

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX
Affidavit No. 20236024
Apr 03 2023
Amount Paid \$456630.00
Skagit County Treasurer
By Kaylee Oudman Deputy

BARGAIN AND SALE DEED

<p>Return Address</p> <p>Nathan Fahrer 1201 Third Avenue, Suite 4900 Seattle, WA 98101</p>

CHICAGO TITLE NCS 222093-NCS, CT 620052729

<p>Document Title(s) (or transactions contained therein):</p> <p>1. Bargain and Sale Deed</p>
<p>Reference Number(s) of Documents assigned or released: (on page ___ of documents(s))</p>
<p>Grantor(s) (Last name first, then first name and initials):</p> <p>1. SEA-LAND DEVELOPMENT CORPORATION, a Washington corporation</p> <p>2.</p> <p>3. <input type="checkbox"/> Additional names on page ___ of document.</p>
<p>Grantee(s) (Last name first, then first name and initials):</p> <p>1. 500 METCALF STREET LLC, a Washington limited liability company</p> <p>2.</p> <p>3. <input type="checkbox"/> Additional names on page ___ of document.</p>
<p>Legal description (abbreviated: i.e. lot, block, plat or section, township, range)</p> <p>Ptn. NW SW, 24-35-4E, W.M. and Lot 2 Short Plat No. SW 01-91 in NW and SW, 24-35-4E, W.M.</p> <p><input checked="" type="checkbox"/> Full legal is on pages 4-6 (Exhibit A) of document.</p>
<p>Assessor's Property Tax Parcel/Account Number</p> <p>P37350 / 350424-0-007-0000, P115353 / 350424-0-007-0300 and P103814 / 350424-0-007 -0200</p>

BARGAIN AND SALE DEED

GRANTOR, SEA-LAND DEVELOPMENT CORPORATION, a Washington corporation, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration in hand paid, bargains, sells and conveys to 500 METCALF STREET LLC, a Washington limited liability company, GRANTEE the real property situated in Skagit County, Washington, more particularly described on **Exhibit A** attached hereto and by this reference incorporated herein, together with all and singular, the rights, benefits, privileges, easements, tenements, hereditaments, appurtenances and interests thereon or in any way appertaining thereto and with all improvements located thereon, free of encumbrances created or suffered by the Grantor, except for those encumbrances set forth on **Exhibit B**, attached hereto and by this reference incorporated herein.

IN ADDITION, BY ACCEPTING THIS DEED, GRANTEE AND ITS HEIRS, SUCCESSORS AND ASSIGNS HEREBY SHALL BE DEEMED TO HAVE WAIVED, RELINQUISHED AND RELEASED GRANTOR, ITS SUCCESSORS AND ASSIGNS (AND GRANTOR'S SHAREHOLDERS, OFFICERS, BOARD MEMBERS, EMPLOYEES, AGENTS, AND THE MARITAL COMMUNITIES, HEIRS, SUCCESSORS AND ASSIGNS OF EACH OF THEM, COLLECTIVELY "GRANTOR PARTIES") FROM AND AGAINST ANY AND ALL CLAIMS, DEMANDS, CAUSES OF ACTION (INCLUDING, WITHOUT LIMITATION CAUSES OF ACTION IN TORT), LOSSES, DAMAGES, LIABILITIES, COSTS AND EXPENSES (INCLUDING ATTORNEYS' FEES AND COURT COSTS) OF ANY AND EVERY KIND OR CHARACTER, KNOWN OR UNKNOWN, WHICH GRANTEE AND ITS HEIRS, SUCCESSORS AND ASSIGNS MIGHT HAVE ASSERTED OR ALLEGED, OR COULD ASSERT OR ALLEGE AGAINST GRANTOR (AND THE GRANTOR PARTIES) AT ANY TIME BY REASON OF OR ARISING OUT OF ANY LATENT OR PATENT CONSTRUCTION DEFECTS OR PHYSICAL CONDITIONS ON OR EMANATING FROM THE REAL PROPERTY, INCLUDING BUT NOT LIMITED TO ENVIRONMENTAL CONDITIONS AND HAZARDOUS SUBSTANCES AND HAZARDOUS RELEASES.

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EXHIBIT A

LEGAL DESCRIPTION TO DEED

For APN/Parcel ID(s): P37350 / 350424-0-007-0000, P115353 / 350424-0-007-0300 and P103814 / 350424-0-007-0200

Parcel A:

That Portion of Section 24, Township 35 North, Range 4 East of the Willamette Meridian, described as follows:

BEGINNING at the Southwest corner of Block 11, West Addition to the Town of Woolley; thence North 00° 05' 44" West along the East line of Borseth Street, a distance of 1,293.38 feet to the true point of beginning; thence continuing North 00° 05' 44" West along the East line of Borseth Street, a distance of 145.80 feet to the South line of vacated Waldron Street; thence South 89° 45' 19" East along the South line of vacated Waldron Street, a distance of 1,017.72 feet to a point on the West line of the Northern Pacific Railway right of way; thence South 09° 44' 28" West along the West line of the Northern Pacific Railway right of way, a distance of 830.91 feet to a point on the centerline of the old Fairhaven and Southern Railway; thence North 52° 18' 38" West along the centerline of the said Fairhaven and Southern Railway right of way, a distance of 1,108.11 feet to the true point of beginning;

EXCEPT that portion lying Southwesterly of the Northeasterly line of the former right of way of the Fairhaven and Southern Railway Company.

Situated in Skagit County, Washington.

Parcel B:

Vacated Blocks 20 and 21, Woolley, the hub of Skagit County, according to the plat thereof recorded in Volume 2 of Plats, Page 92, records of Skagit County, Washington; and a portion of vacated Block 2 of West addition to the Town of Woolley, according to the plat thereof recorded in Volume 2 of Plats, Page 89, records of Skagit County, Washington;

TOGETHER WITH certain vacated streets and alleys adjoining and all more particularly described as follows:

BEGINNING at the intersection of the South line of vacated Waldron Street with the Westerly line of the Sumas Branch, Northern Pacific Railway right of way; thence West along the South

line of said vacated Waldron Street to the East line of State Highway No. 17-A (Borseth Street); thence North along the East line of said State Highway to the point of curvature to the right of said highway; thence on a curve to the right Northeasterly along the Southeasterly line of said highway to the point where said highway runs East; thence East along the South line of said highway to the Westerly line of the Sumas Branch, Northern Pacific Railway; thence Southerly along said Westerly line to the point of beginning.

EXCEPT that portion Deeded to the City of Sedro Woolley by Deed recorded November 19, 2008 under Recording No. 200811190090, records of Skagit County, Washington.

Situated in Skagit County, Washington.

Parcel C;

That Portion of the West half of Section 24, Township 3 north, Range 4 East of the Willamette Meridian, described as follows:

BEGINNING at the intersection of the North line of the Great Northern Railway right of way and the East line of Borseth Street, as shown on the Plat of West addition to the Town of Woolley, according to the plat thereof recorded in Volume 2 of Plats, Page 89, records of Skagit County, Washington; thence North along the East line of Borseth Street to the Northeasterly line of the former Fairhaven and Southern Railway right of way; thence Southeasterly along the Southwesterly line of said railway right of way to the intersection of the Westerly line of the Northern Pacific Railway Company's right of way; thence Southerly along the West line of said railway right of way to the intersection with the North line of the Great Northern Railway Company right of way; thence Southwesterly along the Northerly line of said railroad right of way to the point of beginning;

TOGETHER WITH all vacated streets and alleys within the boundaries of said tract;

EXCEPT From said Parcel C the following described tract:

Beginning at a point of intersection of the Westerly boundary line of the Northern Pacific Railway Company's Sumas Branch right of way with the Northerly boundary line of the Great Northern Railway Company's Skagit Branch right of way; thence South $80^{\circ} 29' 22''$ West along said Northerly boundary line a distance of 77.8 feet; thence Northeasterly on a curve to the left, said curve having a radius of 328.3 feet, a distance of 120 feet, more or less, to a point in said Westerly boundary line a distance of 68.8 feet Northerly measured along said Westerly boundary line from the place of beginning; thence South $09^{\circ} 44' 28''$ West along said Westerly boundary line a distance of 68.8 feet to the place of beginning.

AND EXCEPT That portion Deeded to the City of Sedro Woolley by Deed Recorded March 27, 2020 under Recording No. 202003270072, being a re-recording of Recording No. 201305170123.

Situated in Skagit County, Washington.

Parcel D:

The Westerly 20.0 feet of the Burlington Northern and Santa Fe Railway Company's (formerly Northern Pacific Railway Company) 100.00 foot wide Sedro-Woolley to Sumas, Washington Branch Line right of way, being 50 feet wide on each side of said Railway Company's Main track centerline upon, over and across the Southeast Quarter of the Northwest Quarter of Section 24, Township 35 North, Range 4 East, W.M., Skagit County, Washington, lying between two drawn parallel with and distant, respectively, 30.0 feet and 50.0 feet Westerly, as measured at right angles from said Main Track centerline, bounded on the South by the South line of said Southeast Quarter of the Northeast Quarter, and bounded on the North by the Easterly extension of the South line of Moore Street, according to the Original Townsite of Woolley, Washington.

Situated in Skagit County, Washington.

Parcel E:

Tract 2 of Sedro-Woolley Short Plat No. SW-01-91 as approved November 21, 1991, and recorded December 2, 1991, in Volume 10 of Short Plats, Page 40, under Auditor's File No. 9112020107, records of Skagit County, Washington in the Northwest Quarter and Northeast Quarter of Section 19, Township 35 North, Range 4 East, W.M.

All situated in Skagit County, Washington.

**EXHIBIT B TO DEED
PERMITTED EXCEPTIONS**

1. Rights contained in document, including the terms, covenants and provisions thereof
Recording Dated: April 30, 1890
Recording No.: Volume 10 of Deeds Page 470
2. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
Granted to: Great Northern Railway Company
Purpose: Spur track
Recording Date: July 15, 1919
Recording No.: 134246

Assignment under Recording No. 8806070033
3. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
Granted to: Public Utility District No. 1 of Skagit County
Purpose: Pipe line
Recording Date: February 3, 1942
Recording No.: 348961
Recording No.: 348962

Assignment under Recording No. 8806070035
4. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
Granted to: Puget Sound Power & Light Company
Purpose: Electric transmission and/or distribution line
Recording Date: February 17, 1954
Recording No.: 498287

Assignment under Recording No. 8806070034
5. Reservation in Ordinance 519, 532 and 616 of the City of Sedro Woolley, vacating streets and alleys, of easements and the right to lands for the construction, use, repair and maintenance of public utilities and services.
6. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
Granted to: Puget Sound Power & Light Company
Purpose: Underground electric transmission and/or distribution system
Recording Date: February 6, 1985
Recording No.: 8502060042

Assignment under Recording No. 8806070036
7. Covenants, conditions, restrictions, recitals, reservations, easements, easement provisions, encroachments, dedications, building setback lines, notes, statements, and other matters, if any, but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth on Short Plat No. SW-01-91:

Recording No: 9112020107

8. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Cascade Natural Gas Corp.
Purpose: Pipelines
Recording Date: November 21, 1994
Recording No.: 9411210067

9. Covenants, conditions and restrictions contained in Deed but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document:

Recording Date: November 19, 2008
Recording No.: 200811190090

10. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: City of Sedro Woolley
Purpose: Slopes
Recording Date: November 19, 2008
Recording No.: 200811190091

11. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: City of Sedro Woolley
Purpose: Slopes
Recording Date: May 17, 2013
Recording No.: 201305170124

12. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: City of Sedro-Woolley
Purpose: Placement, maintenance and repair of street lights and appurtenances
Recording Date: March 27, 2020
Recording No.: 202003270072

Being a Re-recording of Recording No. 201305170123

13. Agreement, including the terms, covenants and provisions thereof

Recording Date: November 4, 2016
Recording No.: 201611040041

14. General and special taxes and charges for 2023 and subsequent years.

15. Assessments, if any, levied by Sedro Woolley for 2023 and subsequent years.

16. City, county or local improvement district assessments, if any for 2023 and subsequent years.

17. Right, title, and interest of parties in possession, under unrecorded leases and/or verbal agreements, subject to the terms and provisions therein contained:

18. An unrecorded lease with certain terms, covenants, conditions and provisions set forth therein as disclosed by the document

Entitled: Memorandum of Lease
Lessor: Sea-Land Development Corp.
Lessee: VoiceStream PCS III Corp.
Recording Date: September 11, 2000
Recording No.: 200009110046

19. Any rights, interests, or claims which may exist or arise by reason of the following matters disclosed by survey prepared by Barghausen Consulting Engineers, Inc., dated December 9, 2022, designated Job No. 22594

Matters shown:

- A. Rail tracks extend over boundary with Fairhaven & Southern Railroad right-of-way onto Southwestern portion of Parcel A
- B. Fence lies up to 2.9 feet Northwest of Northwestern boundary of Parcel B
- C. Rail tracks extend over boundary with Fairhaven & Southern Railroad right-of-way onto Northeastern portion of Parcel C
- D. Unidentified wall or curb spans boundary between Parcel C and Fairhaven & Southern Railroad right-of-way
- E. Shed spans boundaries between Parcel C, Fairhaven & Southern Railroad right-of-way and Burlington Northern Railroad right-of-way
- F. Fence lies up to 8.9 feet Northwest of Southeastern boundary of Parcel C
- G. Overhead power line and power pole lie North of Southern boundary of Parcel C outside of a recorded easement area and/or without the benefit of a recorded easement
- H. Fence lies up to 1.1 feet Northwest of Southern boundary of Parcel C
- I. Fence lies up to 1.0 feet Eastern of Western boundary of Parcel C
- J. Fence lies up to 12.5 feet Northwest of Eastern boundary of Parcel D
- K. Concrete and wood pole wheelstops extend over Northern boundary of Parcel E onto adjoining parcel
- L. Corner of building located at Southwestern portion of Parcel E lies within easement area of that easement for utility and fire protection recorded under Auditor's File No. 9112020107

20. Any easements for underground utilities and facilities not disclosed by the public records.



Right to Manage Natural Resource Lands Disclosure

Skagit County's policy is to enhance and encourage Natural Resource Land management by providing County residents notification of the County's recognition and support of the right to manage Natural Resource Lands, e.g., farm and forest lands.

Skagit County Code 14.38.030(2) requires, in specified circumstances, recording of the following disclosure in conjunction with the deed conveying the real property:

This disclosure applies to parcels designated or within 1 mile of designated agricultural land or designated or within 1/4 mile of rural resource, forest or mineral resource lands of long-term commercial significance in Skagit County.

A variety of Natural Resource Land commercial activities occur or may occur in the area that may not be compatible with non-resource uses and may be inconvenient or cause discomfort to area residents. This may arise from the use of chemicals; or from spraying, pruning, harvesting or mineral extraction with associated activities, which occasionally generates traffic, dust, smoke, noise, and odor. Skagit County has established natural resource management operations as a priority use on designated Natural Resource Lands, and area residents should be prepared to accept such incompatibilities, inconveniences or discomfort from normal, necessary Natural Resource Land operations when performed in compliance with Best Management Practices and local, State, and Federal law.

In the case of mineral lands, application might be made for mining-related activities including extraction, washing, crushing, stockpiling, blasting, transporting and recycling of minerals. If you are adjacent to designated NR Lands, you will have setback requirements from designated NR Lands.

Washington State Law at RCW 7.48.305 also establishes that:

...agricultural activities conducted on farmland and forest practices, if consistent with good agricultural and forest practices and established prior to surrounding nonagricultural and nonforestry activities, are presumed to be reasonable and shall not be found to constitute a nuisance unless the activity or practice has a substantial adverse effect on public health and safety. ...An agricultural activity that is in conformity with such laws and rules shall not be restricted as to the hours of the day or day or days of the week during which it may be conducted.

SELLER:

Sea-Land Development Corporation
A Washington corporation

By: 
Mark A. Nysether, President

[Additional Signature on Following Page]

500 METCALF STREET LLC,
a Washington limited liability company

By: *P. Janicki*
Name: Peter Janicki
Title: Manager

UNOFFICIAL DOCUMENT