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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 02/15/2023

Document Title: Temporary Easement
Reference Number of Related Document: N/A
Grantor: Billy Colburn; Billie 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 35101200170004 (P45117)

TEMPORARY EASEMENT

State Route 20, Olson Creek and Unnamed Tributary to Skagit River -- Fish Passage, Parcel 1-25201, Temporary Easement Exhibit

The Grantor, BILLY COLBURN, also appearing of record as Billie 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,

TEMPORARY EASEMENT

seeding, inspecting, monitoring, watering 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 1/24, 2023

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: _____

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Dated 1/24, 2023
Billy Colburn
BILLY COLBURN

Accepted and Approved
STATE OF WASHINGTON
Department of Transportation

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

Date: Jan 31, 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 1-25201, Temporary Easement Exhibit and 30 feet northeasterly therefrom, said point being the southwesterly corner of said PARCEL "A"; thence northerly to a point opposite HES 162+13.1 on said line survey and 94.6 feet northeasterly therefrom; thence northerly to a point opposite HES 162+06.4 on said line survey and 159.2 feet northeasterly therefrom; thence southeasterly to a point opposite HES 162+64.3 on said line survey and 158.6 feet northeasterly therefrom; thence northerly to a point opposite HES 162+45.0 on said line survey and 316.8 feet northeasterly therefrom; thence southeasterly to a point opposite HES 162+77.5 on said line survey and 316.3 feet northeasterly therefrom; thence southerly to a point opposite 163+19± on said line survey and 30 feet northeasterly therefrom, said point being the southeasterly corner of said PARCEL "A"; thence westerly parallel with said line survey to the point of beginning.

PARCEL "A"

The east 100 feet of the west 210 feet of that portion 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 18,808 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 1-25201, 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.

