



201812070056

12/07/2018 02:27 PM Pages: 1 of 7 Fees: \$105.00
Skagit County Auditor

Upon recording return to:
Skagit Land Trust
1020 South Third St.
Mount Vernon, WA 98273

Document Title:	Notice of Federal Participation
Grantor:	United States Fish and Wildlife Service
Grant Recipient:	Washington State Department of Ecology
Subgrantee:	Skagit Land Trust
Abbreviated Legal Description:	W 400FT Lots 3 and 4, S11, T35N, R1E, W.M. Survey AF#201803290078; 2 nd Class TDLNDS in FR of Lot 1 W
Assessor's Parcel and I.D. Nos:	P31249 / 350111-0-004-0001 P31257 / 350111-0-006-0009 P31542 / 350114-0-002-0000

NOTICE OF FEDERAL PARTICIPATION

Guemes Island Coastal Protection Project
Kelly's Point Acquisition

Skagit Land Trust (hereinafter "Land Trust"), located at 1020 South Third Street, Mount Vernon, WA 98273, its successors and assigns is the fee simple owner of the Kelly's Point property (hereinafter "the Property") located in Skagit County, State of Washington, legally described in Exhibit A, attached hereto. The Property consists of approximately 26 acres including 3,100 feet of marine shoreline.

The Land Trust purchased the property with funds provided by the State of Washington, acting by and through its Department of Ecology (hereinafter "the State"). The Land Trust acknowledges that the property was acquired, in part, using funds received from the National Coastal Wetland Conservation Grant Program (CFDA # 15.614) established under the Coastal Wetlands Planning, Protection and Restoration Act (16 U.S.C. 3951-3956). The program is administered by the U.S. Fish and Wildlife Service, Division of Wildlife and Sport Fish Restoration, its successors and assigns (hereinafter the "Service"). The Service granted the funds to the State, as the Grant Recipient, under grant number F18AP00146, with an effective date of January 1, 2018 (the "Coastal Wetlands Grant"), for the Land Trust's use, as the Subgrantee, in the Guemes Island Coastal Protection Project ("Project"), which includes but is not limited to the property purchase. The State and Land Trust hereby confirm their obligations and responsibilities with regards to the Property pursuant to the terms and conditions associated with the Grant and the State Agreement No. SEANCWCP-2018-SkagLT-00014.

The State and the Land Trust acknowledge that the Property is subject to all the terms and conditions of the Coastal Wetlands Grant Agreement. The Service intends that this Notice of Federal Participation ("NOFP") will touch and concern the Property and run with the Property in perpetuity. A copy of the Coastal Wetlands Grant record is kept on file at the office of the Service, 911 NE 11th Avenue, Portland, OR 97232 and at the office of the State, 300 Desmond Drive SE, Lacey, WA 98504.

The Land Trust purchased the Property for the Service-approved purpose of protecting the marine shoreline, regionally important feeder bluffs and coastal forest on Guemes Island for conservation purposes. The Property was acquired for \$1,607,300 using funds from the Coastal Wetlands Grant (\$980,000 or 61% of the purchase price) and non-federal match (\$627,300 or 39% of the purchase price).

This Project protects a portion of the best remaining wetland and riparian habitat on Guemes Island in a priority conservation corridor that provides crucial migration and wintering habitat and water quality benefits for shorebirds, water birds, threatened and endangered salmonids, a unique assemblage of raptors, and a variety of migratory songbirds. The property also protects coastal forest and naturally eroding feeder bluffs that are critical to supporting Guemes Island marine shoreline ecosystem processes, providing sediment to two local drift cells and nearby beaches and large woody debris and nutrients onto the beach and into the nearshore. The State, as Grant Recipient, and the Land Trust, as Subgrantee, further acknowledge that the Property was acquired for this purpose, and agrees to monitor and enforce the Property in perpetuity for the conservation of said lands and waters, including the Property's natural processes and wildlife habitat values.

The State and the Land Trust hereby agree to manage their interest in the Property in perpetuity, and passing to any successors, pursuant to the terms of the Grant, including the obligation to ensure the permanent conservation of the Property. Neither the State nor the Land Trust shall dispose of or encumber, or convey any interest in the Property without the prior approval of the U.S. Fish and Wildlife Service. In the event the Property is no longer necessary for the purposes of the Grant, the State will request disposition instructions from the Service, which will be provided in accordance with 2 CFR§200.311(c). There must be no discrimination during the useful life of the project (43 CFR 17.204(c) (2)).

Subgrantee:
Skagit Land Trust

IN WITNESS WHEREOF, Skagit Land Trust has set its hand and seal this 6th day of December, 2018.

Anne Winkes, president
Anne Winkes, President, Skagit Land Trust Board of Directors

12/6/18
Date

State of Washington)
) ss.
County of Skagit)

On this 6 day of December, 2018, before me personally appeared Anne Winkes, personally known to me, who, being by me duly sworn, did say personally and under her authority as Board President that this is her free act and deed and the free act and deed of Skagit Land Trust.



[Signature]
Notary Public
My Commission Expires: 3-10-19

Exhibit ALegal Description of Protected Property

Skagit County Assessor's Parcels Numbers 31249, 31257, 31542

TRACT "A"

PARCEL "A"

THAT PORTION OF GOVERNMENT LOT 3, SECTION 11, TOWNSHIP 35 NORTH, RANGE 1 EAST, W.M., LYING WESTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE SOUTHEAST CORNER OF GOVERNMENT LOT 4 (SOUTH 1/4 CORNER) OF SAID SECTION 11, TOWNSHIP 35 NORTH, RANGE 1 EAST, W.M., AS SHOWN ON THE FACE OF SKAGIT COUNTY SHORT PLAT NO. 26-89, APPROVED OCTOBER 16, 1989 AND RECORDED DECEMBER 11, 1989 UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 8912110014;
THENCE NORTH 0°06'15" WEST ALONG THE EAST LINE OF SAID GOVERNMENT LOT 4 FOR A DISTANCE OF 1,321.84 FEET, MORE OR LESS, TO THE NORTHEAST CORNER THEREOF;
THENCE NORTH 88°53'03" WEST ALONG THE NORTH LINE OF SAID GOVERNMENT LOT 4, ALSO BEING THE SOUTH LINE OF GOVERNMENT LOT 3 OF SAID SECTION 11, FOR A DISTANCE OF 880.68 FEET TO THE NORTHWEST CORNER OF LOT C OF SAID SHORT PLAT NO. 26-89 AND BEING THE TRUE POINT OF BEGINNING OF SAID LINE DESCRIPTION.
THENCE NORTH 43°37'05" WEST FOR A DISTANCE OF 68.33 FEET;
THENCE NORTH 14°40'54" WEST FOR A DISTANCE OF 629.80 FEET;
THENCE NORTH 8°11'51" WEST FOR A DISTANCE OF 681.24 FEET, MORE OR LESS, TO THE NORTH LINE OF SAID GOVERNMENT LOT 3, AT A POINT BEARING NORTH 88°37'43" WEST A DISTANCE OF 1,182.34 FEET FROM THE NORTHEAST CORNER THEREOF, AS SAID NORTHEAST CORNER IS SHOWN ON SHORT PLAT NO. 10-78, APPROVED MARCH 2, 1978 AND RECORDED MARCH 3, 1978 UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 874744 AND BEING THE TERMINUS OF SAID LINE.

EXCEPT THAT PORTION OF SAID GOVERNMENT LOT 3, SECTION 11, TOWNSHIP 35 NORTH, RANGE 1 EAST, W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF GOVERNMENT LOT 4 (SOUTH 1/4 CORNER) OF SAID SECTION 11, TOWNSHIP 35 NORTH, RANGE 1 EAST, W.M., AS SHOWN ON THE FACE OF SKAGIT COUNTY SHORT PLAT NO. 26-89, APPROVED OCTOBER 16, 1989 AND RECORDED DECEMBER 11, 1989 UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 8912110014;
THENCE NORTH 0°06'15" WEST ALONG THE EAST LINE OF SAID GOVERNMENT LOT 4 FOR A DISTANCE OF 1,321.84 FEET, MORE OR LESS, TO THE NORTHEAST CORNER THEREOF;
THENCE NORTH 88°53'03" WEST ALONG THE NORTH LINE OF SAID GOVERNMENT LOT 4, ALSO BEING THE SOUTH LINE OF GOVERNMENT LOT 3 OF SAID SECTION 11, FOR A DISTANCE OF 880.68 FEET TO THE NORTHWEST CORNER OF LOT C OF SAID SHORT PLAT NO. 26-89;
THENCE NORTH 43°37'05" WEST FOR A DISTANCE OF 68.33 FEET;
THENCE NORTH 14°40'54" WEST FOR A DISTANCE OF 629.80 FEET;
THENCE NORTH 8°11'51" WEST FOR A DISTANCE OF 681.24 FEET, MORE OR LESS, TO THE NORTH LINE OF SAID GOVERNMENT LOT 3, AT A POINT BEARING NORTH 88°37'43" WEST A DISTANCE OF 1,182.34 FEET FROM THE NORTHEAST CORNER THEREOF, AS SAID NORTHEAST CORNER IS SHOWN ON SHORT

PLAT NO. 10-78, APPROVED MARCH 2, 1978 AND RECORDED MARCH 3, 1978 UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 874744 AND BEING THE TRUE POINT OF BEGINNING;
THENCE SOUTH 8°11'51" EAST FOR A DISTANCE OF 15.21 FEET, TO THE SOUTH LINE OF THE NORTH 15.00 FEET (AS MEASURED PERPENDICULAR TO THE NORTH LINE) OF SAID GOVERNMENT LOT 3;
THENCE NORTH 88°37'43" WEST PARALLEL WITH SAID NORTH LINE OF SAID GOVERNMENT LOT 3, FOR A DISTANCE OF 337.64 FEET TO THE TOP OF A BANK;
THENCE NORTH 6°00'28" WEST FOR A DISTANCE OF 15.13 FEET, MORE OR LESS, TO SAID NORTH LINE OF GOVERNMENT LOT 3, AT A POINT BEARING NORTH 88°37'43" WEST FROM THE TRUE POINT OF BEGINNING;
THENCE SOUTH 88°37'43" EAST ALONG SAID NORTH LINE FOR A DISTANCE OF 337.05 FEET, TO THE TRUE POINT OF BEGINNING.

PARCEL "B"

THAT PORTION OF GOVERNMENT LOT 4 OF SECTION 11, TOWNSHIP 35 NORTH, RANGE 1 EAST, W.M., LYING WITHIN 400 FEET OF THE TIDELANDS FRONTING SAID PROPERTY, AS SAID 400 FEET WAS RESERVED IN DEED RECORDED SEPTEMBER 4, 1956 AS AUDITOR'S FILE NO. 541013;

EXCEPT THAT PORTION THEREOF LYING WITH THE WEST SHORE ROAD ALONG THE EAST LINE THEREOF.

ALSO EXCEPT THE SOUTH 20 FEET THEREOF CONVEYED TO SKAGIT COUNTY FOR ROAD PURPOSES BY DEED RECORDED JULY 1, 1912 AS AUDITOR'S FILE NO. 92003, IN VOLUME 90 OF DEEDS, PAGE 9.

AND ALSO EXCEPT TIDELANDS.

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 SITUATED IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON.

TRACT "B"

THAT PORTION OF GOVERNMENT LOT 4, SECTION 11, TOWNSHIP 35 NORTH, RANGE 1 EAST, W.M., LYING SOUTHWESTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 4 (SOUTH 1/4 CORNER) OF SAID SECTION 11, TOWNSHIP 35 NORTH, RANGE 1 EAST, W.M., AS SHOWN ON THE FACE OF SKAGIT COUNTY SHORT PLAT NO. 26-89, APPROVED OCTOBER 16, 1989 AND RECORDED DECEMBER 11, 1989 UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 8912110014;
THENCE NORTH 0°06'15" WEST ALONG THE EAST LINE OF SAID GOVERNMENT LOT 4 FOR A DISTANCE OF 325.20 FEET;
THENCE NORTH 59°55'42" WEST FOR A DISTANCE OF 23.14 FEET TO THE WESTERLY RIGHT-OF-WAY MARGIN OF WEST SHORE DRIVE AND BEING THE TRUE POINT OF BEGINNING OF SAID LINE;
THENCE CONTINUE NORTH 59°55'42" WEST FOR A DISTANCE OF 11.56 FEET, MORE OR LESS, TO THE SOUTHERLY MOST CORNER OF LOT "A", SAID SHORT PLAT NO. 26-89;
THENCE CONTINUE NORTH 59°55'42" WEST ALONG THE SOUTHWESTERLY LINE OF SAID LOT A FOR A DISTANCE OF 256.48 FEET TO AN ANGLE POINT IN SAID SOUTHWESTERLY LINE;

THENCE NORTH 48°04'22" WEST ALONG SAID SOUTHWESTERLY LINE FOR A DISTANCE OF 303.68 FEET TO AN ANGLE POINT IN SAID SOUTHWESTERLY LINE;
THENCE NORTH 43°15'58" WEST ALONG SAID SOUTHWESTERLY LINE FOR A DISTANCE OF 175.64 FEET, TO AN ANGLE POINT IN SAID SOUTHWESTERLY LINE;
THENCE NORTH 33°34'15" WEST ALONG SAID SOUTHWESTERLY LINE FOR A DISTANCE OF 40.00 FEET, MORE OR LESS, TO THE NORTHWESTERLY CORNER OF SAID LOT "A", ALSO BEING THE SOUTHWESTERLY CORNER OF LOT "C" OF SAID SHORT PLAT NO. 26-89;
THENCE CONTINUE NORTH 33°34'15" WEST ALONG THE SOUTHWESTERLY LINE OF SAID LOT "C" FOR A DISTANCE OF 374.30 FEET TO AN ANGLE POINT IN SAID SOUTHWESTERLY LINE;
THENCE NORTH 15°58'37" WEST ALONG SAID SOUTHWESTERLY LINE OF LOT "C" FOR A DISTANCE OF 199.58 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF SAID LOT "C", SHORT PLAT NO. 26-89, ALSO BEING A POINT ON THE NORTH LINE OF SAID GOVERNMENT LOT 4 AND THE TERMINUS OF SAID LINE.

EXCEPT TIDELANDS;

AND EXCEPT THAT PORTION THEREOF LYING WITHIN WEST SHORE DRIVE ALONG THE EAST LINE THEREOF.

AND ALSO EXCEPT THE SOUTH 20 FEET THEREOF CONVEYED TO SKAGIT COUNTY FOR ROAD PURPOSES BY DEED RECORDED JULY 1, 1912 AS AUDITOR'S FILE NO. 92003, IN VOLUME 90 OF DEEDS, PAGE 9.

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.

TRACT "C"

THE SECOND CLASS TIDELANDS FRONTING THE FOLLOWING DESCRIBED TRACT:

THAT PORTION OF GOVERNMENT LOT 1 OF SECTION 14, TOWNSHIP 35 NORTH, RANGE 1 EAST, W.M., LYING WEST OF THE NORTH/SOUTH CENTERLINE OF SECTION 11, TOWNSHIP 35 NORTH, RANGE 1 EAST, W.M., EXTENDED SOUTH THROUGH SECTION 14;

EXCEPT THE NORTH 20 FEET THEREOF CONVEYED TO SKAGIT COUNTY FOR ROAD PURPOSES BY DEED RECORDED JULY 1, 1912 AS AUDITOR'S FILE NO. 92003, IN VOLUME 90 OF DEEDS, PAGE 9.

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.

Kelly's Point Parcels

Guemes Island, Skagit County, WA

201812070056

12/07/2018 02:27 PM Page 7 of 7



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