

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 05/13/2024

GNW 22-14506

*Document Title: Temporary Easement*  
*Reference Number of Related Document: N/A*  
*Grantors: Poet, Donald; Poet, Arlene*  
*Grantee: State of Washington, Department of Transportation*  
*Legal Description: Ptn of Gov't Lot 2 of Section 7-T35N-R5E, W.M, Skagit County*  
*Additional Legal Description is on Page 4 of Document*  
*Assessor's Tax Parcel Number: P38589/350507-0-005-0002*

**TEMPORARY EASEMENT**

State Route 9, Unnamed Tributary to Nookachamps and Hansen Creeks – Fish Passage,  
Temporary Easement Exhibit 1-25371

The Grantors, DONALD POET and ARLENE POET, husband and wife, 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 to perform all work necessary and providing a construction staging area for storage of equipment and materials for the construction of a new fish passable structure, appurtenances, and habitat enhancements including, but not limited to, constructing and operating a temporary stream bypass, clearing trees and vegetation as needed, possible modifications to the course and profile of the waterway, placement of large woody material and other such enhancements ("Construction"), as well as post-construction establishment of native type vegetation including, but not limited to, planting, seeding, inspecting, monitoring, watering and weed control, together with rights of ongoing ingress and egress to accomplish said purposes ("Plant Establishment").

**TEMPORARY EASEMENT**

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 December 31, 2028 (the "Term"). Construction shall be limited to no more than twenty-two (22) consecutive months during the Term and will be followed by a three (3) year Plant Establishment period. Grantee shall provide Grantor written notice no less than thirty (30) days in advance of Grantee's intent to exercise its rights under this Temporary Easement.

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 April 16<sup>th</sup>, 2024

Donald Poet  
DONALD POET

Arlene R Poet  
ARLENE POET

Accepted and Approved

STATE OF WASHINGTON  
Department of Transportation

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

Date: \_\_\_\_\_

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Dated April 16<sup>th</sup>, 2024

Donald Poet  
DONALD POET

Arlene R Poet  
ARLENE POET

Accepted and Approved

STATE OF WASHINGTON  
Department of Transportation

By: Synthia Armstrong  
Synthia Armstrong, May 1, 2024  
Synthia Armstrong, Northwest Region  
Real Estate Services Manager,  
Authorized Agent

Date May 1, 2024



**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) 203+10.00 on the SR 9 line survey of SR 9, Unnamed Tributary to Nookachamps and Hansen Creeks – Fish Passage, Temporary Easement Exhibit 1-25371, and 30.0 feet easterly therefrom; thence easterly to a point opposite said HES and 105.0 feet easterly therefrom; thence northeasterly to a point opposite HES 203+40.00 and 155.0 feet easterly therefrom; thence northerly parallel with said line survey to a point opposite HES 204+10± thereon, said point being on the northerly line of said PARCEL "A"; thence westerly along said northerly line to a point opposite HES 204+07± on said line survey and 30 feet easterly therefrom; thence southerly parallel with said line survey to the point of beginning.

**PARCEL "A"**

That part of the South 10 acres of the North ½ of Government Lot 2, Section 7, Township 35 North, Range 5 East, W.M., lying West of the old railroad grade (now county road); EXCEPT that portion thereof conveyed to Skagit County for road purpose by deed dated August 16, 1926, and recorded September 11, 1926, under Auditor's File No. 197145, records of Skagit County, Washington.

Situate in the County of Skagit, State of Washington

The lands herein described contain an area of 11,548 square feet, more or less, the specific details concerning all of which are to be found on sheets 1, 2 & 3 of that certain Exhibit Map entitled SR 9, Unnamed Tributary to Nookachamps and Hansen Creeks – Fish Passage, Temporary Easement Exhibit 1-25371, bearing date of approval 11/2/2022.

Grantors' Initials

