



202006110036

06/11/2020 10:37 AM Pages: 1 of 19 Fees: \$121.50
Skagit County Auditor

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

JUN 11 2020

Amount Paid \$
By *[Signature]* Skagit Co. Treasurer Deputy

GNW - WILD

After Recording Return to:
City of Mount Vernon
PO Box 809
Mount Vernon, WA 98273

Document Title: Access Easement

Date: April 20, 2020

Grantor: VWA – MOUNT VERNON, LLC, an Ohio limited liability company

Grantee: The City of Mount Vernon, Washington, a municipal corporation

SW 20-34-04

Assessor's Tax Parcel No(s): P134969 (Lot 1); P134970 (Lot 2); P134974 (Lot 6); P134975 (Lot 7)

1. **Grant of Easement.**

VWA – MOUNT VERNON, LLC, an Ohio limited liability company (“Grantor”) is the owner of that certain real property legally described on Exhibit “A” attached hereto, and incorporated herein (“Grantor’s Property”). In consideration of Ten and 00/100 Dollars (\$10.00), in hand paid, and other valuable consideration which is hereby acknowledged, Grantor, does hereby grant and convey to The City of Mount Vernon, Washington, a municipal corporation (“Grantee”), a non-exclusive, perpetual easement for the purpose of vehicular ingress, egress, and passage upon, over, across and through (together, the “Easement”) those certain portions of Grantor’s Property depicted on Exhibit “B”, attached hereto, and incorporated herein and legally described on Exhibit “C”, attached hereto, and incorporated herein (together, the “Easement Area”); provided, however, that the Easement granted herein shall be limited to The City of Mount Vernon, Washington and its representatives, including, but not limited to, police vehicles, emergency vehicles and fire trucks. This Access Easement agreement (this “Agreement”) shall run with the land described herein, and shall be binding upon the parties, their heirs, successors in interest and assigns. Grantor covenants that it is the

no monetary consideration

lawful owner of Grantor's Property and that it has a good and lawful right to execute this Agreement.

2. Purpose and Scope Easement.

The Easement is granted for the sole purpose of vehicular ingress, egress, emergency parking and passage upon, over, across and through the Easement Area and for no other purpose; provided, however, that the Easement granted herein shall be limited to The City of Mount Vernon, Washington official vehicles and its representatives, including, but not limited to, police vehicles, emergency vehicles and fire trucks.

3. Maintenance.

Grantor shall be responsible, at Grantor's sole cost and expense, for the maintenance of the Easement Area; provided, however, that Grantee shall be responsible for any damage to the Easement Area or Grantor's Property to the extent such damage occurred as a result of Grantee's or Grantee's agent's, employees', contractor's and/or licensees' negligent use of the Easement, including Grantee's or Grantee's agent's, employees', contractor's and/or licensees' negligence or willful misconduct, excepting normal wear and tear, and Grantee shall promptly repair the damage of the Easement Area and/or Grantor's Property to its previous condition at Grantee's sole cost and expense.

4. Grantor's Use of the Easement Area.

Grantor, its successors and assigns, shall retain the right to use the Easement Area for any use which does not unreasonably interfere with Grantee's use of the Easement Area for the purposes set forth herein. Grantor shall have the right to relocate the Easement Area located on Grantor's Parcel, provided that such relocation shall not unreasonably interfere with Grantee's rights granted herein.

5. Default.

If Grantee shall fail or refuse to comply with any of the terms and conditions of this Agreement, Grantor may carry out and perform such conditions at the cost and expense of Grantee, which amounts shall be payable on demand to Grantor. This remedy shall be in addition to such other remedies as Grantor may have by reason of the breach by Grantee of any of the terms and conditions of this Agreement.

6. No Public Dedication.

Nothing contained in this Agreement shall be deemed a gift or dedication of any portion of Grantor's Property to the general public or for any public use or purpose whatsoever, it being the intention of the Grantee and Grantor that this Agreement is for the exclusive purposes set forth herein, and nothing contained herein, express or implied, shall confer upon any other

person any rights or remedies under or by reason of this Agreement, other than the parties specifically set forth herein.

[signature and notary pages follow]

IN WITNESS WHEREOF, Grantor and Grantee have set their hands and seals as of the day, month and year first above written.

GRANTOR:

VWA – MOUNT VERNON, LLC
an Ohio limited liability company

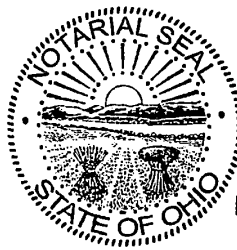
By: Dominic A. Visconsi, Jr.
Name: Dominic A. Visconsi, Jr.
Title: Managing Member

STATE OF OHIO)
SS:
COUNTY OF CUYAHOGA)

This is an acknowledgment clause. No oath or affirmation was administered to the signer.

Sworn to before me and subscribed in my presence this 20th day of April, 2020, by Dominic A. Visconsi, Jr., the Managing Member of VWA – MOUNT VERNON, LLC, an Ohio limited liability company, who acknowledged the same to be his/her free act and deed and the free act and deed of the limited liability company.

Theresa M. Bales
Notary Public



THERESA M. BALES
NOTARY PUBLIC
STATE OF OHIO
Recorded in
Geauga County
My Comm. Exp. 9/21/2020

By: JULIA
Name: JULIA BOURGAIN
Title: MAYOR

Kerri A. Grechishkin
NOTARY PUBLIC, in and for the State of
Washington,
Residing at: Mount Vernon
My Commission Expires: 5/11/23
Kerri A. Grechishkin

EXHIBIT "A"
(Grantor's Property - Legal Description)

LOT 1

LOT 1 OF THE MOUNT VERNON BOUNDARY LINE ADJUSTMENT NO ENGR19-0308, APPROVED OCTOBER 2, 2019, AND RECORDED AS AUDITOR'S NO. 201910040056, FURTHER DESCRIBED AS:

THOSE PORTIONS OF LOTS 1 THROUGH 4, INCLUSIVE, BLOCK 2, "KINCAID'S ADDITION TO MT. VERNON, SKAGIT CO., WASH.", AS PER PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 84, RECORDS OF SKAGIT COUNTY, WASHINGTON, TOGETHER WITH THE SOUTHERLY ONE-HALF OF VACATED ALLEY BETWEEN BLOCK 1 AND SAID BLOCK 2, ALSO BEING WITHIN A PORTION OF THE WEST ½ OF THE SOUTHWEST ¼ OF SECTION 20, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M., SKAGIT COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE ORIGINAL SOUTHERLY RIGHT-OF-WAY LINE OF KINCAID STREET, ACCORDING TO THE RECORDED PLAT OF THE TOWN OF MOUNT VERNON, WASHINGTON, AND A LINE DRAWN PARALLEL WITH AND DISTANT 54.0 FEET EASTERLY OF, AS MEASURED AT RIGHT ANGLES TO BURLINGTON NORTHERN RAILROAD COMPANY'S (FORMERLY GREAT NORTHERN RAILWAY COMPANY'S) MAIN TRACK CENTERLINE, AS ORIGINALLY LOCATED AND CONSTRUCTED; THENCE SOUTHERLY PARALLEL WITH SAID MAIN TRACK CENTERLINE SOUTH 01°53'12" WEST 14.95 FEET TO THE CURRENT SOUTHERLY RIGHT OF WAY MARGIN OF KINCAID STREET AS DESCRIBED UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 200005080050; THENCE ALONG SAID CURRENT SOUTHERLY RIGHT OF WAY MARGIN THE FOLLOWING COURSES AND DISTANCES:

SOUTH 01°53'12" WEST 10.00 FEET;

THENCE SOUTH 88°09'10" EAST 78.10 FEET;

THENCE SOUTH 77°03'33" EAST 25.99 FEET;

THENCE SOUTH 88°09'10" EAST 75.45 FEET TO AN ANGLE POINT;

THENCE SOUTH 22°35'48" EAST 10.98 FEET;

THENCE DEPARTING SAID RIGHT OF WAY MARGIN SOUTH 01°50'50" WEST 89.00 FEET; THENCE SOUTH 88°09'10" EAST 29.94 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 88°09'10" EAST 0.06 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 2, "KINCAID'S ADDITION TO MT. VERNON, SKAGIT CO., WASH.", AS PER PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 84, RECORDS OF SKAGIT COUNTY, WASHINGTON; THENCE ALONG THE NORTHERLY EXTENSION OF THE WEST LINE OF SAID LOT 1 NORTH 01°50'50" EAST 7.00 FEET TO THE CENTERLINE OF SAID VACATED ALLEY; THENCE ALONG SAID ALLEY CENTERLINE SOUTH 88°09'10" EAST 141.44 FEET; THENCE DEPARTING SAID CENTERLINE SOUTH 01°53'12" EAST 47.63 FEET; THENCE AT RIGHT ANGLES NORTH 88°06'48" WEST 19.00 FEET; THENCE AT RIGHT ANGLES SOUTH 01°53'12" WEST 131.51 FEET; THENCE AT RIGHT ANGLES NORTH 88°06'48" WEST 122.50 FEET; THENCE AT RIGHT ANGLES NORTH 01°53'12" EAST 172.04 FEET TO THE POINT OF BEGINNING.

CONTAINING 22,842 SQUARE FEET, MORE OR LESS.

LOT 2

LOT 2 OF THE MOUNT VERNON BOUNDARY LINE ADJUSTMENT NO ENGR19-0308, APPROVED OCTOBER 2, 2019, AND RECORDED AS AUDITOR'S NO. 201910040056, FURTHER DESCRIBED AS:

COMMENCING AT THE INTERSECTION OF THE ORIGINAL SOUTHERLY RIGHT-OF-WAY LINE OF KINCAID STREET, ACCORDING TO THE RECORDED PLAT OF THE TOWN OF MOUNT VERNON, WASHINGTON, AND A LINE DRAWN PARALLEL WITH AND DISTANT 54.0 FEET EASTERLY OF, AS MEASURED AT RIGHT ANGLES TO BURLINGTON NORTHERN RAILROAD COMPANY'S (FORMERLY GREAT NORTHERN RAILWAY COMPANY'S) MAIN TRACK CENTERLINE, AS ORIGINALLY LOCATED AND CONSTRUCTED; THENCE SOUTHERLY PARALLEL WITH SAID MAIN TRACK CENTERLINE SOUTH 01°53'12" WEST 14.95 FEET TO THE CURRENT SOUTHERLY RIGHT OF WAY MARGIN OF KINCAID STREET AS DESCRIBED UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 200005080050; THENCE ALONG SAID CURRENT SOUTHERLY RIGHT OF WAY MARGIN THE FOLLOWING COURSES AND DISTANCES:

SOUTH 01°53'12" WEST 10.00 FEET;

THENCE SOUTH 88°09'10" EAST 78.10 FEET;

THENCE SOUTH 77°03'33" EAST 25.99 FEET;

THENCE SOUTH 88°09'10" EAST 75.45 FEET TO AN ANGLE POINT;

THENCE SOUTH 22°35'48" EAST 10.98 FEET;

THENCE DEPARTING SAID RIGHT OF WAY MARGIN SOUTH 01°50'50" WEST 89.00 FEET; THENCE SOUTH 88°09'10" EAST 30.00 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 2, "KINCAID'S ADDITION TO MT. VERNON, SKAGIT CO., WASH.", AS PER PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 84, RECORDS OF SKAGIT COUNTY, WASHINGTON; THENCE ALONG THE NORTHERLY EXTENSION OF THE WEST LINE OF SAID LOT 1 NORTH 01°50'50" EAST 7.00 FEET TO THE CENTERLINE OF SAID VACATED ALLEY; THENCE ALONG SAID ALLEY CENTERLINE SOUTH 88°09'10" EAST 141.44 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID CENTERLINE SOUTH 01°53'12" EAST 47.63 FEET; THENCE AT RIGHT ANGLES NORTH 88°06'48" WEST 19.00 FEET; THENCE AT RIGHT ANGLES SOUTH 01°53'12" WEST 131.51 FEET; THENCE AT RIGHT ANGLES NORTH 88°06'48" WEST 122.50 FEET; THENCE AT RIGHT ANGLES SOUTH 01°53'12" EAST 24.00 FEET; THENCE AT RIGHT ANGLES SOUTH 88°06'48" EAST 122.50 FEET; THENCE AT RIGHT ANGLES SOUTH 01°53'12" WEST 9.50 FEET; THENCE AT RIGHT ANGLES SOUTH 88°06'48" EAST 36.70 FEET TO A POINT ON THE EAST LINE OF SAID BLOCK 2; THENCE ALONG SAID EAST LINE NORTH 01°50'50" EAST 209.13 FEET, MORE OR LESS, TO THE WESTERLY MARGIN OF INTERSTATE 5; THENCE ALONG SAID WESTERLY MARGIN NORTH 23°33'59" WEST 3.89 FEET, MORE OR LESS, TO SAID ALLEY CENTERLINE; THENCE ALONG SAID ALLEY CENTERLINE NORTH 88°09'10" WEST 15.89 FEET TO THE POINT OF BEGINNING.

CONTAINING 9,821 SQUARE FEET, MORE OR LESS.

LOT 3

LOT 3 OF THE MOUNT VERNON BOUNDARY LINE ADJUSTMENT NO ENGR19-0308, APPROVED OCTOBER 2, 2019, AND RECORDED AS AUDITOR'S NO. 201910040056, FURTHER DESCRIBED AS:

THAT PORTION OF THE WEST ½ OF THE SOUTHWEST ¼ OF SECTION 20, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M., SKAGIT COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE ORIGINAL SOUTHERLY RIGHT-OF-WAY LINE OF KINCAID STREET, ACCORDING TO THE RECORDED PLAT OF THE TOWN OF MOUNT VERNON, WASHINGTON, AND A LINE DRAWN PARALLEL WITH AND DISTANT 54.0 FEET EASTERLY OF, AS MEASURED AT RIGHT ANGLES TO BURLINGTON NORTHERN RAILROAD COMPANY'S (FORMERLY GREAT NORTHERN RAILWAY COMPANY'S) MAIN TRACK CENTERLINE, AS ORIGINALLY

LOCATED AND CONSTRUCTED; THENCE SOUTHERLY PARALLEL WITH SAID MAIN TRACK CENTERLINE SOUTH 01°53'12" WEST 14.95 FEET TO THE CURRENT SOUTHERLY RIGHT OF WAY MARGIN OF KINCAID STREET AS DESCRIBED UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 200005080050; THENCE ALONG SAID CURRENT SOUTHERLY RIGHT OF WAY MARGIN THE FOLLOWING COURSES AND DISTANCES:

SOUTH 01°53'12" WEST 10.00 FEET;

THENCE SOUTH 88°09'10" EAST 78.10 FEET;

THENCE SOUTH 77°03'33" EAST 25.99 FEET;

THENCE SOUTH 88°09'10" EAST 61.01 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT OF WAY MARGIN SOUTH 88°09'10" EAST 14.45 FEET TO AN ANGLE POINT; THENCE SOUTH 22°35'48" EAST 10.98 FEET; THENCE DEPARTING SAID RIGHT OF WAY MARGIN SOUTH 01°50'50" WEST 89.00 FEET; THENCE SOUTH 88°09'10" EAST 29.94 FEET; THENCE SOUTH 01°53'12" WEST 197.54 FEET; THENCE AT RIGHT ANGLES NORTH 88°06'48" WEST 49.00 FEET; THENCE AT RIGHT ANGLES NORTH 01°53'12" EAST 296.50 FEET TO THE POINT OF BEGINNING.

CONTAINING 11,540 SQUARE FEET, MORE OR LESS.

LOT 4

LOT 4 OF THE MOUNT VERNON BOUNDARY LINE ADJUSTMENT NO ENGR19-0308, APPROVED OCTOBER 2, 2019, AND RECORDED AS AUDITOR'S NO. 201910040056, FURTHER DESCRIBED AS:

THAT PORTION OF THE WEST ½ OF THE SOUTHWEST ¼ OF SECTION 20, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M., SKAGIT COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE ORIGINAL SOUTHERLY RIGHT-OF-WAY LINE OF KINCAID STREET, ACCORDING TO THE RECORDED PLAT OF THE TOWN OF MOUNT VERNON, WASHINGTON, AND A LINE DRAWN PARALLEL WITH AND DISTANT 54.0 FEET EASTERLY OF, AS MEASURED AT RIGHT ANGLES TO BURLINGTON NORTHERN RAILROAD COMPANY'S (FORMERLY GREAT NORTHERN RAILWAY COMPANY'S) MAIN TRACK CENTERLINE, AS ORIGINALLY LOCATED AND CONSTRUCTED; THENCE SOUTHERLY PARALLEL WITH SAID MAIN TRACK CENTERLINE SOUTH 01°53'12" WEST 14.95 FEET TO THE CURRENT SOUTHERLY RIGHT OF WAY MARGIN OF KINCAID STREET AS DESCRIBED

UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 200005080050 AND THE POINT OF BEGINNING; THENCE ALONG SAID CURRENT SOUTHERLY RIGHT OF WAY MARGIN THE FOLLOWING COURSES AND DISTANCES:

SOUTH 01°53'12" WEST 10.00 FEET;

THENCE SOUTH 88°09'10" EAST 78.10 FEET;

THENCE SOUTH 77°03'33" EAST 25.99 FEET;

THENCE SOUTH 88°09'10" EAST 61.01 FEET;

THENCE DEPARTING SAID SOUTHERLY MARGIN AND PARALLEL WITH SAID MAIN TRACK CENTERLINE SOUTH 01°53'12" WEST 250.50 FEET; THENCE AT RIGHT ANGLES NORTH 88°06'48" WEST 178.01 FEET TO A POINT 40.60 FEET EAST OF SAID MAIN TRACK CENTERLINE; THENCE AT RIGHT ANGLES, BEING PARALLEL WITH AND 40.60 FEET EASTERLY OF SAID MAIN TRACK CENTERLINE NORTH 01°53'12" EAST 265.38 FEET TO SAID CURRENT SOUTHERLY RIGHT OF WAY MARGIN OF KINCAID STREET; THENCE ALONG SAID MARGIN SOUTH 88°09'10" EAST 13.40 FEET TO THE POINT OF BEGINNING.

CONTAINING 45,237 SQUARE FEET, MORE OR LESS.

LOT 6

LOT 6 OF THE MOUNT VERNON BOUNDARY LINE ADJUSTMENT NO ENGR19-0308, APPROVED OCTOBER 2, 2019, AND RECORDED AS AUDITOR'S NO. 201910040056, FURTHER DESCRIBED AS:

THAT PORTION OF THE WEST ½ OF THE SOUTHWEST ¼ OF SECTION 20, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M., SKAGIT COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE ORIGINAL SOUTHERLY RIGHT-OF-WAY LINE OF KINCAID STREET, ACCORDING TO THE RECORDED PLAT OF THE TOWN OF MOUNT VERNON, WASHINGTON, AND A LINE DRAWN PARALLEL WITH AND DISTANT 54.0 FEET EASTERLY OF, AS MEASURED AT RIGHT ANGLES TO BURLINGTON NORTHERN RAILROAD COMPANY'S (FORMERLY GREAT NORTHERN RAILWAY COMPANY'S) MAIN TRACK CENTERLINE, AS ORIGINALLY LOCATED AND CONSTRUCTED; THENCE SOUTHERLY PARALLEL WITH SAID MAIN TRACK CENTERLINE SOUTH 01°53'12" WEST 14.95 FEET TO THE CURRENT SOUTHERLY RIGHT OF WAY MARGIN OF KINCAID STREET AS DESCRIBED UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 200005080050 AND THE POINT OF

BEGINNING; THENCE ALONG SAID CURRENT SOUTHERLY RIGHT OF WAY MARGIN THE FOLLOWING COURSES AND DISTANCES:

SOUTH 01°53'12" WEST 10.00 FEET;

THENCE SOUTH 88°09'10" EAST 78.10 FEET;

THENCE SOUTH 77°03'33" EAST 25.99 FEET;

THENCE SOUTH 88°09'10" EAST 61.01 FEET;

THENCE DEPARTING SAID SOUTHERLY MARGIN AND PARALLEL WITH SAID MAIN TRACK CENTERLINE SOUTH 01°53'12" WEST 250.50 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 01°53'12" WEST 46.00 FEET; THENCE AT RIGHT ANGLES SOUTH 88°06'48" EAST 30.00 FEET; THENCE AT RIGHT ANGLES SOUTH 01°53'12" WEST 102.47 FEET; THENCE NORTH 88°09'10" WEST 194.61 FEET; THENCE PARALLEL WITH SAID MAIN TRACK CENTERLINE SOUTH 01°50'50" WEST 3.11 FEET; THENCE SOUTH 88°09'10" EAST 194.61 FEET; THENCE SOUTH 01°53'12" WEST 46.89 FEET TO A POINT ON THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOT 1, BLOCK 1 OF THE PLAT OF "PICKEN'S ADDITION TO THE TOWN OF MT. VERNON", AS PER THE PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 105, RECORDS OF SKAGIT COUNTY, WASHINGTON; THENCE ALONG SAID WESTERLY EXTENSION NORTH 88°09'10" WEST 207.98 FEET; THENCE PARALLEL WITH SAID MAIN TRACK CENTERLINE NORTH 01°50'50" EAST 50.00 FEET; THENCE PARALLEL WITH SAID MAIN TRACK CENTERLINE NORTH 01°53'12" EAST 148.62 FEET; THENCE AT RIGHT ANGLES SOUTH 88°06'48" EAST 178.01 FEET TO THE POINT OF BEGINNING.

CONTAINING 39,314 SQUARE FEET, MORE OR LESS.

LOT 7

LOT 7 OF THE MOUNT VERNON BOUNDARY LINE ADJUSTMENT NO ENGR19-0308, APPROVED OCTOBER 2, 2019, AND RECORDED AS AUDITOR'S NO. 201910040056, FURTHER DESCRIBED AS:

THAT PORTION OF LOTS 4 THROUGH 6, BLOCK 2, PLAT OF "KINCAID'S ADDITION TO MT. VERNON, SKAGIT CO., WASH.", AS PER PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 84, RECORDS OF SKAGIT COUNTY, WASHINGTON, TOGETHER WITH LOT 1, BLOCK 1 AND LOT 16, BLOCK 2 OF THE PLAT OF "PICKEN'S ADDITION TO THE TOWN OF MT. VERNON", AS PER THE PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 105, RECORDS OF SKAGIT COUNTY, WASHINGTON, AND A PORTION OF THE WEST ½ OF THE SOUTHWEST ¼ OF SECTION 20, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M., SKAGIT COUNTY WASHINGTON, DESCRIBED AS FOLLOWS:

{03003058 -2}

EXHIBIT "A" Page 6 of 10

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1, BLOCK 1 OF SAID PICKEN'S ADDITION PLAT; THENCE ALONG THE WESTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 1 NORTH 88°09'10" WEST 19.30 FEET; THENCE NORTH 01°53'12" EAST 46.89 FEET; THENCE PARALLEL WITH SAID WESTERLY EXTENSION SOUTH 88°09'10" EAST 19.27 FEET TO THE WEST LINE OF SAID LOT 1; THENCE ALONG SAID WEST LINE NORTH 01°50'50" EAST 3.11 FEET TO THE NORTHWEST CORNER OF SAID LOT 1; THENCE ALONG THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 1 NORTH 88°09'10" WEST 19.27 FEET; THENCE NORTH 01°53'12" EAST 102.47 FEET; THENCE AT RIGHT ANGLES SOUTH 88°06'48" EAST 19.00 FEET; THENCE AT RIGHT ANGLES NORTH 01°53'12" EAST 1.50 FEET; THENCE AT RIGHT ANGLES SOUTH 88°06'48" EAST 122.50 FEET; THENCE AT RIGHT ANGLES SOUTH 01°53'12" WEST 9.50 FEET; THENCE AT RIGHT ANGLES SOUTH 88°06'48" EAST 36.70 FEET TO THE WEST LINE OF VACATED 6TH STREET AS DEDICATED ON SAID KINCAID'S ADDITION PLAT; THENCE ALONG SAID WEST LINE SOUTH 01°50'50" WEST 94.35 FEET TO THE SOUTH LINE OF SAID PLAT; THENCE ALONG SAID SOUTH LINE SOUTH 88°09'10" EAST 136.54 FEET, MORE OR LESS, TO THE WESTERLY RIGHT OF WAY MARGIN OF INTERSTATE 5; THENCE ALONG SAID WESTERLY MARGIN SOUTH 18°41'06" EAST 53.39 FEET TO THE SOUTH LINE OF SAID LOT 16, BLOCK 2, PICKEN'S ADDITION PLAT; THENCE ALONG SAID SOUTH LINE AND EXTENSION THEREOF NORTH 88°09'10" WEST 314.27 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH THAT PORTION OF VACATED 6TH STREET ABUTTING SAID LOTS 1 AND 16 OF PLAT OF PICKEN'S ADDITION, AS VACATED UNDER CITY OF MT. VERNON ORDINANCE NUMBER 3787.

EXCEPT ANY PORTION THEREOF CONTAINED WITHIN WARRANTY DEED TO STATE OF WASHINGTON FOR HIGHWAY PURPOSES UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 771195.

CONTAINING 34,293 SQUARE FEET, MORE OR LESS.

PARCEL "AA"

THAT PORTION OF LOTS 8, 9, 10 AND 11, BLOCK 3, AND THAT PORTION OF SOUTH 6TH STREET LYING BETWEEN SAID BLOCK 3 AND BLOCK 2 OF KINCAID'S ADDITION TO MOUNT VERNON, AS PER PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 84, RECORDS OF SKAGIT COUNTY, WASHINGTON, LYING WESTERLY OF A LINE DRAWN PARALLEL WITH AND 85 FEET DISTANT SOUTHWESTERLY MEASURED AT RIGHT ANGLES, FROM THE KINCAID STREET RAMP CENTERLINE OF PRIMARY HIGHWAY NO. 1, CONWAY JCT., PRIMARY STATE HIGHWAY NO. 1, NORTH OF BURLINGTON, THE SPECIFIC DETAILS

CONCERNING ALL OF WHICH ARE TO BE FOUND WITHIN THAT CERTAIN MAP OF DEFINITE LOCATION NOW OF RECORD AND ON FILE IN THE OFFICE OF THE DIRECTOR OF HIGHWAYS AT OLYMPIA, AND BEARING DATE OF APPROVAL JANUARY 27, 1953, REVISED NOVEMBER 3, 1954.

EXCEPT THAT PORTION, THEREOF, IF ANY, NOT LYING WITHIN THE PROPERTY CONVEYED TO THE CITY OF MOUNT VERNON BY IN DEED RECORDED UNDER AUDITOR'S FILE NO. 842193.

PARCEL "BB"

THAT PORTION OF THE WEST $\frac{1}{2}$ OF THE WEST $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 20, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M., SKAGIT COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF KINCAID STREET, ACCORDING TO THE RECORDED PLAT OF THE TOWN OF MOUNT VERNON, WASHINGTON, AND A LINE DRAWN PARALLEL WITH AND DISTANT 54.0 FEET EASTERLY OF, AS MEASURED AT RIGHT ANGLES TO BURLINGTON NORTHERN RAILROAD COMPANY'S (FORMERLY GREAT NORTHERN RAILWAY COMPANY'S) MAIN TRACK CENTERLINE, AS ORIGINALLY LOCATED AND CONSTRUCTED; THENCE SOUTHERLY PARALLEL WITH SAID MAIN TRACK CENTERLINE A DISTANCE OF 429.0 FEET; THENCE EASTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE A DISTANCE OF 215.0 FEET; THENCE NORTHERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE A DISTANCE OF 300.0 FEET, TO A POINT LABELLED "HES" K " 2 + 80.00 159.0 FEET R", SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE WESTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE A DISTANCE OF 30.0 FEET, MORE OR LESS, TO A POINT LABELLED "HES "K" 2 + 50.00 159.0 FEET R"; THENCE NORTHERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE A DISTANCE OF 89.0 FEET, MORE OR LESS, TO A POINT LABELLED "HES "K" 2 +50.00 70.0 FEET R" THENCE EAST 30 FEET, MORE OR LESS, TO A POINT LABELLED "HES "K" 2 + 80.00 FEET R"; THENCE SOUTH 90.00 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

EXCEPT THOSE PORTIONS THEREOF, IF ANY, LYING EAST OF THE EAST LINES OF THOSE PROPERTIES CONVEYED TO THE SEATTLE AND MONTANA RAILWAY COMPANY BY DEEDS RECORDED IN VOLUME 15 OF DEEDS, PAGE 411, AND IN VOLUME 18 OF DEEDS, PAGE 537.

PARCEL CC

LOTS 1 TO 4, INCLUSIVE, BLOCK 1 "KINCAID'S ADDITION TO MT. VERNON, SKAGIT CO., WASH., AS PER PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 84, RECORDS OF SKAGIT COUNTY.

EXCEPTING THEREFROM THAT PORTION LYING NORTHEASTERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT A POINT OF INTERSECTION OF THE SOUTH LINE OF SAID LOT 4 WITH THE WESTERLY RIGHT OF WAY LINE OF SR 5, AS SHOWN ON SR 5, MOUNT VERNON: BLACKBURN ST. TO SKAGIT RIVER, AS IT EXISTED ON JULY 7, 2018; THENCE NORTHWESTERLY ALONG SAID WESTERLY RIGHT OF WAY LINE TO A POINT ON THE WEST LINE OF SAID LOT 1, BEGIN A POINT OPPOSITE HIGHWAY ENGINEER'S STATION K 2+80, ON THE K LINE SURVEY OF SAID HIGHWAY, AND 70 FEET SOUTHERLY THEREFROM AND THE TERMINUS OF THIS LINE DESCRIPTION. THE SPECIFIC DETAILS CONCERNING ALL OF WHICH MAY BE FOUND ON SHEET 4 OF 8 SHEETS OF THAT CERTAIN PLAN ENTITLED SR5, MOUNT VERNON: BLACKBURN ST. TO SKAGIT RIVER, NOW OF RECORD AND ON FILE IN THE OFFICE OF THE SECRETARY OF TRANSPORTATION AT OLYMPIA, AND BEARING DATE OF APPROVAL FEBRUARY 25, 1971, REVISED JULY 6, 2018.

TOGETHER WITH THE NORTH 1/2 OF THAT PORTION OF THE VACATED ALLEY ADJOINING THE SOUTH LINE OF SAID BLOCK 1 THAT HAS REVERTED THERETO BY OPERATION OF LAW.

RAILWAY PARCEL:

THAT PORTION OF THE SOUTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 20, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M. DESCRIBED AS FOLLOWS:

BEGIN AT A POINT IN THE WEST LINE OF SAID SOUTHWEST ¼ OF THE SOUTHWEST ¼; THAT IS 462.11 FEET SOUTH OF THE NORTHWEST CORNER THEREOF; THENCE EASTERLY PERPENDICULAR TO SAID WEST LINE, A DISTANCE OF 65 FEET, MORE OR LESS, TO A POINT PERPENDICULARLY 54 FEET EASTERLY, FROM THE CENTER LINE OF THE MAIN TRACK OF THE RAILWAY OF THE GREAT NORTHERN RAILWAY COMPANY, AS LOCATED ON MAY 8, 1955; TO THE TRUE POINT OF BEGINNING, WHICH POINT IS ALSO THE NORTHWEST CORNER OF THE SECOND PARCEL OF LAND DESCRIBED ON THAT CERTAIN DEED IN FAVOR OF LIBBY, MCNEILL & LIBBY CORPORATION BY DEED RECORDED OCTOBER 31, 1955 AS SKAGIT COUNTY AUDITOR'S FILE NUMBER 526435; THENCE EASTERLY ALONG THE NORTH LINE OF SAID LIBBY, MCNEILL & LIBBY PARCEL 215 FEET, MORE OR LESS, TO THE NORTHEAST CORNER

THEREOF, SAID POINT BEING ON A LINE 280 FEET PERPENDICULAR TO THE WEST LINE OF SAID SUBDIVISION; THENCE NORTH, A DISTANCE OF 3.11 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF THAT CERTAIN TRACT OF LAND CONVEYED TO THE GLACIER PARK COMPANY AS PARCEL 1 ON THAT CERTAIN DEED RECORDED JUNE 2, 1989 AS AUDITOR'S FILE NO. 8906020025; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID GLACIER PARK PARCEL 215 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER THEREOF; THENCE SOUTH 3.11 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

EXHIBIT "B"
(Easement Area Depiction)

(see attached)

{03003058 -2}

EXHIBIT "B"

PACIFIC SURVEY & ENGINEERING INC EMAIL: info@psurvey.com
 909 SQUALTUM WAY SUITE 111 BELLINGHAM, WA 98225 PHONE: 360.671.7387 FAX: 360.671.4685 www.psesurvey.com



EXHIBIT - 'A'

SITUATE IN A PORTION OF THE SW 1/4 OF THE SW 1/4 OF SECTION 20,
 TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M., CITY OF MOUNT VERNON,
 SKAGIT COUNTY, WASHINGTON

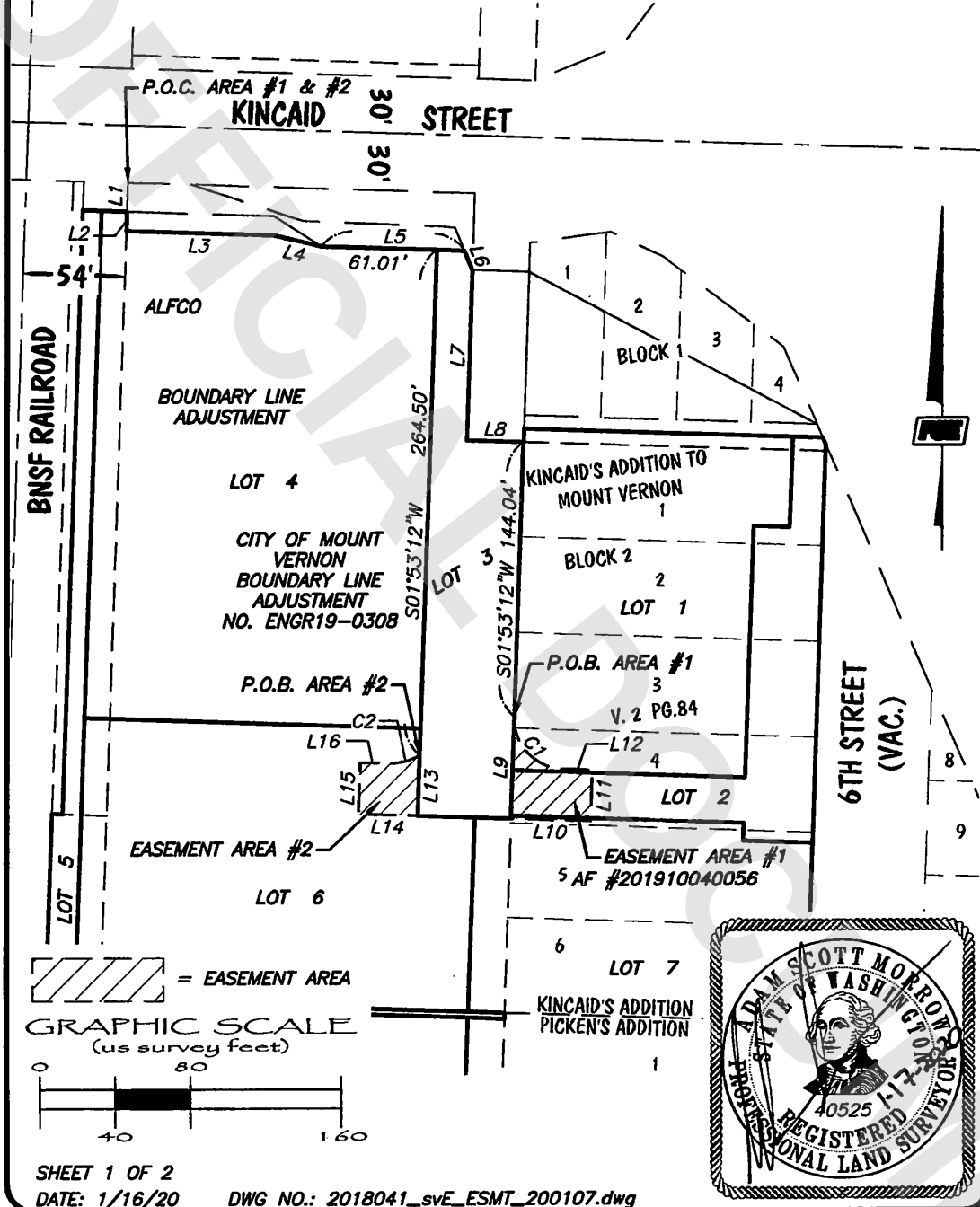


EXHIBIT "C"
(Easement Area Legal Description)

AN EASEMENT LYING WITHIN A PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 34 NORTH, RANGE 4 EAST, W.M., AND A PORTION OF LOTS 1, 2, 6, AND 7 AS PER CITY OF MOUNT VERNON BOUNDARY LINE ADJUSTMENT NO. ENGR19-0308, AND AS DEPICTED ON RECORD OF SURVEY RECORDED UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 201910040056, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

EASEMENT AREA #1:

COMMENCING AT THE INTERSECTION OF THE ORIGINAL SOUTHERLY RIGHT-OF-WAY LINE OF KINCAID STREET, ACCORDING TO THE RECORDED PLAT OF THE TOWN OF MOUNT VERNON, WASHINGTON, AND A LINE DRAWN PARALLEL WITH AND DISTANT 54.0 FEET EASTERLY OF, AS MEASURED AT RIGHT ANGLES TO BURLINGTON NORTHERN RAILROAD COMPANY'S (FORMERLY GREAT NORTHERN RAILWAY COMPANY'S) MAIN TRACK CENTERLINE, AS ORIGINALLY LOCATED AND CONSTRUCTED; THENCE SOUTHERLY PARALLEL WITH SAID MAIN TRACK CENTERLINE SOUTH $01^{\circ}53'12''$ WEST, 14.95 FEET, TO THE CURRENT SOUTHERLY RIGHT OF WAY MARGIN OF KINCAID STREET AS DESCRIBED UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 200005080050; THENCE ALONG SAID MARGIN THE FOLLOWING COURSES AND DISTANCES:

SOUTH $01^{\circ}53'12''$ WEST, 10.00 FEET;
SOUTH $88^{\circ}09'10''$ EAST, 78.10 FEET TO AN ANGLE POINT;
SOUTH $77^{\circ}03'33''$ EAST, 25.99 FEET TO AN ANGLE POINT;
SOUTH $88^{\circ}09'10''$ EAST, 75.46 FEET TO AN ANGLE POINT;
SOUTH $22^{\circ}35'48''$ EAST, 10.98 FEET;

THENCE DEPARTING SAID MARGIN, SOUTH $01^{\circ}50'50''$ WEST, 89.00 FEET; THENCE AT RIGHT ANGLES, SOUTH $88^{\circ}09'10''$ EAST, 29.94 FEET TO A POINT ON THE WEST LINE OF BLOCK 2, "KINCAID'S ADDITION TO MT. VERNON, SKAGIT CO., WASH.", AS PER PLAT RECORDED IN VOLUME 2 OF PLATS, PAGE 84, RECORDS OF SKAGIT COUNTY, WASHINGTON, ALSO BEING THE WEST LINE OF SAID LOT 1; THENCE ALONG SAID WEST LINE, SOUTH $01^{\circ}53'12''$ WEST, 144.04 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUING ALONG SAID WEST LINE OF BLOCK 2, SOUTH $01^{\circ}53'12''$ WEST, 53.50 FEET; THENCE DEPARTING SAID WEST LINE AND AT RIGHT ANGLES THERETO, SOUTH $88^{\circ}06'48''$ EAST, 42.00 FEET; THENCE AT RIGHT ANGLES, NORTH $01^{\circ}53'12''$ EAST, 27.00 FEET; THENCE AT RIGHT ANGLES, NORTH $88^{\circ}06'48''$ WEST 15.50 FEET, TO A POINT OF CURVATURE FROM WHICH THE RADIUS POINT BEARS NORTH $01^{\circ}53'12''$ EAST A DISTANCE OF 26.50 FEET;

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EXHIBIT "C"

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" A DISTANCE OF 41.63 FEET TO THE **POINT OF BEGINNING**.

SITUATE IN THE CITY OF MOUNT VERNON, SKAGIT COUNTY, WASHINGTON.

EASEMENT AREA #2:

COMMENCING AT THE INTERSECTION OF THE ORIGINAL SOUTHERLY RIGHT-OF-WAY LINE OF KINCAID STREET, ACCORDING TO THE RECORDED PLAT OF THE TOWN OF MOUNT VERNON, WASHINGTON, AND A LINE DRAWN PARALLEL WITH AND DISTANT 54.0 FEET EASTERLY OF, AS MEASURED AT RIGHT ANGLES TO BURLINGTON NORTHERN RAILROAD COMPANY'S (FORMERLY GREAT NORTHERN RAILWAY COMPANY'S) MAIN TRACK CENTERLINE, AS ORIGINALLY LOCATED AND CONSTRUCTED; THENCE SOUTHERLY PARALLEL WITH SAID MAIN TRACK CENTERLINE SOUTH 01°53'12" WEST, 14.95 FEET, TO THE CURRENT SOUTHERLY RIGHT OF WAY MARGIN OF KINCAID STREET AS DESCRIBED UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 200005080050; THENCE ALONG SAID MARGIN THE FOLLOWING COURSES AND DISTANCES:

SOUTH 01°53'12" WEST, 10.00 FEET;
SOUTH 88°09'10" EAST, 78.10 FEET TO AN ANGLE POINT;
SOUTH 77°03'33" EAST, 25.99 FEET TO AN ANGLE POINT;
SOUTH 88°09'10" EAST, 61.01 FEET, TO THE NORTHEAST CORNER OF LOT 4 OF SAID
BOUNDARY LINE ADJUSTMENT;

THENCE DEPARTING SAID MARGIN AND ALONG THE EAST LINE OF SAID LOTS 4 AND 6, SOUTH 01°53'12" WEST, 264.50 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUING SOUTH 01°53'12" WEST, 32.01 FEET; THENCE DEPARTING SAID EAST LINE OF LOT 6 AND AT RIGHT ANGLES THERETO, NORTH 88°06'48" WEST, 31.00 FEET; THENCE AT RIGHT ANGLES, NORTH 01°53'12" EAST, 27.00 FEET; THENCE AT RIGHT ANGLES, SOUTH 88°06'48" EAST, 15.50 FEET TO A POINT OF CURVATURE FROM WHICH THE RADIUS POINT BEARS, NORTH 01°53'12" EAST, 26.50 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 35°47'47" A DISTANCE OF 16.56 FEET TO THE **POINT OF BEGINNING**.

SITUATE IN THE CITY OF MOUNT VERNON, SKAGIT COUNTY, WASHINGTON.