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Skagit County Auditor
8/9/2016 Page

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AMENDMENT TO GRANT DEED OF CONSERVATION EASEMENT

The information contained in this boxed section is for recording purposes only pursuant to 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.

Document Title: Amendment to Grant Deed of Conservation Easement

Grantor: Kenneth and Velma Perrigoue, husband and wife

Grantee: Skagit Land Trust, a Washington not for profit corporation

Referenced documents: 201412100075

Abbreviated Legal Description: A ptn of E ½ SW ¼ & ptn of Gov Lot 7 & all of SW ¼ SW ¼, 28-35-10 E., W.M.

Complete or Additional Legal Description on Exhibits of Document.

Assessor's Parcel Number(s): (portion of) P45601 / 351028-0-007-0008
P45603 / 351028-0-008-0007
P45606 / 351028-0-010-0102
P45613 / 351028-3-005-0004
P45615 / 351028-4-001-0006

THIS AMENDMENT TO GRANT DEED OF CONSERVATION EASEMENT is entered into this 4 day of August, 2016 ("Amended Easement"), by Kenneth Perrigoue, who also appears of record as Kenneth C. Perrigoue, and Velma Perrigoue, who also appears of record as Velma R. Perrigoue, husband and wife, residing at 56533 Martin Ranch Road, Rockport, WA 98283 ("Grantor"), in favor of the Skagit Land Trust, a Washington nonprofit corporation qualified to do business in Washington, having an address at P. O. Box 1017, Mt. Vernon, WA 98273 ("Grantee"). Grantor and Grantee are collectively referred to herein as the "Parties".

RECITALS

A. Grantor conveyed to Grantee a Grant Deed of Conservation Easement dated December 10, 2014 and recorded under Skagit County Auditor's File Number 201412100075 in records of Skagit County, Washington (the "Easement") situated on Illabot Creek east of the

town of Rockport, in Skagit County, State of Washington, more particularly described in Exhibit A of the recorded Grant Deed of Conservation Easement.

B. The Protected Property represents one of the largest tracts of private land in the lower watershed of Illabot Creek. The Protected Property consists of approximately 99.66 acres that includes both banks of a section of Illabot Creek. For purposes of the Easement, the Protected Property was divided into three (3) Specified-Use Areas, the current conditions of which as of the Effective Date of this Easement are described in the Baseline Summary and summarized below:

a. *Building Area.* The Building Area is an approximately 15 acre area, shown on Exhibit B and legally described in Exhibit C attached hereto and made a part hereof by this reference, part of which is occupied by a farmhouse and numerous outbuildings associated with agricultural uses and agricultural infrastructure and the remainder of which is in second and third growth mixed lowland forest.

b. *Agricultural Area.* The Agricultural Area is an approximately 70 agricultural area shown on Exhibit B and legally described in Exhibit D attached hereto and made a part hereof by this reference. The Agricultural Area is currently in open grassland, most of which has been managed as pasture for grazing.

c. *Riparian Restoration Area.* The Riparian Restoration Area is an approximately 15 acre riparian habitat area along Illabot Creek, a highly productive tributary of the Skagit River, shown on Exhibit B and legally described in Exhibit E attached hereto and made a part hereof by this reference. For purposes of this Easement, riparian habitat is the land area adjacent to aquatic systems with flowing water that contains elements of both aquatic and terrestrial ecosystems that influence each other and provide habitat for fish and wildlife species. Riparian habitat provides vital functions to aquatic and upland ecosystems including, among others: soil and streambank stability, moderation of stream temperature and reduction of nutrients to the aquatic system. The riparian habitat in the Riparian Restoration Area includes over a half-mile of creek frontage, which reach currently is low gradient and rich in structural diversity, with good pool to riffle ratios, providing ideal spawning and rearing habitat. The stream conditions within the Riparian Habitat Area are currently still good, despite the loss of riparian buffer due to past agricultural grazing close to the stream edge, but would benefit from restoration of the riparian buffer and fencing to exclude cattle from the riparian habitat area.

C. At the time of recording of the Deed Grant of Conservation Easement, legal descriptions for the three Specified-Use Areas of the Protected Property were not complete. Since the recording of the Deed Grant of Conservation Easement legal descriptions have been completed and are attached as follows:

- a. *Building Area.* Exhibit C
- b. *Agricultural Area.* Exhibit D
- c. *Riparian Restoration Area.* Exhibit E

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

EASEMENT
AUG 9 2016

Amount Paid \$
Skagit Co. Treasurer
By: HB Deputy

AGREEMENT

NOW, THEREFORE, the Parties hereby agree that the Grant Deed of Conservation Easement dated December 10, 2014 and recorded under Skagit County Auditor's File Number 201412100075 in records of Skagit County, Washington is hereby amended to include the legal descriptions the three (3) Specified-Use Areas as follows:

1. *Building Area.* Legal description is attached hereto as Exhibit C and incorporated herein by this reference.
2. *Agricultural Area.* Legal description is attached hereto as Exhibit D and incorporated herein by this reference.
3. *Riparian Restoration Area.* Legal description is attached hereto as Exhibit E and incorporated herein by this reference.

All other terms and conditions of the Easement shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned Grantor has executed this instrument this 4th day of Aug, 2016.

Kenneth C. Perrigoue
Kenneth C. Perrigoue

Velma Perrigoue
Velma Perrigoue

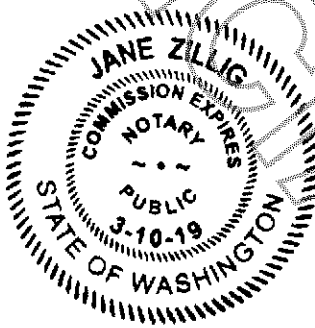
STATE OF WASHINGTON

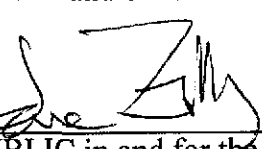
COUNTY OF SKAGIT

)
) ss.
)

On this 4 day of August, 2016, before me, a Notary Public in and for the State of Washington, personally appeared Kenneth C. Perrigoue and Velma Perrigoue, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons who executed this instrument and acknowledged it to be their free and voluntary acts and deeds for the uses and purposes mentioned in the instrument.

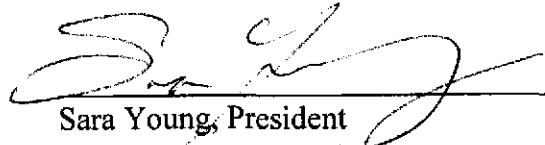
IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.




NOTARY PUBLIC in and for the State of
Washington, residing at Scrub Woolley WA
My appointment expires 3-10-19
Print Name JANE ZILLIG

THE SKAGIT LAND TRUST does hereby accept the above Amendment to Grant Deed of Conservation Easement.

Grantee: Skagit Land Trust


Sara Young, President

Dated: 5/24/16

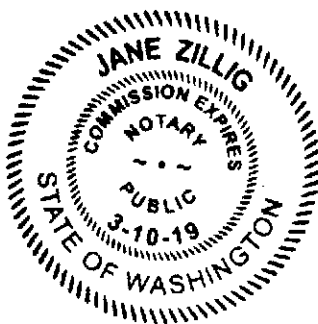
STATE OF WASHINGTON

COUNTY OF SKAGIT

ss.

On this 24 day of May 2016, before me, a Notary Public in and for the State of Washington, personally appeared Sara Young, President, the Skagit Land Trust, a Washington nonprofit corporation, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed this instrument on behalf of the corporation and acknowledged it to be the free and voluntary act and deed of the corporation for the uses and purposes mentioned in the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.



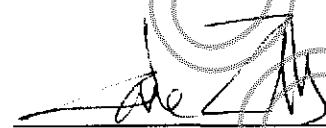

NOTARY PUBLIC in and for the State of
Washington, residing at 5600 W. Valley, WA
My appointment expires 3-10-19
Print Name JANE ZILLIG

Exhibit "C"
Legal Description of Building Area

That portion of the Southwest 1/4 of the Southeast 1/4 of Section 28, Township 35 North, Range 10 East, W.M., lying Southerly of the following described line:

Commencing at the Southwest corner of said Southwest 1/4 of the Southeast 1/4 of Section 28 (South 1/4 corner);
thence South $89^{\circ}21'20''$ East along the South line of said subdivision for a distance of 1,341.50 feet, more or less, to the Southeast corner thereof;
thence North $1^{\circ}39'48''$ East along the East line of said subdivision for a distance of 381.18 feet to the TRUE POINT OF BEGINNING of said line;
thence North $82^{\circ}59'18''$ West for a distance of 684.71 feet;
thence North $77^{\circ}59'55''$ West for a distance of 669.67 feet, more or less, to the West line of said Southwest 1/4 of the Southeast 1/4 of Section 28, at a point bearing North $1^{\circ}44'16''$ East a distance of 589.03 feet, from said Southwest corner of said subdivision, said point being the terminus of said line.

EXCEPT road right of way for Martin Ranch Road, if any.

SUBJECT TO and TOGETHER WITH easements, reservations, restrictions, covenants, liens, leases, court causes and other instruments of record

Situate in the County of Skagit, State of Washington.

Containing 14.48 acres

Exhibit "D"
Legal Description of Agricultural Area

Parcel "A"

The Southeast 1/4 of the Southwest 1/4 of Section 28, Township 35 North, Range 10 East, W.M.

EXCEPT the West 60 feet thereof.

ALSO EXCEPT that portion conveyed to Skagit County by deed recorded February 24, 1940, under Auditor's File No. 322219.

Parcel "B"

The South 150 feet of Government Lot 7 and all of the Southwest 1/4 of the Southeast 1/4 of Section 28, Township 35 North, Range 10 East, W.M.

EXCEPT that portion of said Southwest 1/4 of the Southeast 1/4 of Section 28, Township 35 North, Range 10 East, W.M., lying Southerly of the following described line:

Commencing at the Southwest corner of said Southwest 1/4 of the Southeast 1/4 of Section 28 (South 1/4 corner);
thence South 89°21'20" East along the South line of said subdivision for a distance of 1,341.50 feet, more or less, to the Southeast corner thereof;
thence North 1°39'48" East along the East line of said subdivision for a distance of 381.18 feet to the TRUE POINT OF BEGINNING of said line;
thence North 82°59'18" West for a distance of 684.71 feet;
thence North 77°59'55" West for a distance of 669.67 feet, more or less, to the West line of said Southwest 1/4 of the Southeast 1/4 of Section 28, at a point bearing North 1°44'16" East a distance of 589.03 feet, from said Southwest corner of said subdivision, said point being the terminus of said line.

AND ALSO EXCEPT road right of way for Martin Ranch Road, if any.

Parcel "C"

That portion of the Northeast 1/4 of the Southwest 1/4 of Section 28, Township 35 North, Range 10 East, W.M., described as follows:

BEGINNING at a point on the South line of said Northeast 1/4 of the Southwest 1/4 that is South 89°28'53" East 60.0 feet from the Southwest corner thereof;
thence North 0°23'02" East 234.31 feet;
thence North 89°28'53" West 60.0 feet to the West line of said Northeast 1/4 of the Southwest 1/4;

thence North 0°23'02" East along the West line thereof, a distance of 742.70 feet to the South line of a tract conveyed to Scott Paper Company by deed recorded February 1, 1973, under Auditor's File No. 780135;
thence South 59°03'01" East along said South line 1,557.86 feet to the East line of said subdivision;
thence South 0°50'53" West, along said East line, a distance of 187.95 feet, more or less, to the Southeast corner thereof;
thence North 89°28'53" West, along the South line of said subdivision, a distance of 1,269.91 feet to the POINT OF BEGINNING.

EXCEPT from the above described Parcels A, B and C, those portions thereof lying Northerly of the following described line.

Commencing at the Southwest corner of the Southwest 1/4 of the Southeast 1/4 (South 1/4 corner) of Section 28, Township 35 North, Range 10 East, W.M.;
thence South 89°21'20" East along the South line of said subdivision for a distance of 1,341.50 feet, more or less, to the Southeast corner thereof;
thence North 1°39'48" East along the East line of said subdivision for a distance of 1,235.19 feet to the TRUE POINT OF BEGINNING of said line;
thence North 89°12'13" West for a distance of 384.82 feet;
thence North 85°45'41" West for a distance of 285.79 feet;
thence North 81°37'59" West for a distance of 89.82 feet;
thence North 80°30'44" West for a distance of 94.83 feet;
thence North 79°29'36" West for a distance of 376.31 feet;
thence North 68°42'15" West for a distance of 342.66 feet;
thence North 65°03'48" West for a distance of 357.09 feet;
thence North 79°42'24" West for a distance of 257.49 feet;
thence North 82°11'58" West for a distance of 227.85 feet;
thence North 85°31'02" West for a distance of 324.87 feet, more or less, to the West line of the Northeast 1/4 of the Southwest 1/4 of said Section 28, Township 35 North, Range 10 East, W.M., at a point bearing North 1°17'02" East for a distance of 346.49 feet from the Southwest corner of said subdivision, said point being the terminus of said line.

ALL OF THE ABOVE BEING SUBJECT TO and TOGETHER WITH easements, reservations, restrictions, covenants, liens, leases, court causes and other instruments of record

All of the above situate in the County of Skagit, State of Washington.

Exhibit "E"
Legal Description of Riparian Area

That portion of the below described Parcels B and C in a portion of Section 28, Township 35 North, Range 10 East, W.M., lying Northerly of the following described line:

Commencing at the Southwest corner of the Southwest 1/4 of the Southeast 1/4 (South 1/4 corner) of Section 28, Township 35 North, Range 10 East, W.M.;
thence South 89°21'20" East along the South line of said subdivision for a distance of 1,341.50 feet, more or less, to the Southeast corner thereof;
thence North 1°39'48" East along the East line of said subdivision for a distance of 1,235.19 feet to the TRUE POINT OF BEGINNING of said line;
thence North 89°12'13" West for a distance of 384.82 feet;
thence North 85°45'41" West for a distance of 285.79 feet;
thence North 81°37'59" West for a distance of 89.82 feet;
thence North 80°30'44" West for a distance of 94.83 feet;
thence North 79°29'36" West for a distance of 376.31 feet;
thence North 68°42'15" West for a distance of 342.66 feet;
thence North 65°03'48" West for a distance of 357.09 feet;
thence North 79°42'24" West for a distance of 257.49 feet;
thence North 82°11'58" West for a distance of 227.85 feet;
thence North 85°31'02" West for a distance of 324.87 feet, more or less, to the West line of the Northeast 1/4 of the Southwest 1/4 of said Section 28, Township 35 North, Range 10 East, W.M., at a point bearing North 1°17'02" East for a distance of 346.49 feet from the Southwest corner of said subdivision, said point being the terminus of said line.

Parcel "B"

The South 150 feet of Government Lot 7 and all of the Southwest 1/4 of the Southeast 1/4 of Section 28, Township 35 North, Range 10 East, W.M.

Parcel "C"

That portion of the Northeast 1/4 of the Southwest 1/4 of Section 28, Township 35 North, Range 10 East, W.M., described as follows:

BEGINNING at a point on the South line of said Northeast 1/4 of the Southwest 1/4 that is South 89°28'53" East 60.0 feet from the Southwest corner thereof;
thence North 0°23'02" East 234.31 feet;
thence North 89°28'53" West 60.0 feet to the West line of said Northeast 1/4 of the Southwest 1/4;
thence North 0°23'02" East along the West line thereof, a distance of 742.70 feet to the South line of a tract conveyed to Scott Paper Company by deed recorded February 1, 1973, under Auditor's File No. 780135;

thence South 59°03'01" East along said South line 1,557.86 feet to the East line of said subdivision;

thence South 0°50'53" West, along said East line, a distance of 187.95 feet, more or less, to the Southeast corner thereof;

thence North 89°28'53" West, along the South line of said subdivision, a distance of 1,269.91 feet to the POINT OF BEGINNING.

ALL OF THE ABOVE BEING SUBJECT TO and TOGETHER WITH easements, reservations, restrictions, covenants, liens, leases, court causes and other instruments of record

All situate in the County of Skagit, State of Washington.