the following described line:

Commencing at said "**Point A**" of the above described line; Thence South  $42^{\circ}30'53''$  West, for a distance of 364.52 feet to the **Point of Beginning**; Thence the following courses and distances; South  $36^{\circ}16'00''$  West, 85.60 feet; South  $47^{\circ}54'40''$  West, 45.96 feet; South  $36^{\circ}34'19''$  West, 152.05 feet; South  $33^{\circ}37'35''$  West, 179.73 feet; South  $30^{\circ}24'54''$  West, 99.89 feet to a point on the South line of the below described **Parcel A** and the **Terminus** of herein described line. This described area is bound on the North by a line that bears North  $53^{\circ}44'00''$  West from said **Point of Beginning** to the Bank of the Skagit River and on the South by the Southerly line of said **Parcel A** bearing North  $68^{\circ}28'34''$  West to said river bank.

Containing 34,156 square feet, more or less.

Situate in Skagit County, Washington

**Parcel A, B, C, and D descriptions per Schedule "C"**  
**Guardian Northwest Title and Escrow Commitment No. 107152**

**Parcel A:**

That portion of Government Lot 6 in Section 19 and of the Northwest 1/4 of the Northeast 1/4 of Section 30, Township 34 North, Range 4 East, W.M., described as follows:

Beginning at the intersection of the South line of Snoqualmie Street as shown fronting on Blocks 8 and 9 in "Riverside Addition to the Town of Mount Vernon", according to the plat recorded in Volume 3 of Plats, page 24, records of Skagit County, Washington, produced West and the Westerly line of First Street as established in the City of Mount Vernon, Washington; thence South 20 degrees 00' West along the Westerly line of said First Street a distance of 633.48 feet to an angle point in said Street line; thence South 52 degrees 07' West along the Westerly line of said First Street a distance of 56.68 feet to the true point of beginning; thence South 55 degrees 04' West along the Westerly line of First Street a distance of 8.47 feet; thence South 51 degrees 49' West along the Westerly line of First Street a distance of 34.84 feet; thence South 72 degrees 09' West a distance of 57.31 feet; thence South 89 degrees 06' West a distance of 51.48 feet; thence North 70 degrees 00' West a distance of 326 feet, more or less to the bank of Skagit River; thence Northeasterly along said river bank to a point which bears North 70 degrees 00' West from the true point of beginning; thence South 70 degrees 00' East a distance 375 feet, more or less, to the true point of beginning.

**Parcel B:**

That portion of the Southeast 1/4 of the Southeast 1/4 and of Government Lot 6 in Section 19, Township 34 North, Range 4 East, W.M., described as follows:

Beginning at the intersection of the South line of Snoqualmie Street, as shown fronting on Blocks 8 and 9 in "RIVERSIDE ADDITION TO THE TOWN OF MOUNT VERNON", produced West, and the Westerly line of First Street as established in the City of Mount Vernon, Washington; thence South 20 degrees 00' West along the Westerly line of said First Street 343.34 feet to the true point of beginning; thence South 20 degrees 00' West along the Westerly line of said First Street 290.14 feet to an angle point in said street line; thence South 52 degrees 07' West along the Westerly line of said First Street, 56.68 feet; thence North 70 degrees 00' West 375 feet, more or less, to the bank of the Skagit River; thence Northeasterly along said river bank to a point which bears North 70 degrees 00' West from the true point of beginning; thence South 70 degrees 00' East 285 feet, more or less, to the true point of beginning.

**Parcel C:**

That portion of the Southeast 1/4 of the Southeast 1/4 and of Government Lot 6 of Section 19, Township 34 North, Range 4 East, W.M., in Skagit County, Washington, described as follows:

Beginning at a point on the West line of First Street, 60 feet West of the Southwest corner of Block 7, "RIVERSIDE ADDITION TO THE TOWN OF MOUNT VERNON", as per plat recorded in Volume 3 of Plats, page 24, and 75 feet Northerly, as measured along said West line, from its intersection with the North line of Snoqualmie Street if the same were extended, said point being the Northeast corner of that certain tract conveyed to Stokely-Van Camp, Inc., an Indiana corporation, by Deed recorded under Auditor's File No. 518834; thence South 20 degrees 00' West, along the Westerly line of First Street, 478.34 feet, more or less, to the Northeast corner of that certain tract of land described in Contract of Sale in favor of Skagit Investors, a general partnership, recorded under Auditor's File No. 8009040009; thence North 70 degrees 00' West, along the North line of said Skagit Investors tract, 285 feet, more or less to the bank of the Skagit River; thence Northerly, along the said river bank, to intersect a line 75 feet Northerly of and parallel with the North line of Snoqualmie Street, if the same were extended Westerly; thence Easterly, along said line to the Point of Beginning.

**Parcel D:**

That portion of the Southeast 1/4 of the Southeast 1/4 of Section 19, Township 34 North, Range 4 East, W.M., described as follows:

Commencing 60 feet West of the Southwest corner of Block 7, "RIVERSIDE ADDITION TO THE TOWN OF MOUNT VERNON", according to the Plat thereof recorded in Volume 3 of Plats, Page 24, said point being the intersection of the North line of Snoqualmie Street, if the same were extended, and the West line of First Street; thence Northerly along the West line of said First Street, 75 feet to the Northeast corner of that certain tract of land conveyed to Stokely-Van Camp, Inc., an Indiana corporation, by deed recorded under Auditor's File No. 518834, records of Skagit County, Washington, and the true point of beginning; thence continuing Northerly along the West line of First Street, to a point 85 feet Northerly of the intersection of said West line of First Street with the North line of Broadway, if extended Westerly; thence Westerly, at right angles, to the Skagit River; thence Southerly along said river to intersect a line 75 feet Northerly of and parallel with the North line of Snoqualmie Street, if the same were extended Westerly; thence Easterly along said line to the true point of beginning.

Prepared by Larry Steele & Associates, Inc.  
1334 King Street, Ste. 1  
Bellingham WA 98229  
360-676-9350  
Job #03314.2  
December 18, 2015



1/27/16

EXHIBIT 2  
TO  
BARGAIN AND SALE DEED

See Guardian Northwest Title and Escrow Commitment No. 107152  
Parcel A, B, C and D descriptions from above Exhibit A.

**D. EASEMENT AND PROVISIONS CONTAINED THEREIN AS CREATED OR  
DISCLOSED  
INSTRUMENT:**

In Favor Of: Northwest Dairigold Association

Recorded: October 29, 1959

Auditor's No.: 587299

For: Water drainage pipes and anchors, anchor line, fender lots and attachments and related rights disclosed therein

Affects: Parcels A and B

**E. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:**

Grantee: Skagit County Dairymen's Association

Recorded: January 6, 1953

Auditor's No. 483630

Purpose: Ingress, egress, subsurface water pipe line, meter installation and loading dock and related rights disclosed therein

Area Affected: Parcels A and B

**F. RESERVATIONS, PROVISIONS AND/OR EXCEPTIONS CONTAINED IN  
INSTRUMENT:**

Entitled: Statutory Warranty Deed

Recorded: January 6, 1953

Auditor's No.: 483629

**G. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:**

Grantee: Skagit Investors, a general partnership

Recorded: September 04, 1980

Auditor's No. 8009040010

Purpose: Ingress and egress, including but not limited to the temporary parking of vehicles while loading and unloading, and for the placement of utilities

Area Affected: Southerly 25 feet of Parcel "C"

Said Easement modifies that certain Easement recorded as Auditor's File No. 484377.

**H. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:**

Grantee: Puget Sound Power & Light Company, a Washington Corporation

Recorded: December 31, 1990

Auditor's No. 9012310087

Purpose: Construct, maintain electric transmission and/or distribution lines

Area Affected: Parcel C

**I. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:**

Grantee: Philip A. Lepley, et al

Recorded: July 21, 1982

Auditor's No. 8207210001

Purpose: Undefined right-of-way

Area Affected: Parcel C

**K. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:**

Grantee: Stokely-Van Camp, Inc.

Recorded: April 14, 1975

Auditor's No. 815992

Purpose: "...install, keep and maintain... pipe line..."

Area Affected: Southeasterly line of Parcel C



**EXHIBIT 3  
TO  
BARGAIN AND SALE DEED**

**ATTACHED PLANS FOR CITY OF MOUNT VERNON  
DOWNTOWN FLOOD PROTECTION PROJECT  
Reichhardt & Ebe Engineering, Inc. (1/26/2016)**

**DRAINAGE EASEMENT PROVISIONS:** A PERPETUITY EASEMENT WITH A RIGHT OF ENTRY AND CONTINUED ACCESS IS HEREBY GRANTED FROM CONVEYANT TO GRANTEE, TOGETHER WITH THE RIGHT OF WAY FOR THE CONVEYANT TO MAINTAIN, REPAIR, AND MODIFY EXISTING AND FUTURE SUBJECT TO THE CITY'S RIGHT OF WAY FOR FUTURE ACQUISITION AND DESIGN STANDARDS) (HEREINAFTER CALLED "UTILITIES LOCATED IN THE EASEMENT AREA UNDER THE MAP THE APPROXIMATE LOCATION AND DIMENSIONS OF THESE DRAINAGE EASEMENTS ARE SHOWN ON THE BACK OF THIS MAP.

— FREE ACQUISITION AREA A

FEE ACQUISITION FROM COMMERCIAL COLD STORAGE (C3S)				
AFFECTED PARCEL NO.	OWNER	LOT ADDRESS	LOT AREA (SQ FT)	CALCULATED TIME (H)
FEF AREA A 709440	C3S	5011 N 181 ST MOUNT VERNON WA 98073	84,175	34.607
				23.232

5-10 FEET WITH INCREASE SANDWICH CENTER  
ON PPE 168 8/1/00 TO BE EXISTING OF DATE  
OF THIS REPORT

**R&E**  
**Reichardt & Eber**  
**ENGINEERING INC**

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**—GOOD FOLK**  
**—COLUMBIANS**

PROTEC  
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**PROJECT**

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	Year	Rate
1980	1.0	1.0
1981	1.1	1.1
1982	1.2	1.2
1983	1.3	1.3
1984	1.4	1.4
1985	1.5	1.5
1986	1.6	1.6
1987	1.7	1.7
1988	1.8	1.8
1989	1.9	1.9
1990	2.0	2.0
1991	2.1	2.1
1992	2.2	2.2
1993	2.3	2.3
1994	2.4	2.4
1995	2.5	2.5
1996	2.6	2.6
1997	2.7	2.7
1998	2.8	2.8
1999	2.9	2.9
2000	3.0	3.0
2001	3.1	3.1
2002	3.2	3.2
2003	3.3	3.3
2004	3.4	3.4
2005	3.5	3.5
2006	3.6	3.6
2007	3.7	3.7
2008	3.8	3.8
2009	3.9	3.9
2010	4.0	4.0
2011	4.1	4.1
2012	4.2	4.2
2013	4.3	4.3
2014	4.4	4.4
2015	4.5	4.5
2016	4.6	4.6
2017	4.7	4.7
2018	4.8	4.8
2019	4.9	4.9
2020	5.0	5.0

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**SCALE**

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	25	50
25	10	10
50	10	10

1/26/

1	2
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6/18/71  
100-443887

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