

Denise Krownbell  
SCL ESA Lands 2012 Deed Acceptance ORD  
March 5, 2012  
Version #1

**ORDINANCE \_\_\_\_\_**

AN ORDINANCE relating to the City Light Department; accepting statutory warranty deeds to the Dow, Faucett et al., Miller, and Schmitt properties in Snohomish County, Washington, and the Errol Hanson Funding Inc., Fischer, Heaphy, Raab Family Trust, TPB Properties Inc., Turner and Wall properties in Skagit County, Washington, for salmonid habitat protection purposes; ratifying the grants of Deeds of Right to the State of Washington on the Dow, Errol Hanson Funding, Inc., Faucett et al., Fischer, Miller, Schmitt, and TPB Properties Inc. properties for salmon recovery and conservation purposes; placing said lands under the jurisdiction of the City Light Department; and ratifying and confirming certain prior acts.

WHEREAS, Ordinance 121114 authorizes the Superintendent of City Light, within and subject to appropriation authority and based on appraised market value, to negotiate for and purchase parcels of land in the Skagit River and the Tolt/Snoqualmie River watersheds in furtherance of the City's Early Action Program, which was approved by Resolution 29905; and

WHEREAS, under authority of Ordinance 121114, City Light acquired the Dow, Errol Hanson Funding Inc., Faucett et al., Fischer, Heaphy, Miller, Raab Family Trust, Schmitt, TPB Properties, Inc., Turner, and Wall properties in the Skagit River watershed; and

WHEREAS, under authority of Ordinance 123362, the Salmon Recovery Funding Board Grants ("SRFB Grant") from the State of Washington used for purchases under this program in 2009-2010 were accepted, increasing City Light's budget authority; and

WHEREAS, City Light's purchase of the Dow, Miller, and TPB Inc., properties were counted as match towards the SRFB grants used for purchases under this program in 2011; and

WHEREAS, the SRFB Grants required City Light to convey Deeds of Right to the State of Washington, which includes conditions for purposes of salmon recovery and conservation under which properties purchased with grant funds may be used or sold;  
NOW, THEREFORE,

**BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

Section 1. The Statutory Warranty Deed executed by Jennifer L. Dow on September 30, 2011, as Grantor, recorded under Snohomish County Auditor's File Number 201110170848, a



1 copy of which is included as Attachment A, conveying approximately 32 acres located along the  
2 Sauk River to The City of Seattle is hereby accepted; and the real property conveyed therein is  
3 placed under the jurisdiction of the City Light Department.

4 Section 2. The Statutory Warranty Deed executed by Errol Hanson Funding, Inc. on June  
5 27, 2011, as Grantor, recorded under Skagit County Auditor's File Number 201107210112, a  
6 copy of which is included as Attachment B, conveying approximately 10 acres located along the  
7 Sauk River to The City of Seattle, is hereby accepted; the real property conveyed therein is  
8 placed under the jurisdiction of the City Light Department; and the Deed of Right executed by  
9 the City Light Department on July 8, 2011, as Grantor, recorded under Skagit County Auditor's  
10 File Number 201107210113, a copy of which is included as Attachment C, is hereby ratified in  
11 fulfillment of SRFB Grant, Project Number 10-1769A.  
12

13 Section 3. The Statutory Warranty Deed executed by Mary J. Faucett, James E. Faucett,  
14 Linda M. Lindhold, and Diane M. Meece on June 15, 2011, as Grantor, recorded under  
15 Snohomish County Auditor's File Number 201107190331, a copy of which is included as  
16 Attachment D, conveying approximately 22 acres located along the Sauk River to The City of  
17 Seattle is hereby accepted; the real property conveyed therein is placed under the jurisdiction of  
18 the City Light Department; and the Deed of Right executed by the City Light Department on July  
19 8, 2011, as Grantor, recorded under Snohomish County Auditor's File Number 201108050154, a  
20 copy of which is included as Attachment E, is hereby ratified in fulfillment of SRFB Grant,  
21 Project Number 10-1769A.  
22

23 Section 4. The Statutory Warranty Deed executed by Pauline A. Fischer, on March 21,  
24 2011, as Grantor, recorded under Skagit County Auditor's File Number 201103250025, a copy  
25  
26



1 of which is included as Attachment F, conveying approximately 8 acres located along the Skagit  
2 River to The City of Seattle, is hereby accepted; the real property conveyed therein is placed  
3 under the jurisdiction of the City Light Department; and the Deed of Right executed by the City  
4 Light Department on March 21, 2011, as Grantor, recorded under Skagit County Auditor's File  
5 Number 201103250026, a copy of which is included as Attachment G, is hereby ratified in  
6 fulfillment of SRFB Grant, Project Number 09-1450C.

7  
8 Section 5. The Statutory Warranty Deed executed by Thomas W. Heaphy on March 23,  
9 2011, as Grantor, recorded under Skagit County Auditor's File Number 201103300131, a copy  
10 of which is included as Attachment H, conveying approximately .5 acres located along the Skagit  
11 River to The City of Seattle, is hereby accepted; and the real property conveyed therein is placed  
12 under the jurisdiction of the City Light Department.

13  
14 Section 6. The Statutory Warranty Deed executed by Joseph Harrison Miller, on June 30,  
15 2011, as Grantor, recorded under Snohomish County Auditor's File Number 201107140327, a  
16 copy of which is included as Attachment I, conveying approximately 8.8 acres located along the  
17 Sauk River to The City of Seattle, is hereby accepted; and the real property conveyed therein is  
18 placed under the jurisdiction of the City Light Department.

19  
20 Section 7. The Statutory Warranty Deed executed by Valentina Vidette M. Davoli-Raab,  
21 as Successor Trustee of The Raab Family Trust, on May 2, 2011, as Grantor, recorded under  
22 Skagit County Auditor's File Number 201105110055, a copy of which is included as Attachment  
23 J, conveying approximately 65 acres located along Jones Creek, a tributary to the Skagit River,  
24 to The City of Seattle, is hereby accepted; and the real property conveyed therein is placed under  
25 the jurisdiction of the City Light Department.



1 Section 8. The Statutory Warranty Deed executed by David R. Schmitt and Sue S.  
2 Schmitt on June 23, 2011, as Grantor, recorded under Snohomish County Auditor's File Number  
3 201107180560, a copy of which is included as Attachment K, conveying approximately 3 acres  
4 along the Sauk River to The City of Seattle, is hereby accepted; the real property conveyed  
5 therein is placed under the jurisdiction of the City Light Department; and the Deed of Right  
6 executed by the City Light Department on July 8, 2011, as Grantor, recorded under Snohomish  
7 County Auditor's File Number 201107180559, a copy of which is included as Attachment L, is  
8 hereby ratified in fulfillment of SRFB Grant, Project Number 10-1769A.

9  
10 Section 9. The Statutory Warranty Deed executed by TPB Properties Inc. on March 21,  
11 2011, as Grantor, recorded under Skagit County Auditor's File Number 201103280124, a copy  
12 of which is included as Attachment M, conveying approximately 120 acres located along Finney  
13 Creek, a tributary to the Skagit River to The City of Seattle, is hereby accepted; the real property  
14 conveyed therein is placed under the jurisdiction of the City Light Department; and the Deed of  
15 Right executed by the City Light Department on July 8, 2011, as Grantor, recorded under Skagit  
16 County Auditor's File Number 201107150130, a copy of which is included as Attachment N, is  
17 hereby ratified in fulfillment of SRFB Grant, Project Number 10-1769A.

18  
19 Section 10. The Statutory Warranty Deed executed by Michael E. Turner and Sharon R.  
20 Turner on September 21, 2011, as Grantor, recorded under Skagit County Auditor's File Number  
21 201109270175, a copy of which is included as Attachment O, conveying approximately 0.5 acres  
22 located along the Skagit River to The City of Seattle, is hereby accepted; and the real property  
23 conveyed therein is placed under the jurisdiction of the City Light Department.  
24  
25  
26  
27  
28

1 Section 11. The Statutory Warranty Deed executed by Larry Wall and Wendi Wall on  
2 March 23, 2011, as Grantor, recorded under Skagit County Auditor's File Number  
3 201103300132, a copy of which is included as Attachment P, conveying approximately 0.5 acres  
4 located along the Skagit River to The City of Seattle, is hereby accepted; and the real property  
5 conveyed therein is placed under the jurisdiction of the City Light Department.

6 Section 12. Any act pursuant to the authority and prior to the effective date of this  
7 ordinance is hereby ratified and confirmed.  
8

9 Section 13. This ordinance shall take effect and be in force 30 days after its approval by  
10 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it  
11 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

12 Passed by the City Council the \_\_\_\_ day of \_\_\_\_\_, 2012, and  
13 signed by me in open session in authentication of its passage this  
14 \_\_\_\_ day of \_\_\_\_\_, 2012.

15  
16 \_\_\_\_\_  
17 President Clark of the City Council

18 Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2012.

19  
20 \_\_\_\_\_  
21 Michael McGinn, Mayor

22 Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2012.

23  
24 \_\_\_\_\_  
25 Monica Martinez Simmons, City Clerk

26 (Seal)



1 Attachments:

2  
3 Attachment A: Statutory Warranty Deed, Snohomish County Auditor's File Number  
201110170848

4 Attachment B: Statutory Warranty Deed, Skagit County Auditor's File Number 201107210112

5 Attachment C: Deed of Right, Skagit County Auditor's File Number 201107210113

6  
7 Attachment D: Statutory Warranty Deed, Snohomish County Auditor's File Number  
201107190331

8 Attachment E: Deed of Right, Snohomish County Auditor's File Number 201108050154

9  
10 Attachment F: Statutory Warranty Deed, Skagit County Auditor's File Number 201103250025

11 Attachment G: Deed of Right, Skagit County Auditor's File Number 201103250026

12 Attachment H: Statutory Warranty Deed, Skagit County Auditor's File Number 201103300131

13 Attachment I: Statutory Warranty Deed, Snohomish County Auditor's File Number  
14 201107140327

15 Attachment J: Statutory Warranty Deed, Skagit County Auditor's File Number 201105110055

16 Attachment K: Statutory Warranty Deed, Snohomish County Auditor's File Number  
17 201107180560

18 Attachment L: Deed of Right, Snohomish County Auditor's File Number 201107180559

19 Attachment M: Statutory Warranty Deed, Skagit County Auditor's File Number 201103280124

20 Attachment N: Deed of Right, Skagit County Auditor's File Number 201107150130

21  
22 Attachment O: Statutory Warranty Deed, Skagit County Auditor's File Number 201109270175

23 Attachment P: Statutory Warranty Deed, Skagit County Auditor's File Number 201103300132



\$ 128,000

4224

2,283.48

When recorded return to:

The City of Seattle  
700 5th Ave., Suite 3300  
P.O. Box 34023  
Real Estate Services, Room 3012  
Seattle, WA 98124-9871



201110170848 1 PG  
10/17/2011 2:01pm \$62.00  
SNOHOMISH COUNTY, WASHINGTON

No. 6282141 16/17/2011 1:55 PM  
Thank you for your payment.  
BJ

Filed for Record at Request of  
Land Title and Escrow  
Escrow Number: 19294-OE1.

Grantor: Jennifer L. Dow  
Grantee: THE CITY OF SEATTLE, a municipal corporation of the State of Washington

STEWART 994221

Statutory Warranty Deed

1/68

THE GRANTOR JENNIFER L. DOW, an unmarried individual for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to THE CITY OF SEATTLE, a municipal corporation of the State of Washington the following described real estate, situated in the County of Snohomish County, State of Washington:

THAT PORTION OF THE SOUTH HALF OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 32 NORTH, RANGE 9 EAST, W.M. LYING EASTERLY OF THE COUNTY ROAD.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

Tax Parcel Number(s): 32092500100500

Subject to all covenants, conditions, restrictions, reservations, agreements and easements of record, if any.

Dated September 30, 2011

Jennifer L. Dow

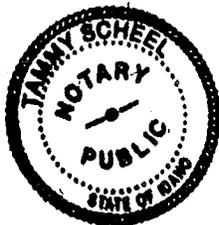
STATE OF Idaho )  
COUNTY OF Shoshone ) SS:

I certify that I know or have satisfactory evidence that Jennifer L. Dow the person(s) who appeared before me, and said person(s) acknowledged that she signed this instrument and acknowledge it to be her free and voluntary act for the uses and purposes mentioned in this instrument.

Dated: 10-3-2011

Tammy Scheel

Notary Public in and for the State of Idaho  
Residing at Mullan  
My appointment expires: 1-29-2014



LPB 10-05(i-iv)



Denise Krownbell  
SCL ESA Lands 2012 Deed Acceptance ATT B  
March 5, 2012  
Version 1

When recorded return to:

The City of Seattle  
700 5th Avenue, Suite 3300/P.O. Box 34023,  
Real Estate Services, Room 3012  
Seattle, WA 98124-9871



201107210112  
Skagit County Auditor

7/21/2011 Page 1 of 1 3:54PM

Filed for Record at Request of  
Land Title and Escrow  
Escrow Number: 135531-OE

Grantor: Errol Hanson Funding, Inc.  
Grantee: The City of Seattle

LAND TITLE OF SKAGIT COUNTY

Statutory Warranty Deed

THE GRANTOR ERROL HANSON FUNDING, INC., a Washington Corporation for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to THE CITY OF SEATTLE, a municipal corporation of the State of Washington the following described real estate, situated in the County of Skagit, State of Washington:

Abbreviated Legal:  Tracts 2 & 3, S/P #73-76 in ptn SE ¼, 11-34-9 E W.M.

Tax Parcel Number(s): 340911-4-004-0006, P30893

Tracts 2 and 3 of Skagit County Short Plat No. 73-76, approved June 7, 1977 and recorded June 8, 1977, in Volume 2 of Short Plats, page 68, under Auditor's File No. 857847, records of Skagit County, Washington; being a portion of the Southeast ¼ of Section 11, Township 34 North, Range 9 East W.M.

Situate in the County of Skagit, State of Washington.

Subject to all covenants, conditions, restrictions, reservations, agreements and easements of record including, but not limited to, those shown on Schedule "B-1" of Land Title Company's Preliminary Commitment No. 135531-OE.

Dated June 21, 2011

Errol Hanson Funding, Inc.  
*Errol Hanson*  
By: Errol Hanson, President

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX  
# 2183  
JUL 21 2011  
Amount Paid \$ 1696.<sup>00</sup>  
By: *[Signature]* Skagit Co. Treasurer  
Deputy

STATE OF Washington )  
County of Skagit ) SS:  
I certify that I know or have satisfactory evidence Errol Hanson  
the person who appeared before  
me, and said person acknowledged that he signed this instrument, on oath stated: He is  
authorized to execute the instrument and is President  
of Errol Hanson Funding, Inc.  
to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Dated: June 27, 2011  
*Karen Ashley*  
Karen Ashley  
Notary Public in and for the State of Washington  
Residing at Sedro-Woolley  
My appointment expires: 9/11/2014



Denise Krownbell  
SCL ESA Lands 2012 Deed Acceptance ATT C  
March 5, 2012  
Version 1



201107210113  
Skagit County Auditor

7/21/2011 Page 1 of 3 3:54PM

**After recording, please return to:**

Washington State Salmon Recovery Funding Board  
Interagency Committee for Outdoor Education  
P.O. Box 40917  
Olympia, WA 98504-0917

LAND TITLE OF SKAGIT COUNTY

*135531-01E*

Document Title: Deed of Right to Use Land For Salmon Recovery

Grantor: City of Seattle, acting by and through Seattle City Light Department

Grantee: Washington State

Abbreviated Legal: Tracts 2 & 3, S/P#73-76 in ptn SE 1/4, 11-34-9 E. W.M. Skagit County, Washington.

Assessor's Property Tax Parcel/Account Numbers: P30893

**DEED OF RIGHT TO USE LAND FOR  
SALMON RECOVERY**

The Grantor, Seattle City Light for and in consideration of monies coming in whole or in part from the Salmon Recovery Funding Board of the State of Washington and in fulfillment of terms of the Project Agreement identified below, conveys and grants to the State of Washington individually and as the representative of the people of the State, the right to use the real property described below forever for salmon recovery and conservation purposes.

Those purposes are described in the Project Agreement entered into between the Grantor and the State of Washington through the Salmon Recovery Funding Board, titled Upper Skagit Tier 1 & 2 Floodplain Protection, Project Number 10-1769A signed by the Grantor on the 1<sup>st</sup> day of November, 2010, and by the Salmon Recovery Funding Board on the 3rd day of November, 2010, and the application and supporting materials which are on file with the Grantor and the State in connection with the Project Agreement.

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

JUL 21 2011

Attachment C to the SCL ESA Lands 2012 Deed Acceptance, ORD

Amount Paid \$  
Skagit Co. Treasurer  
By *man* Deputy



Denise Krownbell  
SCL ESA Lands 2012 Deed Acceptance ATT C  
March 5, 2012  
Version 1

The Grantor will not make or permit to be made any use of the real property described in this deed, or any part of it, which is inconsistent with the right to use for salmon recovery and conservation purposes herein granted unless the State, through the Salmon Recovery Funding Board or its successors, consents to the inconsistent use. This consent shall be granted only upon the following conditions, which will ensure other land will be substituted.

The conditions are that the substituted salmon recovery and conservation land must be:  
(1) of at least equal fair market value at the time of change of use and of as nearly as feasible equivalent (2) qualities, (3) characteristics and (4) location for salmon recovery and conservation purposes for which state assistance was originally granted.

The real property covered by this deed is described as follows:

Tracts 2 and 3 of Skagit County Short Plat No. 73-76, approved June 7, 1977 and recorded June 8, 1977, in Volume 2 of Short Plats, page 68, under Auditor's File No. 857847, records of Skagit County, Washington; being a portion of the Southeast 1/4 of Section 11, Township 34 North, Range 9 East W.M.

SITUATE in the County of Skagit, State of Washington.

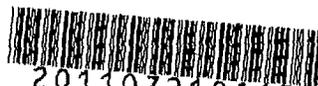
This deed shall in no way modify or extinguish the functions of the Grantor under the Project Agreement, including the Grantor's functions to operate and maintain the land as set out in the Project Agreement.

Dated this 8 day of July, 2011.

SEATTLE CITY LIGHT

By: Lynn Best  
Lynn Best, Director, Seattle City Light, Environmental Affairs Division

Page 2

  
201107210113  
Skagit County Auditor

Attachment C to the SCL ESA Lands 2012 Deed Acceptance ORD  
7/21/2011 Page 2 of 3 3:54PM



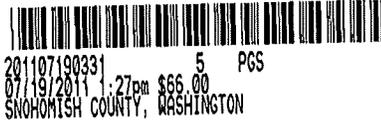


\$135,000 4:26389

2,076.50

Written recorded return to:

The City of Seattle  
700 5th Avenue, Suite 3300/P.O. Box 34023,  
Real Estate Services, Room 3012  
Seattle, WA 98124-9871



Filed for Record at Request of  
Land Title and Escrow  
Escrow Number: 18854-0E1

No. 6188456 7/19/2011 1:23 PM  
Thank you for your payment.  
BJ

Grantor: Mary J. Faucett, James E. Faucett, Linda M. Lindholm and Diane M. Meece  
Grantee: The City of Seattle

### Statutory Warranty Deed

THE GRANTOR MARY J. FAUCETT, JAMES E. FAUCETT, LINDA M. LINDHOLD, and DIANE M. MEECE, each as a separate estate as their interest may appear for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to THE CITY OF SEATTLE, a municipal corporation of the State of Washington the following described real estate, situated in the County of Snohomish, State of Washington:

Abbreviated Legal: Portion of the Northwest quarter of the Northwest quarter of Section 24, Township 32 North, Range 9 East, W.M., in Snohomish County, Washington.

SEE ATTACHED EXHIBIT "A" HERETO FOR LEGAL DESCRIPTION

Tax Parcel Number(s): 320924-002-003-00

Subject to all covenants, conditions, restrictions, reservations, agreements and easements of record including, but not limited to, those shown on Schedule "B-1"; paragraphs 10 through 16, of Old Republic Title Company's Preliminary Commitment No. 5207087006 - see attached Exhibit "B"

Dated June 15, 2011

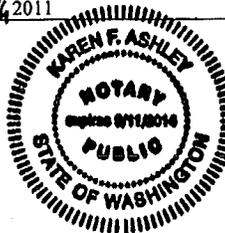
*Mary J. Faucett by James E. Faucett for*  
Mary J. Faucett *AS Her Attorney in Fact James E. Faucett*  
*Linda M. Lindholm Diane M. Meece*  
Linda M. Lindholm Diane M. Meece

OLD REPUBLIC TITLE LTD  
4615  
67-8706-2

STATE OF Washington )  
COUNTY OF Skagit ) SS:

I certify that I know or have satisfactory evidence that James E. Faucett and Diane M. Meece the person(s) who appeared before me, and said person(s) acknowledged that they signed this instrument and acknowledge it to be their free and voluntary act for the uses and purposes mentioned in this instrument.

Dated: June 29, 2011



*Karen Ashley*  
Karen Ashley  
Notary Public in and for the State of Washington  
Residing at Sedro-Woolley  
My appointment expires: 9/11/2014

LPB 10-05(i-1)  
Page 1 of 2



**EXHIBIT A**

**ORDER NO. : 5207087006**

**LEGAL DESCRIPTION EXHIBIT**

The land referred to is situated in the County of Snohomish, City of Darrington, State of Washington, and is described as follows:

The Northwest quarter of the Northwest quarter of Section 24, Township 32 North, Range 9 East, W.M., in Snohomish County, Washington;  
EXCEPT the West 196 feet thereof;  
AND EXCEPT the South 440 feet thereof.

SITUATE in the County of Snohomish, State of Washington

**ABBREVIATED LEGAL**

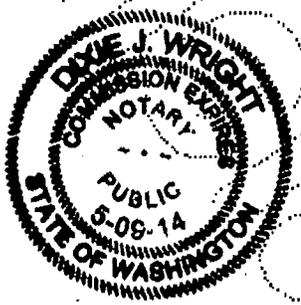
Portion of the Northwest quarter of the Northwest quarter of Section 24, Township 32 North, Range 9 East, W.M., in Snohomish County, Washington

Tax Account No. 320924-002-003-00

State of Washington  
County of Thurston } SS:

I certify that I know or have satisfactory evidence that Linda M. Lindhold  
the person(s) who appeared before me, and said person(s) acknowledged that she  
signed this instrument and acknowledge it to be her free and voluntary act for the  
uses and purposes mentioned in this instrument.

Dated: June 24, 2011 Dixie J Wright



Notary Public in and for the State of Washington  
Residing at: Olympia  
My appointment expires: 5/19/14

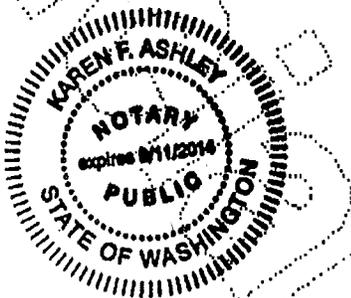


STATE OF Washington  
COUNTY OF Skagit } SS:

On this 28th day of June 2011 before me personally appeared \_\_\_\_\_  
James E. Faucett, to me known to be the individual described in and  
who executed the foregoing instrument \_\_\_\_\_ as Attorney in Fact for  
Mary J. Faucett and acknowledged that he signed and  
sealed the same as the free and voluntary act and deed as Attorney in Fact for said principal for the  
uses and purposes therein mentioned, and on oath stated that the Power of Attorney authorizing the execution  
of this instrument has not been revoked and that the said principal is now living, and is not incompetent.

Given under my hand and official seal the day and year last above written.  
(Seal)

Karen Ashley  
Karen Ashley  
Notary Public in and for the State of Washington  
Residing at Sedro-Woolley  
My appointment expires: 9/11/2014



UNRECORDED DOCUMENT



EXHIBIT "B"

Rights of third parties mining in the area to pursue an existing vein of ore onto or into the property herein described, as established by applicable laws relating to mining districts in the State of Washington.

Terms and provisions as contained in an instrument,

Entitled Treasurer's Deed  
Executed By Sylvester R. Stumfall  
Recorded December 5, 1944 in Volume 336 of Deeds, Page 53 under Recording Number 776108

Which, among other things, provides: Reservation of rights to locate, construct and maintain a public roads or highways.

An easement affecting that portion of said land and for the purposes stated herein and incidental purposes as provided in the following

Granted To : State of Washington  
For : Maintain a drainage system  
Recorded : March 29, 1967 in Official Records under Recording Number 1943573

Any prohibition or limitation on the use, occupancy or improvement of the land resulting from the rights of the public or riparian owners to use any waters which may cover the land or any portion thereof.

Rights of the State of Washington in and to that portion of said premises, if any, lying in the bed of Sauk River.

Any easement for water course over that portion of said land lying within the banks of the Suak River and any changes in the boundary lines of said land that have occurred or may hereafter occur from natural causes.

Rights of the public to unrestricted use of a navigable body of water including, but not limited to navigation, recreational use, and fishing, whether or not the level of the water has been raised or lowered naturally or artificially to a maintained or fluctuating level.

After recording, please return to:

Washington State Salmon Recovery Funding Board  
Interagency Committee for Outdoor Education  
P.O. Box 40917  
Olympia, WA 98504-0917



201108050154 3 PGS  
08/05/2011 10:01am \$65.00  
SNOHOMISH COUNTY, WASHINGTON

Document Title: Deed of Right to Use Land For Salmon Recovery

Grantor: City of Seattle, acting by and through Seattle City Light Department

Grantee: Washington State

Abbreviated Legal: Portion of the NW 1/4 of NW 1/4 of Sec 24, T32N, R9E, W.M. in  
Snohomish County, Washington

Assessor's Property Tax Parcel/Account Numbers: 320924-002-003-00

3/1/11  
OLD REPUBLIC TITLE LTD  
07-87006-2

## DEED OF RIGHT TO USE LAND FOR SALMON RECOVERY

The Grantor, Seattle City Light for and in consideration of monies coming in whole or in part from the Salmon Recovery Funding Board of the State of Washington and in fulfillment of terms of the Project Agreement identified below, conveys and grants to the State of Washington individually and as the representative of the people of the State, the right to use the real property described below forever for salmon recovery and conservation purposes.

Those purposes are described in the Project Agreement entered into between the Grantor and the State of Washington through the Salmon Recovery Funding Board, titled Upper Skagit Tier 1 & 2 Floodplain Protection, Project Number 10-1769A signed by the Grantor on the 1<sup>st</sup> day of November, 2010, and by the Salmon Recovery Funding Board on the 3<sup>rd</sup> day of November, 2010, and the application and supporting materials which are on file with the Grantor and the State in connection with the Project Agreement.

The Grantor will not make or permit to be made any use of the real property described in this deed, or any part of it, which is inconsistent with the right to use for salmon recovery and conservation purposes herein granted unless the State, through the Salmon Recovery Funding Board or its successors, consents to the inconsistent use. This consent shall be granted only upon the following conditions, which will ensure other land will be substituted.

The conditions are that the substituted salmon recovery and conservation land must be:  
(1) of at least equal fair market value at the time of change of use and of as nearly as feasible equivalent (2) qualities, (3) characteristics and (4) location for salmon recovery and conservation purposes for which state assistance was originally granted.

The real property covered by this deed is described as follows:

The Northwest quarter of the Northwest quarter of Section 24, Township 32 North, Range 9 East, W.M., in Snohomish County, Washington;  
EXCEPT the West 196 feet thereof;  
AND EXCEPT the South 440 feet thereof;

SITUATE IN THE County of Snohomish, City of Darrington, State of Washington.

This deed shall in no way modify or extinguish the functions of the Grantor under the Project Agreement, including the Grantor's functions to operate and maintain the land as set out in the Project Agreement.

Dated this 8 day of July, 2011.

SEATTLE CITY LIGHT

By: Lynn Best  
Lynn Best, Director, Seattle City Light, Environmental Affairs Division





When recorded return to:

Seattle City Light  
Real Estate Services  
ATTN: Mary Davis, Sr. Real Property Agent  
700 5<sup>th</sup> Avenue, Suite 3200, Room SMT3012  
P.O. Box 34023  
Seattle, WA 98124-9871



201103250025  
Skagit County Auditor

3/25/2011 Page 1 of 3 8:55AM

Filed for Record at Request of  
Land Title and Escrow  
Escrow Number: 136942-OE

Grantor: Pauline A. Fischer  
Grantee: City of Seattle, a Municipal Corporation

LAND TITLE OF SKAGIT COUNTY

### Statutory Warranty Deed

THE GRANTOR PAULINE A. FISCHER, as her separate property for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to CITY OF SEATTLE, a Municipal Corporation the following described real estate, situated in the County of Skagit, State of Washington:

Abbreviated Legal: Ptn Gov. Lot 7, 22-35-7 E.W.M.

SEE ATTACHED EXHIBIT "A" HERETO FOR LEGAL DESCRIPTION

Tax Parcel Number(s): 350722-0-012-0002, P43128

Subject to all covenants, conditions, restrictions, reservations, agreements and easements of record including, but not limited to, those shown on Schedule "B-1" of Land Title Company's Preliminary Commitment No. 136942-OE, attached hereto as Exhibit "B".

Dated March 21, 2011

Pauline A. Fischer

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

841

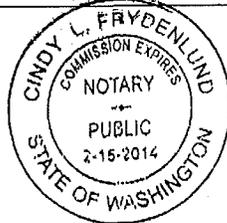
MAR 25 2011

Amount Paid \$ 628.<sup>00</sup>  
Skagit Co. Treasurer  
By Deputy

STATE OF Washington )  
COUNTY OF Skagit ) SS:

I certify that I know or have satisfactory evidence that Pauline A. Fischer is the person(s) who appeared before me, and said person(s) acknowledged that she signed this instrument and acknowledge it to be her free and voluntary act for the uses and purposes mentioned in this instrument.

Dated: March 21, 2011



~~Notary Public~~ Cindy L. Frydenlund  
Notary Public in and for the State of Washington  
Residing at ~~Scio, Oregon~~ Mt. Vernon  
My appointment expires: ~~9/11/2014~~ 2/15/14



**EXHIBIT A**

**Schedule "A-1"**

**136942-OE**

**DESCRIPTION:**

That portion of Government Lot 7 of Section 22, Township 35 North, Range 7 East, W.M., lying Northerly of the Puget Sound and Cascade Railway Company's right of way and lying Southerly of the Skagit River and lying Westerly of that certain tract of land conveyed to W. V. Wells by deed dated November 18, 1914 and recorded November 21, 1914, under Auditor's File No. 105158 in Volume 98 of Deeds, page 119, records of Skagit County, Washington and lying Easterly of a line drawn Northerly that is 400 feet Westerly from the Southwest corner of the said W. V. Wells tract. (Said parcel being that certain tract of land described in document recorded under Auditor's File No. 321372 and being described as being approximately 2 acres of land.)

Situate in the County of Skagit, State of Washington.



201103250025  
Skagit County Auditor

LPB 11-05(i-1)  
Page 2 of 2



**EXHIBIT B**

Schedule "B-1"

136942-OE

EXCEPTIONS:

- A. Any prohibition of or limitation of use, occupancy or improvement of the land resulting from the rights of the public or riparian owners to use any portion which is now, or has formerly been, covered by water
- B. Right of the State of Washington to that portion of the subject property, if any, lying in the bed of or the former bed of the Skagit River.

C. MATTERS DISCLOSED BY RECORD OF SURVEY:

Recorded: April 29, 1988  
Auditor's File No.: 8804290001

D. LOT CERTIFICATION AND THE TERMS AND CONDITIONS THEREOF:

Recorded: October 22, 2010  
Auditor's File No.: 201010220066



201103250025  
Skagit County Auditor

3/25/2011 Page 3 of 3 8:55AM



Denise Krownbell  
SCL ESA Lands 2012 Deed Acceptance ATT G  
March 5, 2012  
Version 1



201103250026  
Skagit County Auditor

**After recording, please return to:**

3/25/2011 Page 1 of 3 8:55AM

Washington State Salmon Recovery Funding Board  
P. O. Box 40917  
Olympia, WA 98504-0917

LAND TITLE OF SKAGIT COUNTY  
136942-0E

Document Title: Deed of Right to Use Land For Salmon Recovery

Grantor: City of Seattle, acting by and through Seattle City Light Department

Grantee: Washington State

Abbreviated Legal: Ptn Gov. Lot 7, 22-35-7 E W.M. and fully set forth on page 2. Situated in the County of Skagit, State of Washington.

Assessor's Property Tax Parcel/Account Numbers: 350722-0-012-0002, P43128

## DEED OF RIGHT TO USE LAND FOR SALMON RECOVERY

The Grantor, Seattle City Light for and in consideration of monies coming in whole or in part from the Salmon Recovery Funding Board of the State of Washington and in fulfillment of terms of the Project Agreement identified below, conveys and grants to the State of Washington individually and as the representative of the people of the State, the right to use the real property described below forever for salmon recovery and conservation purposes.

Those purposes are described in the Project Agreement entered into between the Grantor and the State of Washington through the Salmon Recovery Funding Board, titled Savage Slough Acquisition and Restoration, Project Number 09-1450C signed by the Grantor on the 23<sup>rd</sup> day of December, 2009, and by the Salmon Recovery Funding Board on the 5<sup>th</sup> day of January, 2010, and the application and supporting materials which are on file with the Grantor and the State in connection with the Project Agreement.



Denise Krownbell  
SCL ESA Lands 2012 Deed Acceptance ATT G  
March 5, 2012  
Version 1

The Grantor will not make or permit to be made any use of the real property described in this deed, or any part of it, which is inconsistent with the right to use for salmon recovery and conservation purposes herein granted unless the State, through the Salmon Recovery Funding Board or its successors, consents to the inconsistent use. This consent shall be granted only upon the following conditions, which will ensure other land will be substituted.

The conditions are that the substituted salmon recovery and conservation land must be:  
(1) of at least equal fair market value at the time of change of use and of as nearly as feasible equivalent (2) qualities, (3) characteristics and (4) location for salmon recovery and conservation purposes for which state assistance was originally granted.

The real property covered by this deed is described as follows:

That portion of Government Lot 7 of Section 22, Township 35 North, Range 7 East, W.M., lying Northerly of the Puget Sound and Cascade Railway Company's right of way and lying Southerly of the Skagit River and lying Westerly of that certain tract of land conveyed to W.V. Wells by deed dated November 18, 1914 and recorded November 21, 1914, under Auditor's File No. 105158 in Volume 98 of Deeds, page 119, records of Skagit County, Washington and lying Easterly of a line drawn Northerly that is 400 feet Westerly from the Southwest corner of the said W.V. Wells tract. (Said parcel being that certain tract of land described in document recorded under Auditor's File No. 321372 and being described as being approximately 2 acres of land.)

Situate in the County of Skagit, State of Washington.

This deed shall in no way modify or extinguish the functions of the Grantor under the Project Agreement, including the Grantor's functions to operate and maintain the land as set out in the Project Agreement.

Dated this 21 day of March, 2011.

SEATTLE CITY LIGHT

By:

  
Lynn Best, Director, Seattle City Light, Environmental Affairs Division

Page 2



201103250026

Skagit County Auditor

SKAGIT COUNTY WASHINGTON  
REAL ESTATE

MAR 25 2011

Amount Paid  
Skagit Co. Treasurer  
By  Deputy







201103300131  
Skagit County Auditor

3/30/2011 Page 1 of 2 3:30PM

When recorded return to:

Mary Davis, Secretary  
700 5th Avenue, Suite 3300, Room SMT3012, P.O. Box 34023  
Seattle, WA 98124-9871

Filed for Record at Request of  
Land Title and Escrow  
Escrow Number: 137706-OE

Grantor: Thomas W. Heaphy  
Grantee: CITY OF SEATTLE, a Municipal corporation  
LAND TITLE OF SKAGIT COUNTY

### Statutory Warranty Deed

THE GRANTOR THOMAS W. HEAPHY, a married man, as his separate estate (not primary residence) for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to CITY OF SEATTLE, a Municipal corporation acting by and through the Seattle City Light Department the following described real estate, situated in the County of Skagit, State of Washington:

Abbreviated Legal: Lot 52, Carefree Acres Sub. #1.

Lot 52, "CAREFREE ACRES, SUBDIVISION NO. 1, SKAGIT COUNTY, WASHINGTON," as per plat recorded in Volume 8 of Plats, page 62, records of Skagit County, Washington.

Situate in the County of Skagit, State of Washington.

Tax Parcel Number(s): 3870-000-052-0008, P63533

Subject to all covenants, conditions, restrictions, reservations, agreements and easements of record including, but not limited to, those shown on Schedule "B-1" of Land Title Company's Preliminary Commitment No. 137706-OE.

Dated March 23, 2011

Thomas W. Heaphy

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

922

MAR 30 2011

Amount Paid \$ 85.<sup>00</sup>  
Skagit Co. Treasurer  
By Deputy

STATE OF Washington )  
COUNTY OF Skagit ) SS:

I certify that I know or have satisfactory evidence that Thomas W. Heaphy is the person(s) who appeared before me, and said person(s) acknowledged that he/she/they signed this instrument and acknowledge it to be his/her/their free and voluntary act for the uses and purposes mentioned in this instrument.

Dated: March 23, 2011

Karen Ashley  
Notary Public in and for the State of Washington  
Residing at Sedro Woolley, WA  
My appointment expires: 11-10-12

BRANDI K. JENSEN  
NOTARY PUBLIC  
STATE OF WASHINGTON  
COMMISSION EXPIRES  
NOVEMBER 10, 2012



Schedule "B-1"

EXCEPTIONS:

- A. AN EASEMENT AFFECTING THE PORTION OF SAID PREMISES AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES, AS RESERVED IN INSTRUMENT HEREIN SET FORTH.

For:	Utilities
Reserved By:	Jed Land Co., Inc.
Recorded:	September 14, 1964
Auditor's No.:	655842
Affects:	A 5 foot strip adjoining the roadway

- B. The dedication contained on the face of the Plat provided as follows:

"...Tracts A, B, and C are intended for the use of all present and future property owners of this plat, and for the use of future "Carefree Acres" subdivisions and plats contained within Sections 23 and 26, Township 35 North, Range 10 East W.M., said tracts to be used for private roadways and public utility easement purposes."

- C. Construction and Maintenance obligations set forth on the face of the Plat as follows:

"The cost of constructing and maintaining all roads, streets and alleys within this plat and all access roads to the plat shall be the obligation of all the owners of the lots of the plat and of any additional plats that may be served by these roads, streets and alleys.

In the event that the owners of any of these lots of this plat or any additional plats shall petition the County Commissioners to include these roads in the county road system, it is hereafter agreed by said lot owners that the roads involved shall first be constructed to prevailing county standards and to the county engineers approval by said lot owners."

- D. TERMS AND CONDITIONS OF VARIANCE FOR NON-AGGREGATION OF SUB-STANDARD LOTS, AS FOLLOWS:

Recorded:	July 25, 1984
Auditor's No.:	8407250023

- E. COVENANTS, CONDITIONS AND RESTRICTIONS IN SAID PLAT AND DECLARATION OF PROTECTIVE RESTRICTIONS AND EASEMENT, AS HERETO ATTACHED:

Declaration Dated:	July 15, 1992
Recorded:	August 18, 1992
Auditor's No.:	9208180055

- F. Easement disclosed in Deed recorded under Auditor's File No. 758543, as follows:

"Subject to a five foot utility easement along the Southerly line of lot."



201103300131



\$ 0

436106

369.98

When recorded return to:

The City of Seattle  
700 5th Avenue, Suite 3300/P.O.Box 34023,  
Real Estate Services, Room 3012  
Seattle, WA 98124-4023

Filed for Record at Request of  
Land Title and Escrow  
Escrow Number: 19150-OE1



201107140327 2 PGS  
07/14/2011 2:26pm \$63.00  
SNOHOMISH COUNTY, WASHINGTON

Grantor: Joseph Harrison Miller  
Grantee: The City of Seattle

No. 6187824 7/14/2011 2:22 PM  
Thank you for your payment.  
KOROR

### Statutory Warranty Deed

THE GRANTOR JOSEPH HARRISON MILLER, as his separate estate for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to THE CITY OF SEATTLE, a municipal corporation of the State of Washington the following described real estate, situated in the County of Snohomish, State of Washington:

Abbreviated Legal: N 330 feet of Gov Lot 4, 25-32N-09E, recorded in Snohomish County, Washington.

SEE ATTACHED EXHIBIT "A" HERETO FOR LEGAL DESCRIPTION

Tax Parcel Number(s): 32092500101700

Subject to all covenants, conditions, restrictions, reservations, agreements and easements of record including, but not limited to, those shown on Schedule "B," paragraphs 6 and 7, of Stewart Title Company's Preliminary Commitment No. 994218. See attached Exhibit "B."

Dated 6/30/11 STEWART 994218

Joseph Harrison Miller

2/64

STATE OF Washington )  
COUNTY OF Snohomish ) SS:

I certify that I know or have satisfactory evidence that Joseph Harrison Miller the person(s) who appeared before me, and said person(s) acknowledged that he signed this instrument and acknowledge it to be his free and voluntary act for the uses and purposes mentioned in this instrument.

Dated: June 30, 2011



Notary Public in and for the State of Washington  
Residing at Tulalip  
My appointment expires: June 30, 2011



**Exhibit A**  
**LEGAL DESCRIPTION**

The North 330 feet of Government Lot 4, Section 25, Township 32 North, Range 9 East, W M,  
as measured along the East line of said Subdivision, except portion conveyed for road under  
Snohomish County Auditor's File No 535374, and except portion lying Westerly of Darrington  
Whitechurch Road.

Order Number: 994218

LPB 11-05 (1-1)  
Page 2 of 2





201105110055  
Skagit County Auditor

5/11/2011 Page 1 of 2 3:56PM

When recorded return to:

Mr. Dave Barber, Real Estate Manager  
700 5th Avenue, Suite 3200, Room SMT3012, P.O. Box 34023  
Seattle, WA 98124-9871

Filed for Record at Request of  
Land Title and Escrow  
Escrow Number: 139289-OE

Grantor: The Raab Family Trust  
Grantee: THE CITY OF SEATTLE, a municipal corporation

LAND TITLE OF SKAGIT COUNTY

Statutory Warranty Deed

THE GRANTOR VALENTINA VIDETTE M. DAVOLI-RAAB, also shown of record as VIDETTE DAVOLI RAAB, Successor Trustee of The Raab Family Trust established under Paragraph Sixth of the Last Will and Testament of Peter M. Raab, dated September 4, 1996 for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to THE CITY OF SEATTLE, a municipal corporation of the State of Washington the following described real estate, situated in the County of Skagit, State of Washington:

Abbreviated Legal: Ptn E 1/2 Of NE 1/4, 8-35-6 E W.M.; Ptn SW 1/4 Of NW 1/4, 9-35-6 E W.M.

SEE ATTACHED EXHIBIT "A" HERETO FOR LEGAL DESCRIPTION

Tax Parcel Number(s): 350608-1-002-0001, P40827, 350608-1-005-0008, P40828, 350609-2-004-0100, P101668

Subject to all covenants, conditions, restrictions, reservations, agreements and easements of record including, but not limited to, those shown on Schedule "B-1" of Land Title Company's Preliminary Commitment No. 139289-OE.

Dated May 2, 2011

The Raab Family Trust  
Valentina Vidette M. Davoli-Raab  
By: Valentina Vidette M. Davoli-Raab, Trustee

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX  
\$1400  
MAY 11 2011  
Amount Paid \$ 7125.00  
By: [Signature] Skagit Co. Treasurer  
Deputy

STATE OF Washington )  
County of Skagit ) SS:

I certify that I know or have satisfactory evidence that Valentina Vidette M. Davoli-Raab signed this instrument, on oath stated that She is authorized to execute the instrument and acknowledged it as the Successor Trustee of The Raab Family Trust to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Dated: May 11th 2011



Karen Ashley  
Notary Public in and for the State of Washington  
Residing at Sedro-Woolley  
My appointment expires: September 11, 2014



**EXHIBIT A**

**Schedule "A-1"**

**139289-OE**

**DESCRIPTION:**

**PARCEL "A":**

That portion of the East  $\frac{1}{2}$  of the Northeast  $\frac{1}{4}$  of Section 8, Township 35 North, Range 6 East, W.M., lying Easterly of the CCC Road as located on the ground, and as reserved in deed dated December 8, 1944, recorded December 9, 1944, under Auditor's File No. 376534.

EXCEPT that portion lying Northeasterly of Jones Creek.

Situate in the County of Skagit, State of Washington.

**PARCEL "B":**

The West  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$  of Section 9, Township 35 North, Range 6 East, W.M., lying Southwesterly of Jones Creek.

Situate in the County of Skagit, State of Washington.

LPB 11-05(i-1)



626.00  
7/18/2011 3:38 PM  
No. 6188314  
Thank you for your payment.  
LORRSINE

\* 35,000 43845

When recorded return to:

Mary Davis, Secretary  
780 5th Avenue, Suite 3300/P.O.Box 34023,  
Real Estate Services, Room 3012  
Seattle, WA 98124-4023



Filed for Record at Request of  
Land Title and Escrow  
Escrow Number: 18850-OE1

Grantor: David R. Schmitt and Sue S. Schmitt  
Grantee: The City of Seattle

### Statutory Warranty Deed

THE GRANTOR DAVID R. SCHMITT and SUE S. SCHMITT, husband and wife for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to THE CITY OF SEATTLE, a municipal corporation of the State of Washington the following described real estate, situated in the County of Snohomish, State of Washington:

Abbreviated Legal: Portion of Government Lot(s) 4, Section 25, Township 32 North, Range 9 East, W.M., Snohomish County, Washington.

SEE ATTACHED EXHIBIT "A" HERETO FOR LEGAL DESCRIPTION

Tax Parcel Number(s): 320925-001-011-00.

Subject to all covenants, conditions, restrictions, reservations, agreements and easements of record including, but not limited to, those shown on Schedule "B-1", paragraphs I through 15 & G, of Old Republic Title Company's Preliminary Commitment No. 5207087442.

Dated June 23 2011

David R. Schmitt Sue S. Schmitt  
David R. Schmitt Sue S. Schmitt

6473  
OLD REPUBLIC TITLE LTD  
07-57442-8

STATE OF Washington  
COUNTY OF Skagit ) SS:

I certify that I know or have satisfactory evidence that David R. Schmitt and Sue S. Schmitt the person(s) who appeared before me, and said person(s) acknowledged that they signed this instrument and acknowledge it to be their free and voluntary act for the uses and purposes mentioned in this instrument.

Dated: June 23, 2011



Karen Ashley  
Karen Ashley  
Notary Public in and for the State of Washington  
Residing at Sedro-Woolley  
My appointment expires: 9/1/2014



**EXHIBIT A**

**ORDER NO. : 5207087442**

**EXHIBIT A**

The land referred to is situated in the County of Snohomish, City of , State of Washington, and is described as follows:

The South 330 feet of the North 990 feet of all that portion of Government Lot(s) 4, Section 25, Township 32 North, Range 9 East, W.M., in Snohomish County, Washington, Westerly of Mt. Loop Highway;

(ALSO KNOWN AS Block 3 of Short Plat recorded under Recording No. 2338988).

SITUATE in the County of Snohomish, State of Washington

**ABBREVIATED LEGAL**

Portion of Government Lot(s) 4, Section 25, Township 32 North, Range 9 East, W.M.,  
Snohomish County, Washington

Tax Account No. 320925-001-011-00



EXHIBIT "B"

Terms and provisions as contained in an instrument,

Entitled : Declaration of Short Subdivision and of Covenants  
Recorded : May 7, 1974 in Official Records under Recording Number 2338988

Any prohibition or limitation on the use, occupancy or improvement of the land resulting from the rights of the public or riparian owners to use any waters which may cover the land or any portion thereof.

Rights of the State of Washington in and to that portion of said premises, if any, lying in the bed of Sauk River.

Rights of the public to unrestricted use of a navigable body of water including, but not limited to navigation, recreational use, and fishing, whether or not the level of the water has been raised or lowered naturally or artificially to a maintained or fluctuating level.

Any question of the location of the lateral boundaries of the shorelands described in Schedule A.

Terms and provisions as contained in an instrument,

Entitled : Survey  
Recorded : September 29, 1976 in Official Records under Recording Number 7609290251

nw/SP: cm/TAM

After recording, please return to:

Washington State Salmon Recovery Funding Board  
Interagency Committee for Outdoor Education  
P.O. Box 40917  
Olympia, WA 98504-0917



201107180559 3 PGS  
07/18/2011 4:00pm \$64.00  
SNOHOMISH COUNTY, WASHINGTON

Document Title: Deed of Right to Use Land For Salmon Recovery

Grantor: City of Seattle, acting by and through Seattle City Light Department

Grantee: Washington State

Abbreviated Legal: Portion of Gov. Lot 4, Sec. 25, T32N, R9E, W.M., Snohomish County, Washington.

Assessor's Property Tax Parcel/Account Numbers: 320925-001-011-00

6/3  
OLD REPUBLIC TITLE LTD  
67-87442-2

## DEED OF RIGHT TO USE LAND FOR SALMON RECOVERY

The Grantor, Seattle City Light for and in consideration of monies coming in whole or in part from the Salmon Recovery Funding Board of the State of Washington and in fulfillment of terms of the Project Agreement identified below, conveys and grants to the State of Washington individually and as the representative of the people of the State, the right to use the real property described below forever for salmon recovery and conservation purposes.

Those purposes are described in the Project Agreement entered into between the Grantor and the State of Washington through the Salmon Recovery Funding Board, titled Upper Skagit Tier 1 & 2 Floodplain Protection, Project Number 10-1769A signed by the Grantor on the 1<sup>st</sup> day of November, 2010, and by the Salmon Recovery Funding Board on the 3<sup>rd</sup> day of November, 2010, and the application and supporting materials which are on file with the Grantor and the State in connection with the Project Agreement.

The Grantor will not make or permit to be made any use of the real property described in this deed, or any part of it, which is inconsistent with the right to use for salmon recovery and conservation purposes herein granted unless the State, through the Salmon Recovery Funding Board or its successors, consents to the inconsistent use. This consent shall be granted only upon the following conditions, which will ensure other land will be substituted.

The conditions are that the substituted salmon recovery and conservation land must be:  
(1) of at least equal fair market value at the time of change of use and of as nearly as feasible equivalent (2) qualities, (3) characteristics and (4) location for salmon recovery and conservation purposes for which state assistance was originally granted.

The real property covered by this deed is described as follows:

The South 330 feet of the North 990 feet of all that portion of Government Lot 4, Section 25, Township 32 North, Range 9 East, W.M., in Snohomish County, Washington, Westerly of Mt. Loop Highway;

(ALSO KNOWN AS Block 3 of Short Plat recorded under Recording No. 2338988).

SITUATE in the County of Snohomish, State of Washington.

This deed shall in no way modify or extinguish the functions of the Grantor under the Project Agreement, including the Grantor's functions to operate and maintain the land as set out in the Project Agreement.

Dated this 8 day of July, 2011.

SEATTLE CITY LIGHT

By: Lynn Best  
Lynn Best, Director, Seattle City Light, Environmental Affairs Division







201103280124  
Skagit County Auditor  
3/28/2011 Page 1 of 2 4:16PM

When recorded return to:

Seattle City Light  
Real Estate Services  
ATTN: Mary Davis, Sr. Real Property Agent  
700 5<sup>th</sup> Avenue, Suite 3300, Room SMT3012  
P.O. Box 34023  
Seattle, WA 98124-9871

Filed for Record at Request of  
Land Title and Escrow  
Escrow Number: 136277-OE

Grantor: T.P.B. PROPERTIES INC.  
Grantee: CITY OF SEATTLE, a municipal corporation

LAND TITLE OF SKAGIT COUNTY

**Statutory Warranty Deed**

THE GRANTOR T.P.B. PROPERTIES INC., a Oregon Corporation and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to THE CITY OF SEATTLE, a Washington municipal corporation the following described real estate, situated in the County of Skagit, State of Washington:

Abbreviated Legal: SE 1/4 Of NE 1/4, 20-35-8 E WM; S 1/2 Of NW 1/4, 21-35-8 E WM.

SEE ATTACHED EXHIBIT "A" HERETO FOR LEGAL DESCRIPTION

Subject to all covenants, conditions, restrictions, reservations, agreements and easements of record, if any.

Tax Parcel Number(s): 350820-1-005-0000, P44080, 350821-2-003-0009, P44107

Dated <sup>Handwritten: 21st</sup> March 21, 2011

T.P.B. PROPERTIES INC.

Howard Quandt  
By: Howard Quandt, President

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX  
# 895

MAR 28 2011

Amount Paid \$ 4366.<sup>00</sup>  
Skagit Co. Treasurer  
By mlm Deputy

STATE OF Washin gton  
County of )

I certify that I know or have satisfactory evidence ) SS: Howard Quandt

me, and said person acknowledged that he Howard Quandt the person who appeared before signed this instrument, on oath stated He is authorized to execute the instrument and is President of T.P.B. Properties, Inc.

to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Dated: March <sup>Handwritten: 21st</sup> 21, 2011

Shannon M Morris

Notary Public in and for the State of Washington  
Residing at 1401 11th Ave Vancouver WA 98662  
My appointment expires: 09/20/2011



**EXHIBIT A**

**Schedule "A-1"**

**136277-OE**

**DESCRIPTION:**

**PARCEL "A":**

The Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 20, Township 35 North, Range 8 East, W.M.

Situate in the County of Skagit, State of Washington.

**PARCEL "B":**

The South  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$  of Section 21, Township 35 North, Range 8 East, W.M.

Situate in the County of Skagit, State of Washington.



201103280124  
Skagit County Auditor



Denise Krownbell  
SCL ESA Lands 2012 Deed Acceptance ATT N  
March 5, 2012  
Version 1



201107150130  
Skagit County Auditor

7/15/2011 Page 1 of 3 3:47PM

After recording, please return to:

Washington State Salmon Recovery Funding Board  
P. O. Box 40917  
Olympia, WA 98504-0917

ACCOMMODATION RECORDING  
LAND TITLE OF SKAGIT COUNTY

1362M-02

Document Title: Deed of Right to Use Land For Salmon Recovery

Grantor: City of Seattle, acting by and through Seattle City Light Department

Grantee: Washington State

Abbreviated Legal: SE 1/4 of NE 1/4, 20-35-8 E WM; S 1/2 of NW 1/4, 21-35-8 E WM and fully set forth on page two. Situated in the County of Skagit, State of Washington.

Assessor's Property Tax Parcel/Account Numbers: P44080, P44107

## DEED OF RIGHT TO USE LAND FOR SALMON RECOVERY

The Grantor, Seattle City Light for and in consideration of monies coming in whole or in part from the Salmon Recovery Funding Board of the State of Washington and in fulfillment of terms of the Project Agreement identified below, conveys and grants to the State of Washington individually and as the representative of the people of the State, the right to use the real property described below forever for salmon recovery and conservation purposes.

Those purposes are described in the Project Agreement entered into between the Grantor and the State of Washington through the Salmon Recovery Funding Board, titled Upper Skagit Tier 1 & 2 Floodplain Protection, Project Number 10-1769A signed by the Grantor on the 1<sup>st</sup> day of November, 2010 and by the Salmon Recovery Funding Board on the 3<sup>rd</sup> day of November, 2010, and the application and supporting materials which are on file with the Grantor and the State in connection with the Project Agreement.

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

JUL 15 2011

Attachment N to the SCL ESA Lands 2012 Deed Acceptance ORD  
By MAM Deputy



Denise Krownbell  
SCL ESA Lands 2012 Deed Acceptance ATT N  
March 5, 2012  
Version: 1

The Grantor will not make or permit to be made any use of the real property described in this deed, or any part of it, which is inconsistent with the right to use for salmon recovery and conservation purposes herein granted unless the State, through the Salmon Recovery Funding Board or its successors, consents to the inconsistent use. This consent shall be granted only upon the following conditions, which will ensure other land will be substituted.

The conditions are that the substituted salmon recovery and conservation land must be: (1) of at least equal fair market value at the time of change of use and of as nearly as feasible equivalent (2) qualities, (3) characteristics and (4) location for salmon recovery and conservation purposes for which state assistance was originally granted.

The real property covered by this deed is described as follows:

PARCEL "A":

The Southeast 1/4 of the Northeast 1/4 of Section 20, Township 35 North, Range 8 East, W.M.

Situate in the County of Skagit, State of Washington.

PARCLE "B":

The South 1/2 of the Northwest 1/4 of Section 21, Township 35 North, Range 8 East, W.M.

Situate in the County of Skagit, State of Washington.

This deed shall in no way modify or extinguish the functions of the Grantor under the Project Agreement, including the Grantor's functions to operate and maintain the land as set out in the Project Agreement.

Dated this 8 day of July, 2011.

SEATTLE CITY LIGHT

By: Lynn Best  
Lynn Best, Director, Seattle City Light, Environmental Affairs Division

Page 2







201109270175  
Skagit County Auditor

9/27/2011 Page 1 of 1 3:44PM

When recorded return to:

The City of Seattle  
700 5<sup>th</sup> Avenue, Suite 3300  
P.O. Box 34023  
Real Estate Services, Room 3012  
Seattle, WA 98124-9871

Filed for Record at Request of  
Land Title and Escrow  
Escrow Number: 139258-OE

Grantor: Michael E. Turner and Sharon R. Turner  
Grantee: THE CITY OF SEATTLE, a municipal corporation of the State of Washington

LAND TITLE OF SKAGIT COUNTY

### Statutory Warranty Deed

THE GRANTOR MICHAEL E. TURNER and SHARON R. TURNER, husband and wife for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to THE CITY OF SEATTLE, a municipal corporation of the State of Washington, a Washington Corporation the following described real estate, situated in the County of Skagit, State of Washington:

Abbreviated Legal: Lot 2, Carefree Acres Sub. #1.

Lot 2, "CAREFREE ACRES, SUBDIVISION NO. 1, SKAGIT COUNTY, WASHINGTON," as per plat recorded in Volume 8 of Plats, page 62, records of Skagit County, Washington.

Situate in the County of Skagit, State of Washington.

Tax Parcel Number(s): 3870-000-002-0009, P63484

Subject to all covenants, conditions, restrictions, reservations, agreements and easements of record including, but not limited to, those shown on Schedule "B-1" of Land Title Company's Preliminary Commitment No. 139258-OE.

Dated September 21, 2011

Michael E. Turner  
Michael E. Turner

Sharon R. Turner  
Sharon R. Turner  
SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

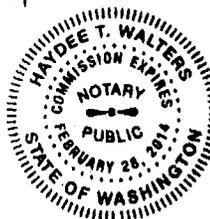
20112891  
SEP 27 2011

STATE OF Washington )  
COUNTY OF Snohomish ) SS:

Amount Paid \$ 316.<sup>58</sup>  
Skagit Co. Treasurer  
By man Deputy

I certify that I know or have satisfactory evidence that Michael E. Turner and Sharon R. Turner the person(s) who appeared before me, and said person(s) acknowledged that they signed this instrument and acknowledge it to be their free and voluntary act for the uses and purposes mentioned in this instrument.

Dated: September 23, 2011



Haydee T. Walters  
Notary Public in and for the State of Washington  
Residing at Gunnville  
My appointment expires: 2/28/2014



Schedule "B-1"

137706-OE

EXCEPTIONS:

- A. AN EASEMENT AFFECTING THE PORTION OF SAID PREMISES AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES, AS RESERVED IN INSTRUMENT HEREIN SET FORTH.

For: Utilities  
Reserved By: Jed Land Co., Inc.  
Recorded: September 14, 1964  
Auditor's No.: 655842  
Affects: A 5 foot strip adjoining the roadway

- B. The dedication contained on the face of the Plat provided as follows:

"...Tracts A, B, and C are intended for the use of all present and future property owners of this plat, and for the use of future "Carefree Acres" subdivisions and plats contained within Sections 23 and 26, Township 35 North, Range 10 East W.M., said tracts to be used for private roadways and public utility easement purposes."

- C. Construction and Maintenance obligations set forth on the face of the Plat as follows:

"The cost of constructing and maintaining all roads, streets and alleys within this plat and all access roads to the plat shall be the obligation of all the owners of the lots of the plat and of any additional plats that may be served by these roads, streets and alleys.

In the event that the owners of any of these lots of this plat or any additional plats shall petition the County Commissioners to include these roads in the county road system, it is hereafter agreed by said lot owners that the roads involved shall first be constructed to prevailing county standards and to the county engineers approval by said lot owners."

- D. TERMS AND CONDITIONS OF VARIANCE FOR NON-AGGREGATION OF SUB-STANDARD LOTS, AS FOLLOWS:

Recorded: July 25, 1984  
Auditor's No.: 8407250023

- E. COVENANTS, CONDITIONS AND RESTRICTIONS IN SAID PLAT AND DECLARATION OF PROTECTIVE RESTRICTIONS AND EASEMENT, AS HERETO ATTACHED:

Declaration Dated: July 15, 1992  
Recorded: August 18, 1992  
Auditor's No.: 9208180055



201103300132  
Skagit County Auditor



**FISCAL NOTE FOR CAPITAL PROJECTS ONLY**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>CBO Analyst/Phone:</b>
Seattle City Light	Denise Krownbell/5-1127	Calvin Chow/4-4652

**Legislation Title:** AN ORDINANCE relating to the City Light Department; accepting statutory warranty deeds to the Dow, Faucett et al., Miller, and Schmitt properties in Snohomish County, Washington, and the Errol Hanson Funding Inc., Fischer, Heaphy, Raab Family Trust, TPB Properties Inc., Turner and Wall properties in Skagit County, Washington, for salmonid habitat protection purposes; ratifying the grants of Deeds of Right to the State of Washington on the Dow, Errol Hanson Funding, Inc., Faucett et al., Fischer, Miller, Schmitt, and TPB Properties Inc. properties for salmon recovery and conservation purposes; placing said lands under the jurisdiction of the City Light Department; and ratifying and confirming certain prior acts.

**Summary and background of the Legislation:** This legislation authorizes the Superintendent to accept statutory warranty deeds to the aforementioned properties, and grant Deeds of Right for five of those properties to the Washington State Salmon Funding Recovery Board (SRF Board). All of the properties were purchased as part of SCL's Endangered Species Act (ESA) Early Action Program under the authority of Ordinance 121114. Both the Program and Ordinance stated criteria by which the City committed to assist in threatened species recovery and these properties meet the criteria by protecting salmonid habitat. Funding for the property acquisitions included \$763,000 in SCL funds and \$313,000 from the SRF Board. This legislation places the acquired properties under the jurisdiction of the City Light Department. The funding for these acquisitions was already budgeted and does not require a new appropriation.

<b>Project Name:</b>	<b>Project I.D.:</b>	<b>Project Location:</b>	<b>Start Date:</b>	<b>End Date:</b>
Endangered Species Mitigation	6990	Skagit County and Snohomish County	2000	2016

Please check any of the following that apply:

- This legislation creates, funds, or anticipates a new CIP Project.
- This legislation does not have any financial implications.
- This legislation has financial implications.

**Other Implications:**

- a) **Does the legislation have indirect financial implications, or long-term implications?**  
 The properties will require monitoring to protect current habitat conditions. A land management plan was developed for the ESA Lands and funding has been set aside for



said management. Grant funds are pursued as needed to maintain or improve habitat conditions.

**b) What is the financial cost of not implementing the legislation?**

SCL would be out of compliance with the terms of the signed grant with the Salmon Recovery Funding Board. This may ultimately result in a loss of the award for the properties and subject SCL to funding the purchase of the properties with other resources.

**c) Does this legislation affect any departments besides the originating department?**

NA

**d) What are the possible alternatives to the legislation that could achieve the same or similar objectives?**

No other alternatives are known at this time.

**e) Is a public hearing required for this legislation?**

NA

**f) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**

NA

**g) Does this legislation affect a piece of property?**

It accepts deeds to the properties and authorizes the granting of Deeds of Right to five of those properties. The maps are attached to this fiscal note, see below.

**h) Other Issues:**

NA

**List attachments to the fiscal note below:**

Attachment A to FiscalCAPITALtemplate\_SCL ESA Lands 2012 Deed Acceptance ORD

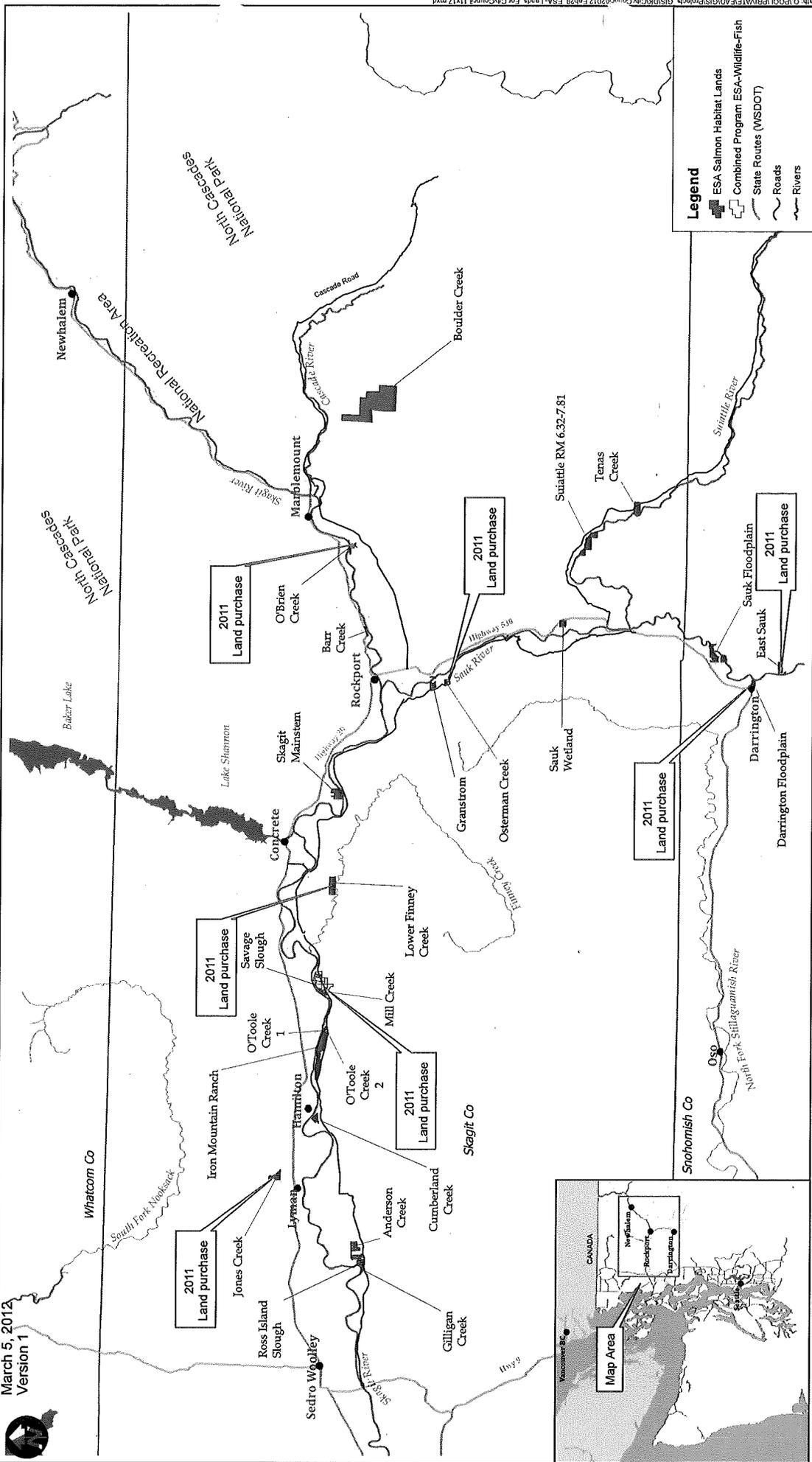
Attachment B to FiscalCAPITALtemplate\_SCL ESA Lands 2012 Deed Acceptance ORD

# Seattle City Light - ESA Salmon Habitat Lands

(Snohomishi, Skagit & Whatcom Counties)



Denise Krowbell  
SCL ESA Lands 2012 Deed Acceptance ORD FISC ATT A  
March 5, 2014  
Version 1



Attachment A20 ~~MS~~ SCL ESA Lands 2012 Deed Acceptance ORD Fiscal Note

0 5 10

Created February 28, 2012 by Seattle City Light, Environmental Affairs Division. SCL provides no warranty, expressed or implied, as to the accuracy, reliability or completeness of this data.



# Seattle City Light - ESA Salmon Habitat Lands - O'Brien Creek

This map is intended for illustrative or informational purposes only and is not intended to modify anything in the legislation.



Attachment B to the SCL ESA Lands 2012 Deed Acceptance ORD Fiscal Note  
0.5  
0.25  
0  
1 Mile

Created February 29, 2012 by Seattle City Light, Environmental Affairs Division. SCL provides no warranty, expressed or implied, as to the accuracy, reliability or completeness of this data.





City of Seattle  
Office of the Mayor

April 10, 2012

Honorable Sally J. Clark  
President  
Seattle City Council  
City Hall, 2<sup>nd</sup> Floor

Dear Council President Clark:

I am pleased to transmit the attached proposed Council Bill which would authorize Seattle City Light to accept Statutory Warranty Deeds to four properties in Snohomish County and seven properties in Skagit County, Washington, for salmonid habitat protection purposes. These properties were purchased in 2011 pursuant to the authority of Ordinance 121114. The Bill also authorizes grant of Deeds of Right to the State of Washington for seven properties to fulfill Salmon Recovery Funding Board grant requirements. Passage of this legislation will further demonstrate the City of Seattle's commitment through the ESA Program to salmon recovery and habitat preservation for the benefit of its citizens and future generations.

In total, SCL purchased 271 acres in the Skagit watershed with \$763,000 in SCL funds and \$313,000 in grant funds from the Salmon Recovery Funding Board. Each of these purchases has allowed the City of Seattle to protect important areas for Chinook and steelhead spawning in the Skagit watershed. The TPB Inc., purchase will protect 120 acres of well forested habitat along Finney Creek, the largest tributary in the Middle Skagit and a spawning and rearing area for multiple salmonid species. The Raab Family Trust purchase will protect 65 acres of forested land along a productive steelhead spawning stream in addition to protecting a wildlife corridor for animals moving between the Skagit and Nooksack Watersheds. The remaining nine properties support the Puget Sound Chinook Recovery Plan's goal of protecting Chinook spawning areas through key acquisitions.

Thank you for your consideration of this legislation. Should you have questions, please contact Lynn Best at 386-4586 or Denise Krownbell at 615-1127.

Sincerely,

Michael McGinn  
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

Michael McGinn, Mayor  
Office of the Mayor  
600 Fourth Avenue, 7<sup>th</sup> Floor  
PO Box 94749  
Seattle, WA 98124-4749

Tel (206) 684-4000  
Fax (206) 684-5360  
TDD (206) 615-0476  
mike.mcgin@seattle.gov

