



201802230109

Skagit County Auditor

\$82.00

2/23/2018 Page

1 of

9 3:40PM

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

Mike Beers
PACCAR, Inc
PO Box 1518
Bellevue, WA 98009-1518

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

2018708
FEB 23 2018

Amount Paid \$82
Skagit Co. Treasurer
By *nm* Deputy

(Space above this line is for Recorder's use)
GUARDIAN NORTHWEST TITLE CO.

STATUTORY WARRANTY DEED

114914

The information contained in this boxed section is for recording purposes only pursuant to RCW 356.18 and 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.

Grantor: PORT OF SKAGIT COUNTY, a Washington public port district

Grantee: PACCAR Inc, a Delaware corporation

Reference Number(s) of Documents Assigned or Released: N/A

Abbreviated Legal Description: Div. 7 & Div. 5, Skagit Regional Airport BSP

Complete or Additional Legal Description: Exhibit No. 1

Assessor's Parcel Number(s): P126298; P126297; P126290; P126289; P126295; P126292; P126291;
P126293; P126531; P126296; P126303; P126300; P126302; P126301;
P126532; P126299; P126304; P126294; P118865; P118866

FOR TEN DOLLARS (\$10.00) AND OTHER VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, PORT OF SKAGIT COUNTY, a Washington public port district, hereby conveys and warrants to PACCAR Inc, a Delaware corporation, the real property located in the County of Skagit, State of Washington, more particularly described in **Exhibit No. 1**, attached hereto (the "Property"); and

TERMINATING HEREBY, that portion of the "PEDESTRIAN CIRCULATION TRAIL" lying west of the east border of the Property as depicted: (a) on page 2, "MASTER PLAN, SKAGIT REGIONAL AIRPORT BINDING SITE PLAN," recorded under Skagit County Auditor's File No. 200201220162; and (b) on "SKAGIT REGIONAL AIRPORT BINDING SITE PLAN, PHASE 2, DIV. 5," also known as PL04-0672, recorded under Skagit County Auditor's file No. 200705300029; and

RESERVING UNTO GRANTOR, ITS SUCCESSORS AND ITS ASSIGNS A NON-EXCLUSIVE EASEMENT for utilities and for telecommunications infrastructure (collectively, "Utilities") over, under and through the southern FIFTEEN (15) feet of the Property and the east FIFTEEN (15) feet of the western THIRTY (30) feet of the Property. Said easement shall be appurtenant to and run with the adjoining Property of Grantor. Grantor and its assigns may utilize the easement for all manner of Utilities both above and below ground. Grantor shall be responsible

for the installation and maintenance of any Utilities placed in the Easement and shall promptly repair any damage to the property of grantee caused by Grantor's or an assign's placement or repair to the Utilities. Grantee shall not unreasonably interfere with any permitted use of the Easement by Grantor and its assigns and Grantor and its assigns shall not interfere with Grantee's use of the Property outside the Easement area; and

AND ALSO SUBJECT TO: Covenants, restrictions, easements of record and the permitted exceptions set forth in **Exhibit No. 2** attached hereto.

The Grantee by accepting this conveyance expressly agrees as follows:

1. This is hereby reserved to the Port of Skagit County, its successors and assigns, for the use and benefit of the public, a right of flight for the passage of aircraft in the airspace above the surface of the premises herein conveyed. This public right of flight shall include the right to cause in said airspace any noise inherent in the operation of any aircraft used for navigation or flight through the said airspace or landing at, taking off from, or operation on the Skagit Regional Airport;

2. The erection of any structure (buildings, poles, or other man-made objects) or growth of natural objects that would constitute an obstruction to air navigation, as determined by 14 CFR Part 77 (or subsequent regulations), are prohibited. Height of objects shall not exceed 50 feet or the height of the 14 CFR Part 77 surface on any given industrial development lot. The Grantee (or its transferees, successors, or assigns) will maintain natural objects below these heights, and will mark or light objects as necessary and as directed by the Port of Skagit County. The Port of Skagit County reserves unto itself, the right to enter the property to cut, or lower any object, natural or otherwise, of a height in excess of 14 CFR Part 77 surfaces relating to the airport;

3. A notice consistent with the requirements of 14 CFR Part 77 (FAA Form 7460-1) must be filed prior to constructing any facility, structure, or other item on the property;

4. Uses of the property that create interference between aircraft and communication facilities serving the airport are prohibited. Uses of the property which make it difficult for pilots to distinguish between airport lights and others, impair visibility in the vicinity of the airport, or endanger the landing, take off, or maneuvering of aircraft are prohibited. The Grantee (or its transferees, successors, or assigns) will remove any such uses immediately as directed by the Port of Skagit County;

5. The property will not be used to create a potential for attracting birds or other wildlife that may pose a hazard in accordance with current FAA guidance. The Grantee (or its transferees, successors, or assigns) will remove any identified attractants immediately as directed by the Port of Skagit County.

EXHIBIT 1

Legal Description

Parcel "A":

All of "SKAGIT REGIONAL AIRPORT BINDING SITE PLAN, PHASE 2, DIV. 5," also known as PL 04-0672 recorded May 30, 2007, as Auditor's File No. 200705300029, as altered by "Skagit Regional Airport Binding Site Plan, Phase 2, Div. 5 Alteration" also labeled "PL 17-0639 and recorded as Auditor's File No. 201802150081;

EXCEPT any portion thereof lying within the county road known as the Ovenell Road along the South line thereof;

TOGETHER WITH the following described portion of intended Divisions 4 and 6 of the Master Plan Skagit Regional Airport Binding Site Plan, Phase II as per Map recorded as Auditor's File No. 200101220162, as altered by "Skagit Regional Airport Binding Site Plan, Phase 2, Div. 5 Alteration" also labeled "PL 17-0639 and recorded as Auditor's File No. 201802150081;

EXCEPT any portion thereof lying within the county road known as the Ovenell Road along the South line thereof;

BEGINNING AT THE SOUTHEAST CORNER OF TRACT H OF SKAGIT REGIONAL AIRPORT BINDING SITE PLAN, PHASE 2, DIV. 5 ACCORDING TO THE MAP THEREOF RECORDED UNDER AUDITOR'S FILE NUMBER 200705300029, RECORDS OF SKAGIT COUNTY, WASHINGTON;

THENCE NORTH 5°59'53" WEST ALONG EAST LINE OF SAID TRACT H FOR A DISTANCE OF 88.28 FEET;

THENCE NORTH 74°10'23" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 65.20 FEET;

THENCE NORTH 54°47'19" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 40.51 FEET;

THENCE NORTH 43°56'31" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 107.94 FEET;

THENCE NORTH 24°02'32" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 67.54 FEET;

THENCE NORTH 15°50'42" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 56.15 FEET;

THENCE NORTH 9°44'09" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 76.37 FEET;

THENCE NORTH 31°28'44" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 65.38 FEET;

THENCE NORTH 84°43'02" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 22.75 FEET;

THENCE NORTH 75°36'23" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 28.06 FEET;

THENCE NORTH 60°25'24" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 23.41 FEET;

THENCE NORTH 54°59'11" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 26.15 FEET;

THENCE NORTH 44°58'25" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 26.14 FEET;

THENCE NORTH 35°00'16" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 26.14 FEET;

THENCE NORTH 24°49'36" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 27.00 FEET;

THENCE NORTH 19°39'57" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 88.96 FEET;

THENCE SOUTH 1°56'33" WEST FOR A DISTANCE OF 93.51 FEET;
THENCE SOUTH 2°23'50" WEST FOR A DISTANCE OF 199.41 FEET;
THENCE SOUTH 1°00'30" WEST FOR A DISTANCE OF 348.90 FEET TO THE NORTH MARGIN
OF OVENELL ROAD;
THENCE NORTH 89°20'53" WEST ALONG SAID NORTH MARGIN FOR A DISTANCE OF 350.00
FEET;
THENCE NORTH 89°08'13" WEST ALONG SAID NORTH MARGIN FOR A DISTANCE OF 24.30
FEET TO THE TRUE POINT OF BEGINNING.

EXCEPT THAT PORTION OF TRACT H OF SKAGIT REGIONAL AIRPORT BINDING SITE
PLAN, PHASE 2, DIV. 5 ACCORDING TO THE MAP THEREOF RECORDED UNDER AUDITOR'S
FILE NUMBER 200705300029, RECORDS OF SKAGIT COUNTY, WASHINGTON, MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID TRACT H;
THENCE NORTH 88°37'42" WEST ALONG THE NORTH LINE OF SAID TRACT H FOR A
DISTANCE OF 183.50 FEET;
THENCE SOUTH 28°57'38" WEST FOR A DISTANCE OF 713.59 FEET;
THENCE SOUTH 26°38'53" EAST FOR A DISTANCE OF 241.85 FEET;
THENCE SOUTH 58°00'29" EAST FOR A DISTANCE OF 118.07 FEET;
THENCE SOUTH 28°23'06" EAST FOR A DISTANCE OF 118.30 FEET;
THENCE SOUTH 1°56'33" WEST FOR A DISTANCE OF 210.26 FEET TO A POINT ON THE EAST
LINE OF SAID TRACT H;
THENCE NORTH 19°39'57" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 275.04 FEET
TO A POINT ON AN ARC OF A TANGENTIAL CURVE TO THE LEFT HAVING A RADIUS OF
149.49 FEET;
THENCE NORTHERLY ALONG SAID EAST LINE AND ALONG THE ARC OF SAID CURVE
THROUGH A CENTRAL ANGLE OF 77°36'55" FOR A DISTANCE OF 202.51 FEET;
THENCE NORTH 27°51'11" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 294.37 FEET;
THENCE SOUTH 56°58'12" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 45.87 FEET;
THENCE NORTH 57°29'53" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 69.16 FEET;
THENCE NORTH 0°39'38" EAST FOR A DISTANCE OF 504.49 FEET TO THE TRUE POINT OF
BEGINNING.

Parcel "B":

All of "SKAGIT REGIONAL AIRPORT BINDING SITE PLAN, PHASE 2, DIV. 7," also known as PL
04-0673 recorded May 30, 2007, as Auditor's File No. 200705300031.

EXCEPT the county roads known as the Farm To Market Road along the West line thereof and the
Ovenell Road along the South line thereof.

Situate in Skagit County, Washington

EXHIBIT 2
Permitted Exceptions

EXCEPTIONS:

- *
A. Omitted.
- B. Terms and conditions of that certain Distribution Line Sale Agreement between Skagit County and Puget Sound Power & Light Company recorded June 8, 1959, under Auditor's File No. 581437.
*
- C. Omitted
- D. Terms and conditions of that certain "Developers Extension Agreement" between Paccar Inc., a Delaware Corporation and the Port of Skagit County, a municipal corporation, recorded December 21, 1979, under Auditor's File No. 7912210070. Reference is hereby made to the record for full particulars.
- E. Terms and conditions of that certain "Developers Extension Agreement" between Paccar Inc. and Public Utility District No. 1 of Skagit County recorded December 21, 1979, under Auditor's File No. 7912210074. Reference is hereby made to the record for full particulars.

F. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee:	Cascade Natural Gas Corporation, a Washington Corporation
Dated:	May 18, 1987
Recorded:	May 28, 1987
Auditor's No:	8705280042
Purpose:	Gas pipeline
Area Affected:	As described therein

G. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee:	Paccar Inc., a Delaware Corporation
Dated:	Not disclosed
Recorded:	December 21, 1979
Auditor's No:	7912210064
Purpose:	For the right to cause above, over and upon the adjacent lands of Skagit Regional Airport all noise, vibration, fumes, dust and all other effects caused by activities incidental to operation of a vehicle and machinery research and development center, or by other industrial activities
Area Affected:	As described therein

H. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Paccar, Inc., a Delaware corporation, its successors and assigns
Dated: December 21, 1979
Recorded: December 21, 1979
Auditor's No.: 7912210069
Purpose: Pipe or pipes and line or lines for the transportation of natural gas and related facilities therefor
Area Affected: The East 10 feet of the West 30 feet of the Southwest ¼ of Section 4, Township 34 North, Range 3, East of the Willamette Meridian less the North 746.59 feet thereof and less any County Road right of way

Said easement was assigned to Cascade Natural Gas Corporation by document recorded under Auditor's File No. 7912210071. (Affects: Division 7)

I. EASEMENTS AND PROVISIONS THEREIN:

Grantee: Puget Sound Power & Light Company
Dated: September 8, 1981
Recorded: September 18, 1981
Auditor's No.: 8109180001
Purpose: Right to construct, operate, maintain, repair, replace and enlarge one or more electric transmission and/or distribution lines over and/or under the right of way;
Location: The West 10 feet of the West ½ of the West ½ of the Southwest ¼, less road and includes other property
Affects: Division 7

J. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Cascade Natural Gas Corporation, its successors and assigns
Dated: November 24, 1981
Recorded: March 30, 1982
Auditor's No.: 8203300045
Purpose: Construct, maintain, inspect, operate, protect, repair, replace, alter and remove a pipeline or pipelines for the transportation of oil, gas, and the products thereof on, over and through
Area Affected: The East 10 feet of the West 30 feet, of the Southwest ¼ of Section 4, Township 34 North, Range 3 East, W.M., less the North 746.59 feet thereof and less any County road right-of-way

Said Instrument is a re-recording of instrument recorded under Auditor's File No. 8112030042.

(Affects: Division 7)

K. MATTERS AS DISCLOSED AND/OR DELINEATED ON THE FACE OF THE FOLLOWING BINDING SITE PLAN:

Binding Site Plan: Master Plan Skagit Regional Airport Binding Site Plan, Phase 2
Recorded: January 22, 2002
Auditor's File No.: 200201220162

L. ANY AND ALL OFFERS OF DEDICATIONS, CONDITIONS, RESTRICTIONS, EASEMENTS, FENCE LINE/BOUNDARY DISCREPANCIES, NOTES, PROVISIONS AND/OR ANY OTHER MATTERS AS DISCLOSED AND/OR DELINEATED ON THE FACE OF THE FOLLOWING PLAT/SHORT PLAT/SURVEY:

Name: BSP Phase 2, Div. 7
Recorded: May 30, 2007
Auditor's No.: 200705300031

M. AGREEMENT, AND THE TERMS AND PROVISIONS THEREOF:

Between: Port of Skagit County
And: City of Burlington
Recorded: September 30, 2002
Auditor's No.: 200209300008
Regarding: easement and agreement for sewer lines, facilities as set forth therein

Said Agreement was amended by documents recorded as Auditor's File Nos. 200502230063 and 201101030205.

N. LOT CERTIFICATION, INCLUDING THE TERMS AND CONDITIONS THEREOF. REFERENCE TO THE RECORD BEING MADE FOR FULL PARTICULARS. THE COMPANY MAKES NO DETERMINATION AS TO ITS AFFECTS.

Recorded: May 30, 2007
Auditor's No.: 200705300032
Affects: Division 7

O. LOT CERTIFICATION, INCLUDING THE TERMS AND CONDITIONS THEREOF. REFERENCE TO THE RECORD BEING MADE FOR FULL PARTICULARS. THE COMPANY MAKES NO DETERMINATION AS TO ITS AFFECTS.

Recorded: May 30, 2007
Auditor's No.: 200705300030
Affects: Division 5

P. AGREEMENT, AND THE TERMS AND PROVISIONS THEREOF:

Between: Port of Skagit County
And: Olympic Pipeline Company
Dated: August 21, 1998
Recorded: August 25, 1998
Auditor's No.: 9808250133
Regarding: Wetlands Mitigation
Affects: Division 5

Q. EASEMENT AND PROVISIONS THEREIN:

Grantee: Puget Sound Power & Light Company
Dated: May 15, 1990
Recorded: June 8, 1990
Auditor's No.: 9006080049
Purpose: Right to construct, operate, maintain, repair, replace and
enlarge one or more electric transmission and/or distribution
lines over and/or under the right of way;

Location:

A right-of-way 10 feet in width, having 5 feet of such width on each side of a centerline described as follows:

Beginning at a point on the South line of the above described Parcel "B" that is 36 feet West of the Southeast corner thereof; thence North 40 feet to its terminus.

Affects: Division 5

R. ANY AND ALL OFFERS OF DEDICATIONS, CONDITIONS, RESTRICTIONS, EASEMENTS, FENCE LINE/BOUNDARY DISCREPANCIES, NOTES, PROVISIONS AND/OR ANY OTHER MATTERS AS DISCLOSED AND/OR DELINEATED ON THE FACE OF THE FOLLOWING PLAT/SHORT PLAT/SURVEY:

Name: BSP Phase 2, Div. 5
Recorded: May 30, 2007
Auditor's No.: 200705300029