



201603150059

Skagit County Auditor

\$79.00

3/15/2016 Page

1 of

7 11:11AM

AFTER RECORDING RETURN TO:

KEVIN J. MOORE
KEVIN J. MOORE & ASSOCIATES
301 EAST COLORADO BLVD, SUITE 600
PASADENA CA 91101

Document Title: Bargain and Sale Deed

Reference Number(s) of Documents assigned or released: N/A

Grantor: GOODYEAR NELSON HARDWOOD LUMBER COMPANY, INC., a Washington corporation

Grantees: Goodyear Nelson Timberland One, Inc., a Delaware corporation
Goodyear Nelson Timberland Two, Inc., a Delaware corporation
Goodyear Nelson Timberland Three, Inc., a Delaware corporation
Goodyear Nelson Timberland Four, Inc., a Delaware corporation

Abbreviated Legal description:

Ptn Sections 25 & 36-35-4 E & Ptn Sections 30&31-35-5 E Aka Lots B, C, & D, SP #PL05-0224

Full legal descriptions are on pages 2 of document.

Assessor's Property Tax Parcel/Account Numbers:

P38394 / 350436-0-002-0001; P38415 / 350436-1-001-0000; P40453 / 350531-0-001-0006;
P40392 / 350530-0-027-0007; P37616 / 350425-0-022-0000 P37622 / 350425-0-027-0005;
P40404 / 350530-0-036-0006

BARGAIN AND SALE DEED

Grantor, GOODYEAR NELSON HARDWOOD LUMBER COMPANY, INC., a Washington corporation, for and in consideration of corporate reorganization, bargains, sells and conveys, including any after acquired interest therein, to Goodyear Nelson Timberland One, Inc., a Delaware corporation as to a 25.76% interest, Goodyear Nelson Timberland Two, Inc., a Delaware corporation as to a 28.90% interest, Goodyear Nelson Timberland Three, Inc., a Delaware corporation as to a 22.67% interest, and Goodyear Nelson Timberland Four, Inc., a Delaware corporation as to a 22.67% interest, as tenants in common, ("Grantees"), that certain real estate and improvements, situated in Whatcom County, Washington, as legally described as follows:

Lots B, C and D, Short Plat No. PL 05-0224, approved September 13, 2005, recorded September 14, 2005, under Auditor's File No. 200509140034; being a portion of Government Lot 5, in Section 25, Township 35 North, Range 4 East, W.M.; and being a portion of Government Lots 1 and 2 in Section 36, Township 35 North, Range 4 East, W.M.; and being a portion of Government Lot 5 in Section 30, Township 35 North, Range 5 East, W.M.; and being a portion of Government Lot 1, Section 31, Township 35 North, Range 4 East, W.M.

Situate in the County of Skagit, State of Washington.

SUBJECT TO the Permitted Exceptions noted in Exhibit A attached hereto and incorporated herein by this reference.

Grantor, for itself and its successors in interest, does by these presents expressly limit the covenants of the deed to those herein expressed, and does hereby covenant that against all persons whomsoever lawfully claiming or to claim by, through or under said Grantor, and not otherwise, it will forever warrant and defend the said described real estate.

DATED: this 3 day of March, 2016.

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX
2016835
MAR 15 2016

Amount Paid \$
Skagit Co. Treasurer
By mm Deputy

GOODYEAR NELSON HARDWOOD LUMBER COMPANY, INC., a
Washington corporation

Gary Swaner
By: Gary Swaner
Its: President

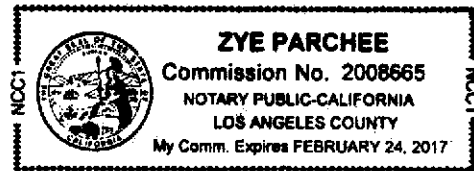
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California) ss.
County of Los Angeles)

On March 3, 2016, before me, ZYE PARCHEE, a Notary Public, personally appeared GARY SWANER who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature

Zye Parchee

(Seal)

EXHIBIT A – PERMITTED EXCEPTIONS

- A. Reservation of minerals, etc., and reservations of right to acquire rights of way for private railroads, skid roads, flumes, canals, water courses or other easements, over the lands, as provided in Section 8082 of Remington's Revised Statutes, as contained in deeds from the State of Washington to the Butler Lumber Co., dated April 2, 1942, and recorded April 25, 1944, under Auditor's File No. 370935 and to Fred W. Lederle and Chas. E. Smith, dated October 5, 1914 and recorded October 29, 1914 in Volume 98 of Deeds, page 23.
(Affects the North ½ of the Northeast ¼ of Section 36 only)
- B. Reservation of coal and minerals contained in deed to Lot 5, Section 24 from W. M. Lindsey dated January 26, 1901 and recorded January 7, 1902 in Volume 44 of Deeds, page 240.
(Affects Government Lot 5 in Section 25)
- C. Reservation of minerals, etc., provided by Section 7873 of Remington's Revised Statutes, as contained in deed from the State of Washington, dated January 31, 1911, recorded February 9, 1911 in Volume 65 of Deeds, page 603.
(Affects Lot 2 in Section 36)
- D. An easement or right of way for placing and maintaining riprap, granted by instrument to Northern Pacific Railway Company in Volume 110 of Deeds, page 425. Reference to said record is made for further particulars.
(Affects Lot 2 in Section 36)
- E. An easement granted to the Pacific Northwest Traction Company, recorded in Volume 132 of Deeds, page 280. Reference to said record is made for further particulars.
(Affects Lot 2 in Section 36)
- F. Certificate of water right dated February 29, 1952, filed March 1, 1952 and recorded under Auditor's File No. 472201, granted to Walter L. Larson by State Supervisor of Water Resources of Washington, under Appropriation Permit No. 7013, with the right to use the waters of an unnamed slough in the Northeast ¼ of the Northwest ¼ of Section 36, Township 35 North, Range 4 East, W.M., in the amount of 0.40 of a cubic foot per second for the purpose of irrigation of the South 20 acres of the Northeast ¼ of the North- west ¼ and the South 20 acres of the Northwest ¼ of the Northeast ¼, all in Section 36, Township 35 North, Range 4 East, W.M.
(Affects Lot 2)
- G. EASEMENT, INCLUDING TERMS AND CONDITIONS THEREOF:
- | | |
|----------------|---|
| Grantee: | Genevieve E. Larson |
| Purpose: | The right to construct and use one road, not to exceed 20 feet in width |
| Area Affected: | To be located so as to extend from South Skagit Highway, in a Southerly direction to Grantor's property located South of and adjacent to the property herein conveyed, said road however, to be located so as not to interfere with Grantees' buildings or other permanent structures |
| Dated: | June 30, 1976 |
| Recorded: | July 26, 1976 |
| Auditor's No.: | 839773 |

H. EASEMENT, INCLUDING TERMS AND CONDITIONS THEREOF:

Grantee: Lentz Supply, Inc., a Washington corporation
Purpose: For ingress and egress
Area Affected: Within the Westerly 150 feet of that portion of Government Lot 5,
Section 30, Township 35 North, Range 5 East, W.M., lying South of the South Skagit Highway and within the Westerly 150 feet of Government Lot 1, Section 31, Township 35 North, Range 5 East, W.M., said road extending from the South edge of said South Skagit Highway in a Southeasterly direction to its terminus within the Westerly 150 feet of the North ½ of said Government Lot 1 in said Section 31.
Dated: June 30, 1976
Recorded: August 2, 1976
Auditor's No.: 840067

NOTE: By instrument recorded November 5, 1984, under Auditor's File No. 8411050039, the grantee's interest was assigned to James G. Miller and Margaret T. Miller, husband and wife.

I. EASEMENT, INCLUDING TERMS AND CONDITIONS THEREOF:

Grantee: Puget Sound Power & Light Company
Recorded: July 1, 1957
Auditor's No.: 553206
Purpose: To construct and maintain an electric transmission line, together with necessary appurtenances thereto
Area Affected: Lot 2 of Section 36, Township 35 North, Range 4 East, W.M.

- J. An unrecorded easement in favor of the United States of America as disclosed by instrument recorded under Auditor's File No. 842841.
(Affects a portion of Government Lot 5, Section 25, Township 35 North, Range 4 East, W.M.)

K. VARIANCE, AND THE TERMS AND CONDITIONS THEREOF

Variance No.: PL 04-0551
Recorded: January 12, 2005
Auditor's File No.: 200501120108
Regarding: Reference is made to the record for full particulars

L. LOT CERTIFICATION AND THE TERMS AND CONDITIONS THEREOF

Recorded: September 14, 2005
Auditor's File No.: 200509140031
(Affects entire Short Plat)

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

Executed By: Goodyear Nelson Hardwood Lumber Company, Inc.
Recorded: September 14, 2005
Auditor's File No.: 200509140032
(Affects entire Short Plat)

N. GRANT DEED OF CONSERVATION EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Skagit County, a political subdivision of the State of Washington
Purpose: Grant Deed of Conservation Easement
Area Affected: See instrument for full particulars
Dated: July 11, 2005
Recorded: September 14, 2005
Auditor's No.: 200509140033
(Affects portions of subject Short Plat)

O. SURVEYOR NOTES DISCLOSED ON FACE OF SHORT PLAT NO. PL 05-0224, AS FOLLOWS:

- 1.) All maintenance and construction of private roads are the responsibility of the lot owners and the responsibility of maintenance shall be in direct relationship to usage of road.
- 2.) Short Plat number and date of approval shall be included in all deeds and contracts.
- 3.) Comprehensive Plan/Zoning Designation – Agriculture-NRL & Rural Reserve;
- 4.) Sewage Disposal: Individual Septic Systems on Lot A only: Lots B, C, and D are Non-Residential lots.
- 5.) Water: Water is supplied by an individual water system. Contact the Health Department to determine if additional water quality or quantity testing will be required for building permit approval. The 100'WPZ for individual water systems must be located entirely on the proposed lot owned in fee simple, or the owner must have the right to exercise complete sanitary control of the land through legal provisions, such as recorded covenants or easements. Wells on adjacent properties require setbacks that meet SCC 12.48.090.
- 6.) No building permit shall be issued for any residential and/or commercial structures which are not at the time of application determined to be within an officially designated boundary of a Skagit County Fire District.
- 7.) Change in location of access may necessitate a change of address. Contact Skagit County Planning and Development Services. A Skagit County address range has been applied to the road system in this subdivision. At the time of application for building and/or access. Skagit County GIS will assign individual addresses in accordance with the provisions of Skagit County Code 15.24.
- 8.) See drainage report on file with the Skagit County Planning & Development Services.
- 9.) See Variance No. PL 04-0551 dated January 10, 2005 and on file with the Skagit County Planning & Development Services.
- 10.) This parcel lies within an area or within 500 feet of an area designated as Natural Resource Lands (Agricultural Forest and Mineral Resource Lands of Long Term Commercial Significance) in 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 mineral 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 land operations 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. In addition, greater setbacks than typical may be required from the resource area, consistent with SCC 14.16.810. Contact Skagit County Planning & Development Services for details.

11.) Future development within 200 feet of the Skagit River shall comply with Chapter 14.26 SCC (Shoreline Master Program) and Chapter 14.24 SCC (Critical Area Ordinance).

12.) Any future development shall comply with Chapter 14.34 SCC (Flood Damage Prevention). The property is located within the floodway of the Skagit River per (Firm 530151-0005 dated January 3, 1985)

13.) All runoff from impervious surfaces, roof drains shall be directed so as not to adversely affect adjacent properties.

- P. Setback line(s) as delineated on the face of Short Plat No. PL05-0224.
- Q. Well Protection Zones as delineated on the face of Short Plat No. PL 05-0224.
- R. Drainfield/Resource Area(s) as delineated on the face of Short Plat No. PL 05-0224.
- S. Any change in the boundary or legal description of the real property, or title to the estate insured, that may arise due to the shifting and changing in the course of the River.
- T. Any prohibition of or limitation or use, occupancy or improvement of the land resulting from the rights of the public or riparian owners to use any portion which is now, or has formerly been, covered by water.

Right to Manage Natural Resource Lands Disclosure

This disclosure applies to parcels designated or within 1 mile of designated agricultural land or designated or within 1/4 mile of rural resource, forest or mineral resource lands of long-term commercial significance in 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 mineral 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 Land operations 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 NR Lands, you will have setback requirements from designated NR Lands.