



201812070058

12/07/2018 02:27 PM Pages: 1 of 5 Fees: \$103.00
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:	S 7, T 35N, R 2E; Ptn. Gov't Lot 5 and the NW NE
Assessor's Parcel and I.D. Nos:	P32763 / 350207-0-003-0007; P32784 / 350207-1-004-0004; P32786 / 350207-1-004-0202; P96273 / 350207-0-003-0304 P132832 / 350207-0-003-1007
Reference No. of Related Document:	Skagit County AF# 201604280037 (Conservation Easement)

NOTICE OF FEDERAL PARTICIPATION

Anderson Conservation Easement
Guemes Island Coastal Protection Project

The Washington State Department of Ecology, and its successors and assigns (hereinafter "State") and Skagit Land Trust and its successors and assigns (hereinafter "Land Trust") acknowledge that a Conservation Easement ("Easement") on the Anderson Property ("Property") in Skagit County, State of Washington, more particularly described in Exhibit A, which is attached hereto and made part hereof. Skagit Land Trust, located at 1020 South Third Street, Mount Vernon, WA 98273, holds the Easement interest on the Property. The Grant Deed of Conservation Easement is recorded with the Skagit County Auditor's Office, Mount Vernon, Washington under AF#201604280037.

The Land Trust acknowledges that the Easement fulfills part of the non-federal matching funds required for 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 Easement donation. The State and Land Trust hereby confirm their obligations and responsibilities with regards to the Easement 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 Easement 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 Easement and run with the Easement 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 purpose of the Easement is described in the Conservation Easement document and in the Grant Agreement. The State and the Land Trust acknowledge that the Easement fulfills the approved purpose of protecting declining coastal wetlands habitat in perpetuity for conservation purposes. The Easement protects 36 acres total with 15 acres of wetlands, a riparian corridor and 850 feet of marine shoreline. The Easement eliminates future development, agriculture and forestry activities in the Habitat Conservation Zone and restricts structures to one single-family residence with one accessory dwelling unit, as allowed by Skagit County code, in the Building Zone.

The Easement 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 State, as Grant Recipient, and the Land Trust, as Subgrantee, further acknowledge that the Easement will be administered for the conservation of said lands and waters, including the Property's natural processes and wildlife habitat values. The Easement was acquired by the Land Trust as a donation and without federal funds. The unencumbered property value of the 36 acres is \$720,000, and the approved fair market value of the Easement is \$180,000.

The State and the Land Trust hereby agree to manage their interest in the Conservation Easement 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 Easement without the prior approval of the U.S. Fish and Wildlife Service. In the event the Easement 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, Skagit Land Trust Board of Directors12/6/18
DateState 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.


Notary Public
My Commission Expires: 3-10-19

Exhibit ALegal Description of Protected Property

Skagit County Assessor's Parcels Numbers P32763, P96273, P32784, P32786, and P132832

Parcel A:

Government Lot 5, Section 7, Township 35 North, Range 2 East, W.M., EXCEPTING THEREFROM the Easterly 880 feet of said subdivision;

TOGETHER WITH all that portion of vacated South Shore Road No. 1900, vacated February 19, 1991 by instrument recorded under Auditor's File No. 9104080036, records of Skagit County, Washington, as would attach to said premises by operation of law;

EXCEPT that portion conveyed to Skagit County by deed recorded January 28, 1946, under Auditor's File No. 387693, and that portion lying within the unvacated portion of the right-of-way of Guemes Island Road No. XLVII, also known as South Shore Road;

TOGETHER WITH That portion of the West 440 feet of the East 880 feet of Government Lot 5, Section 7, Township 35 North, Range 2 East, W.M., lying Westerly of 'Cayou Creek',

Parcel B:

The Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, EXCEPTING THEREFROM the Easterly 880 feet of said subdivisions, ALL in Section 7, Township 35 North, Range 2 East W.M., Skagit County, Washington.

Parcel C:

The West 440 feet of the East 880 feet of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, ALL in Section 7, Township 35 North, Range 2 East, W.M..

Legal Description of Building Zone

Commencing at the north $\frac{1}{4}$ corner of Section 7, Township 35 North, Range 2 East, W.M. thence S01-03-29W, along with the north-south centerline, 1321.28' to the northwest corner of Govt. Lot 5, thence continuing S0-01-03-29W, 288.17' to a $\frac{1}{2}$ " rebar/plastic cap, L.S. 26303, which is the northwest corner of the building zone and the true point of beginning, thence S88-51-57E, 409.34' to a $\frac{1}{2}$ " rebar/plastic cap; thence S33-18-37E, 159.12 to a $\frac{1}{2}$ " rebar/plastic cap set on the east edge of an existing gravel driveway; thence continuing southeasterly along said east edge S35-41-20E, 96.42'; thence S24-00-58E, 47.61'; thence S06-44-36E, 64.25'; thence S18-44-18E, 114.93' to a point at the intersection of said east edge with the north line of the County road known as the South Shore Road; thence continuing S81-00-00W along said north line, 41.20'; thence S82-01-36W, 480.55' to a point on a curve; thence on a curve to the left having a length of 112.15' and a radius of 984.93' to the intersection of said north line with the north-south centerline of Section 7; thence N01-3-29E, 530.56' to the true point of beginning.

Anderson Conservation Easement

Guemes Island, Skagit County, WA

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