

After recording return document to:

State of Washington
Department of Transportation
Real Estate Services Office
P O Box 47338
Olympia WA 98504-7338

REVIEWED BY
SKAGIT COUNTY TREASURER
DEPUTY Lena Thompson
DATE 11/01/2022

Document Title: Temporary Easement
Reference Number of Related Document: N/A
Grantor: Billy Colburn
Grantee: State of Washington, Department of Transportation
Legal Description: Ptn of E½ of Gov't Lot 1 of Section 12, T35N, R10E, WM, Skagit County
Additional Legal Description is on Page 4 of Document
Assessor's Tax Parcel Number: Ptn 35101200160005 (P45116)

TEMPORARY EASEMENT

State Route 20, Olson Creek and Unnamed Tributary to Skagit River – Fish Passage, Parcel 1-25209, Temporary Easement Exhibit

The Grantor, BILLY COLBURN, a single person, now and at all times between September 1, 2015 and January 7, 2016, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable consideration, conveys and grants unto the **State of Washington, acting by and through its Department of Transportation**, and its assigns, Grantee, under the imminent threat of the Grantee's exercise of its right of Eminent Domain, the right, privilege and easement over, upon, and across the hereinafter described lands for the purpose of placing personnel, machinery and equipment on said lands and providing a work area for performing all work necessary for the construction of a new fish passable structure, appurtenances, and habitat enhancements including, but not limited to, environmental exploration, subsurface investigation, collection of stream pebble counts, surface water and soil samples, relocating utilities as needed, clearing trees and vegetation as needed, possible modifications to the course and profile of the waterway, constructing and operating a temporary stream bypass, placement of large woody material and other such enhancements ("Construction"), and post-construction establishment of native type vegetation including, but not limited to, planting, seeding, inspecting, monitoring, watering

TEMPORARY EASEMENT

and weed control, together with rights of ongoing ingress and egress to accomplish said purposes ("Plant Establishment").

Said lands being situated in Skagit County, State of Washington, as described in Exhibit A, attached hereto and made a part hereof.

The term of this Temporary Easement shall commence on the date of acceptance of this Temporary Easement by Grantee and shall terminate on October 31, 2028 ("Termination"). Construction will be completed on or before October 31, 2025, followed by a thirty-six (36) month Plant Establishment period ending on or before Termination. Grantee shall provide Grantor written notice no less than thirty (30) days in advance of commencement of Construction.

The State shall, upon the exercise of such rights specified herein and completion of construction of said project described herein, remove all debris and restore the surface of this Temporary Easement to a condition as close as practicable to its condition existing immediately prior to the exercise of such rights, excepting any modifications or improvements made as part of the construction project.

It is understood and agreed that delivery of this temporary easement is hereby tendered and that the terms and obligations hereof shall not become binding upon the State of Washington unless and until accepted and approved hereon in writing for the State of Washington, by and through its Department of Transportation, by its authorized agent.

Dated 10/20/22, 2022

Billy Colburn
BILLY COLBURN

Accepted and Approved
STATE OF WASHINGTON
Department of Transportation

By: _____
Synthia Armstrong, Northwest Region
Acting Real Estate Services Manager,
Authorized Agent

Date: _____

TEMPORARY EASEMENT

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Dated 10/20/22, 2022
Billy Colburn
BILLY COLBURN

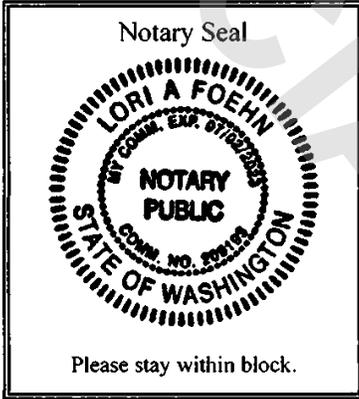
Accepted and Approved
STATE OF WASHINGTON
Department of Transportation
By: Synthia Armstrong
Synthia Armstrong (Oct 24, 2022) (e:PT)
Synthia Armstrong, Northwest Region
Acting Real Estate Services Manager,
Authorized Agent
Date: Oct 24, 2022

TEMPORARY EASEMENT

STATE OF WASHINGTON)
)
County of KING) : §

On this day personally appeared before me BILLY COLBURN, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 20 day of Oct., 2022.



Lori A Foehn
 Notary (print name) LORI A FOEHN
 Notary Public in and for the State of Washington,
 residing at Shoreline, WA
 My commission expires 7/12/2023

TEMPORARY EASEMENT**EXHIBIT A**

All that portion of the hereinafter described PARCEL "A" lying within a tract of land beginning at a point opposite Highway Engineer's Station (hereinafter referred to as HES) 162+20.3± on the SR 20 line survey of SR 20, Olson Creek and Unnamed Tributary to Skagit River – Fish Passage, Parcel 1-25209, Temporary Easement Exhibit and 30 feet northeasterly therefrom, said point being the southeasterly corner of said PARCEL "A"; thence westerly parallel with said line survey to a point opposite HES 161+11.5± thereon, said point being the southwesterly corner of said PARCEL "A"; thence northerly to a point opposite HES 161+07.9 on said line survey and 94.9 feet northeasterly therefrom; thence easterly to a point opposite HES 162+13.1 on said line survey and 94.6 feet northeasterly therefrom; thence southerly to the point of beginning.

PARCEL "A"

The west 110 feet of that part of the east ½ of Government Lot 1, Section 12, Township 35 North, Range 10 East W.M., lying north of the state highway right of way.

Situate in the County of Skagit, State of Washington.

The lands herein described contain an area of 7,144 square feet, more or less, the specific details concerning all of which are to be found on of that certain Exhibit Map entitled SR 20, Olson Creek and Unnamed Tributary to Skagit River – Fish Passage, Parcel 1-25209, Temporary Easement Exhibit, now of record and on file in the office of the Secretary of Transportation at Olympia, and bearing date of approval December 7, 2021.

Grantor's Initials
