



FIRST AMERICAN

*First American Title Insurance Company
First American Title of Island County, Agent
32650 SR 20, Suite B102, Oak Harbor, WA
98277
Phn - (360) 675-2286
Fax - (360) 675-5640*

**ISLAND COUNTY TITLE UNIT
FAX (360) 675-5640**

**Title Officer: Bobbi M Allen
(360) 675-2286**

**To: Washington State Department of Transportation
P.O. Box 330310-MS 118**

File No.: L60965

**Your Ref No.: XL4041/SR532, Davis Slough Bridge Replacement
Widening for Flood Prevention**

Seattle, WA 98133-9710

Attn: Zane T. VanKirk

Re: Property Address: Frostad Road, Oak Harbor, WA 98277

COMMITMENT FOR TITLE INSURANCE

Issued by

FIRST AMERICAN TITLE INSURANCE COMPANY

Agreement to Issue Policy

We agree to issue a policy to you according to the terms of this Commitment.

When we show the policy amount and your name as the proposed insured in Schedule A, this Commitment becomes effective as of the Commitment Date shown in Schedule A.

If the Requirements shown in this Commitment have not been met within six months after the Commitment Date, our obligation under this Commitment will end. Also, our obligation under this Commitment will end when the Policy is issued and then our obligation to you will be under the Policy.

Our obligation under this Commitment is limited by the following:

The Provisions in Schedule A.

The Requirements in Schedule B-I.

The General Exceptions and Exceptions in Schedule B-II.

The Conditions.

This Commitment is not valid without Schedule A and Section I of II of Schedule B.

SCHEDULE A

1. Commitment Date: October 15, 2012 at 8:00 am
2. Policy or Policies to be issued: AMOUNT PREMIUM TAX
General Schedule Rate
Standard Owner's Policy(6-17-06) \$15,000.00 \$300.00 \$26.10

Work Fee \$100.00 \$8.70
Proposed Insured:
State of Washington
3. (A) The estate or interest in the land described in this Commitment is:
A fee simple.
(B) Title to said estate or interest at the date hereof is vested in:
Ducken Family, LLC, a Washington Limited Liability Company
4. The land referred to in this Commitment is described on the attached Schedule "C" and made a part hereof.

**SCHEDULE B
SECTION I
REQUIREMENTS**

The following requirements must be met:

- (A) Pay the agreed amounts for the interest in the land and/or the mortgage to be insured.
- (B) Pay us the premiums, fees and charges for the policy.
- (C) Documents satisfactory to us creating the interest in the land and /or the mortgage to be insured must be signed, delivered and recorded:
- (D) You must tell us in writing the name of anyone not referred to in this Commitment who will get an interest in the land or who will make a loan on the land. We may then make additional requirements or exceptions.
- (E) Releases(s) or Reconveyance(s) of Item(s): **None**
- (F) Other: **None**
- (G) You must give us the following information:
 - 1. **Any off record leases, surveys, etc.**
 - 2. **Proper completion and submission of the enclosed Owner's Affidavit.**
 - 3. **A copy of the Certificate of Formation and Operating Agreement for the herein named Limited Liability Company must be provided to this company.**

Party: Ducken Family, LLC, a Washington Limited Liability Company

**SCHEDULE B
SECTION I
GENERAL EXCEPTIONS**

PART ONE:

- A. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
- B. Any facts, rights, interest, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
- C. Easements, claims of easement or encumbrances which are not shown by the public records.
- D. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
- E. (A) Unpatented mining claims; (B) Reservations or exceptions in patents or in Acts authorizing the issuance thereof; (C) Water rights, claims or title to water; whether or not the matters excepted under (A), (B), or (C) are shown by the public records; (D) Indian Tribal Codes or Regulations, Indian Treaty or Aboriginal Rights, including easements or equitable servitudes.
- F. Any lien, or right to a lien, for services, labor or materials or medical assistance heretofore or hereafter furnished, imposed by law and not shown by the public records.
- G. Any service, installation, connection, maintenance, construction, tap or reimbursement charges/costs for sewer, water, garbage or electricity.
- H. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof, but prior to the date the proposed insured acquires of record for the value the escrow or interest or mortgage(s) thereon covered by this Commitment.

SCHEDULE B
SECTION II
EXCEPTIONS

PART TWO:

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction. The printed exceptions and exclusions from the office which issued this Commitment. Copies of the policy forms should be read.

1. **IMPORTANT NOTICE:** Due to budget constraints, the Island County Government Offices, including the Treasurer's office and the Auditor's (Recording) office, will be closed each Friday beginning on January 1, 2010.

2. Lien of any real estate excise tax upon any sale of property, if unpaid. As of the date herein, the excise tax rate for the subject property is .0178 (1.78%) plus a \$5.00 technology fee.

NOTE: There is now a \$5.00 processing fee plus a \$5.00 technology fee on each Real Estate Excise Tax Affidavit processed where there is no tax paid or where the tax would otherwise be less than \$5.00.

3. Liability for General Taxes. the Island County assessor's office recently updated the tax account numbers for property covered by the boundary line adjustment recorded under auditor's file no. 4264326. We are unable to verify the tax amounts and status on the deleted parcel numbers or the new parcel numbers. please contact the Island County treasurer for tax status for subject properties.

DELETED TAX ACCOUNT NUMBERS;

R23317-500-0370
R23317-467-0230
R23317-452-0920
R23317-462-0920
R23317-450-2020

NEW TAX ACCOUNT NUMBERS

Lot 2, R23317-446-1980, KEY No. 810915
Lot 4, R23317-416-1530, KEY No. 810917
Lot 5, R23317-410-0920, KEY No. 810918

4. Any tax, fee, assessments or charges as may be levied by Diking District No. 3.

5. Possible easement or right-of-way for dike located on subject Property; the Island County assessor's map shows the dike location, we were unable to locate any documents granting an easement or right of way for the dike.

6. TAX PAYOR:
Ducken Family LLC
C/O John Ducken
4523 277TH AVENUE NE
REDMOND, WA 98053

7. The vestee herein does own contiguous property acquired by Auditor's File No. 99010103.

8. For easements, restrictions or other exceptions, see Schedule "B-1", attached hereto.

SCHEDULE "B-1"

EXCEPTIONS:

A. Reservations contained in deed from the State of Washington recorded March 5, 1917 under Auditor's File No. 17068 (Volume 34 of Deeds, Page 264), reserving to the grantor all oil, gases, coal, ores, minerals, fossils, etc., and the right of entry for opening, developing and working the same and providing that such rights shall not be exercised until provision has been made for full payment of all damages sustained by reason of such entry.

B. TERMS AND CONDITIONS OF RESTRICTIVE COVENANT:

Dated: March 29, 2004
Recorded: March 29, 2004
Auditor's No.: 4095371
Regarding: To keep water supplied from well free from impurities
Affects: Exact location not disclosed

C. Provisions and matters regarding Boundary Line Adjustment set forth on document recorded May 28, 2004 under Auditor's File No. 4101811.

Affects: A portion of subject property and other lands

D. MATTERS AS DISCLOSED AND/OR DELINEATED ON THE FACE OF THE FOLLOWING SURVEY:

Name: Record of Survey
Recorded: January 11, 2007
Auditor's No.: 4191507
Affects: A portion of subject property and other lands

E. TERMS AND CONDITIONS OF EASEMENT AGREEMENT:

Recorded: November 9, 2009
Auditor's No.: 4263395
Affects: Lot 2, 3, and 4

F. Provisions and matters regarding Boundary Line Adjustment set forth on document recorded November 25, 2009 under Auditor's File No. 4264326.

G. MATTERS AS DISCLOSED AND/OR DELINEATED ON THE FACE OF THE FOLLOWING SURVEY:

Name: Record of Survey
Recorded: December 3, 2009
Auditor's No.: 4264662

H. TERMS AND CONDITIONS OF NOTICE OF GRANT AGREEMENT:

Recorded: June 8, 2011
Auditor's No.: 4296264

I. TERMS AND CONDITIONS OF DEED OF RIGHT TO USE LAND FOR SALMON
RECOVERY AND CONSERVATION PURPOSES:

Recorded: June 8, 2011
Auditor's No.: 4296265
Affects: Subject property and other lands

J. Right of the State of Washington in and to that portion, if any, of the property herein described which lies below the line ordinary high water of Puget Sound/Dugwalla Bay/Saratoga Passage.

K. Right of the general public to the unrestricted use of all the waters of a navigable body of water, not only for the primary purposes of navigation, but also for corollary purposes, including (but not limited to) fishing, boating, bathing, swimming, water skiing and other related recreational purposes, as those waters may affect the tidelands, shorelands, or adjoining uplands, and whether the level of the water has been raised naturally or artificially to a maintained or fluctuating level, all as further defined by the decisional law of this state. (Affects all of the premises subject to such submergence.)

L. Any question of the location of lateral boundaries and the seaward boundaries of the second class tidelands/shorelands described herein.

Schedule "C"
Legal Description

The land referred to in this report/policy is situated in the State of Washington, County of Island, and is described as follows:

THAT PORTION OF GOVERNMENT LOT 3 AND THE SE1/4 OF THE NW1/4 OF SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., LYING NORTHERLY OF DUGUALLA ROAD AND EASTERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 17;
THENCE S02°37'30"E, ALONG THE WEST LINE OF SAID SECTION 17, FOR 1324.53 FEET TO THE SOUTHWEST CORNER OF GOVERNMENT LOT 4, SAID SECTION 17;
THENCE N87°19'51"E, ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 4, FOR 454.80 FEET TO THE WEST LINE OF THE EAST 850 FEET OF SAID GOVERNMENT LOT 4;
THENCE N02°42'48"W, ALONG SAID WEST LINE, FOR 205.00 FEET;
THENCE N84°15'53"E FOR 851.18 FEET TO THE EAST LINE OF SAID GOVERNMENT LOT 4;
THENCE N69°48'24"E FOR 366.94 FEET TO THE EAST LINE OF THE WEST 350 FEET OF SAID GOVERNMENT LOT 3, THE POINT OF BEGINNING;
THENCE N42°55'42"E FOR 462.16 FEET;
THENCE N01°00'15"W TO THE NORTH LINE OF SAID GOVERNMENT LOT 3 AND THE TERMINUS OF SAID LINE;

EXCEPT THAT PORTION OF GOVERNMENT LOT 3 AND THE SE1/4 OF THE NW1/4 OF SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., LYING EASTERLY OF THE FOLLOWING DESCRIBED LINE;

COMMENCING AT THE SOUTHWEST CORNER OF LOT 10, BLOCK 2, DUGUALLA BAY HEIGHTS, DIVISION NO. 1, RECORDED IN VOLUME 6 OF PLAT, PAGE 63, RECORDS OF ISLAND COUNTY, WASHINGTON;
THENCE N81°36'40"W, ALONG THE NORTH LINE OF DUGUALLA ROAD, FOR 480.00 FEET TO THE POINT OF BEGINNING;
THENCE N05°19'32"E FOR 468.00 FEET;
THENCE N55°46'40"E FOR 383.59 FEET TO THE SOUTHWEST CORNER OF SHORE DRIVE RIGHT-OF-WAY, PER SAID PLAT OF DUGUALLA BAY HEIGHTS, DIVISION NO. 1, AND THE TERMINUS OF SAID LINE;

ALSO EXCEPT THAT PORTION AS DESCRIBED IN DEED RECORDED DECEMBER 31, 1990, AUDITOR'S FILE NO 90023677, RECORDS OF ISLAND COUNTY, WASHINGTON.

ALSO EXCEPT ANY PORTION LYING WITHIN THE PLAT OF DUGUALLA BAY HEIGHTS, DIVISION NO. 1, RECORDED IN VOLUME 6 OF PLATS, PAGE 63, RECORDS OF ISLAND COUNTY, WASHINGTON.

Order No:

ALSO EXCEPT THE WEST 350 FEET OF SAID GOVERNMENT LOT 3:

ALSO EXCEPT THEREFROM THE SOUTH 20 FEET FOR PUBLIC ROAD AND HIGHWAY PURPOSES AS CONVEYED TO ISLAND COUNTY, IN INSTRUMENT RECORDED MARCH 13, 1941, UNDER AUDITOR'S FILE NO. 52763, RECORDS OF ISLAND COUNTY, WASHINGTON.

(ALSO KNOWN AS NEW LOT 2, OF BOUNDARY LINE ADJUSTMENT RECORDED NOVEMBER 25, 2009 AS AUDITOR'S FILE NO. 4264326.)

SITUATE IN ISLAND COUNTY, WASHINGTON.

TOGETHER WITH THAT PORTION OF THE WEST 350 FEET OF GOVERNMENT LOT 3, SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., LYING SOUTH OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 17;
THENCE S02°37'30"E, ALONG THE WEST LINE OF SAID SECTION 17, FOR 1324.53 FEET TO THE SOUTHWEST CORNER OF GOVERNMENT LOT 4, SAID SECTION 17;
THENCE N87°19'51"E, ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 4, FOR 454.80 FEET TO THE WEST LINE OF THE EAST 850 FEET OF SAID GOVERNMENT LOT 4;
THENCE N02°42'48"W, ALONG SAID WEST LINE, FOR 205.00 FEET;
THENCE N84°15'53"E FOR 851.18 FEET TO THE EAST LINE OF SAID GOVERNMENT LOT 4 AND THE POINT OF BEGINNING;
THENCE N69°48'24"E FOR 366.94 FEET TO THE EAST LINE OF THE WEST 350 FEET OF SAID GOVERNMENT LOT 3 AND THE TERMINUS OF SAID LINE;

EXCEPT THEREFROM THE SOUTH 20 FEET FOR PUBLIC ROAD AND HIGHWAY PURPOSES AS CONVEYED TO ISLAND COUNTY, IN INSTRUMENT RECORDED MARCH 13, 1941, UNDER AUDITOR'S FILE NO. 52763, RECORDS OF ISLAND COUNTY, WASHINGTON.

(ALSO KNOWN AS NEW LOT 4, OF BOUNDARY LINE ADJUSTMENT RECORDED NOVEMBER 25, 2009 AS AUDITOR'S FILE NO. 4264326)

SITUATE IN ISLAND COUNTY, WASHINGTON.

TOGETHER WITH THAT PORTION OF THE EAST 850 FEET OF GOVERNMENT LOT 4, SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., LYING SOUTH OF THE FOLLOWING DESCRIBED LAND:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 17;
THENCE S02°37'30"E, ALONG THE WEST LINE OF SAID SECTION 17, FOR 1324.53 FEET TO THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 4;
THENCE N87°19'51"E, ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 4, FOR 454.80 FEET TO THE WEST LINE OF THE EAST 850 FEET OF SAID GOVERNMENT LOT 4;
THENCE N02°42'48"W, ALONG SAID WEST LINE, FOR 205.00 FEET TO THE POINT OF BEGINNING.
THENCE N84°15'53"E FOR 851.18 FEET TO THE EAST LINE OF SAID GOVERNMENT LOT 4 AND THE TERMINUS OF SAID LINE;

Order No:

EXCEPT THEREFROM THE SOUTH 20 FEET FOR PUBLIC ROAD AND HIGHWAY PURPOSES AS CONVEYED TO ISLAND COUNTY, IN INSTRUMENT RECORDED MARCH 13, 1941, UNDER AUDITOR'S FILE NO. 52763, RECORDS OF ISLAND COUNTY, WASHINGTON.

ALSO EXCEPT THE NORTH 7 FEET OF THE SOUTH 27 FEET OF THE EAST 850 FEET OF SAID GOVERNMENT LOT 4, DEEDED TO ISLAND COUNTY FOR RIGHT-OF-WAY, PER AUDITOR'S FILE NUMBER 4263853.

(ALSO KNOWN AS NEW LOT 5, OF BOUNDARY LINE ADJUSTMENT RECORDED NOVEMBER 25, 2009 AS AUDITOR'S FILE NO. 4264326)

SITUATE IN ISLAND COUNTY, WASHINGTON.

INFORMATIONAL NOTES

- A. Effective January 1, 1997, and pursuant to amendment of Washington State Statutes relating to standardization of recorded documents, the following format and content requirements must be met. Failure to comply may result in rejection of the document by the recorder.
FORMAT: Margins to be 3" on top, 1" on sides and bottom for first page of documents;
Margins to be 1" on top, sides and bottom of any subsequent pages;
Font size of 8 point or larger;
Paper size of not larger than 8 1/2 by 14";
No attachments on pages such as staples or taped Notary Seals;
Pressure seals must be smudged.
- B. Any sketch attached hereto is done so as a courtesy only and is not part of any title commitment of policy. It is furnished solely for the purpose of assisting in location the premises and First American expressly disclaims any liability which may result for reliance made upon it.
- C. The description can be abbreviated as suggested below if necessary to meet standardization requirements. The full text of the description must appear in the document(s) to be insured.
Abbreviated Legal:
Section 17, Township 33 North, Range 2 East; Ptn. of Gov't Lots 3 and 4

Parcel No.: **R23317-446-1980/810915, R23317-416-1530/810917, R23317-410-0920/810918**
- D. The legal description in this commitment is based on information provided with the application and the public records as defined in the policy to issue. The parties to the forthcoming transaction must notify the title insurance company prior to closing if the description does not conform to their expectations.
- E. The following deeds affecting the property herein described have been recorded within 24 months of the effective date of this commitment: **None**
- F. Recording procedures in Island County are unique because of the distance to the Courthouse. Our courier leaves after 12:00 noon the day of recording. All documents need to be in our office before 12:00 noon. Recording will be confirmed after 3 p.m. the day of recording. Recording clearance is generally available the following business morning.
- G. If a new Deed of Trust is to be recorded AND if one of the following companies is to be appointed Trustee, the correct name is Guardian Northwest Title Company OR First American Title Insurance Company, a California corporation, P.O. Box 727, Oak Harbor, WA 98277.
- H. We find no pertinent matters of record against the name(s) of the proposed insured.

Note: In the event this transaction fails to close and this commitment is cancelled, a fee will be charged to comply with the State Insurance Code and filed Schedule of the Company.

CONDITIONS

1. DEFINITIONS

- (a) "Mortgage" means mortgage, deed of trust or other security instrument.
- (b) "Public Records" means title records that give constructive notice of matters affecting the title according to the state law where the land is located.

2. LATER DEFECTS

The Exceptions in Schedule B – Section II may be amended to show any defects, liens or encumbrances that appear for the first time in the public records or are created or attached between the Commitment Date and the date on which all of the Requirements (a) and (c) of Schedule B – Section I are met. We shall have no liability to you because of this amendment.

3. EXISTING DEFECTS

If any defects, liens or encumbrances existing at Commitment Date are not shown in Schedule B, we may amend Schedule B to show them. If we do amend Schedule B to show these defects, liens or encumbrances, we shall be liable to you according to Paragraph 4 below unless you knew of this information and did not tell us about it in writing.

4. LIMITATION OF OUR LIABILITY

Our only obligation is to issue to you the Policy referred to in this Commitment, when you have met its Requirements. If we have any liability to you for any loss you incur because of an error in this Commitment, our liability will be limited to your actual loss caused by your relying on this Commitment when you acted in good faith to:

comply with the Requirements shown in Schedule B – Section I

or

eliminate with our written consent any Exceptions shown in Schedule B – Section II

We shall not be liable for more than the Policy Amount shown in Schedule A of this Commitment and our liability is subject to the terms of the Policy form to be issued to you.

5. CLAIMS MUST BE BASED ON THIS COMMITMENT

Any claim, whether or not based on negligence, which you may have against us concerning the title to the land must be based on this commitment and is subject to its terms.



FIRST AMERICAN

*First American Title Insurance Company
First American Title Insurance of Island
County, Agent
Post Office Box 727 32650 SR20 Suite
B102
Oak Harbor, WA 98277
Phn - (360) 675-2286
Fax - (360) 675-5640*

PRIVACY POLICY

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information – particularly any personal or financial information. We agree that you have the right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, the First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its *Fair Information Values*, a copy of which can be found on our website at www.firstam.com.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

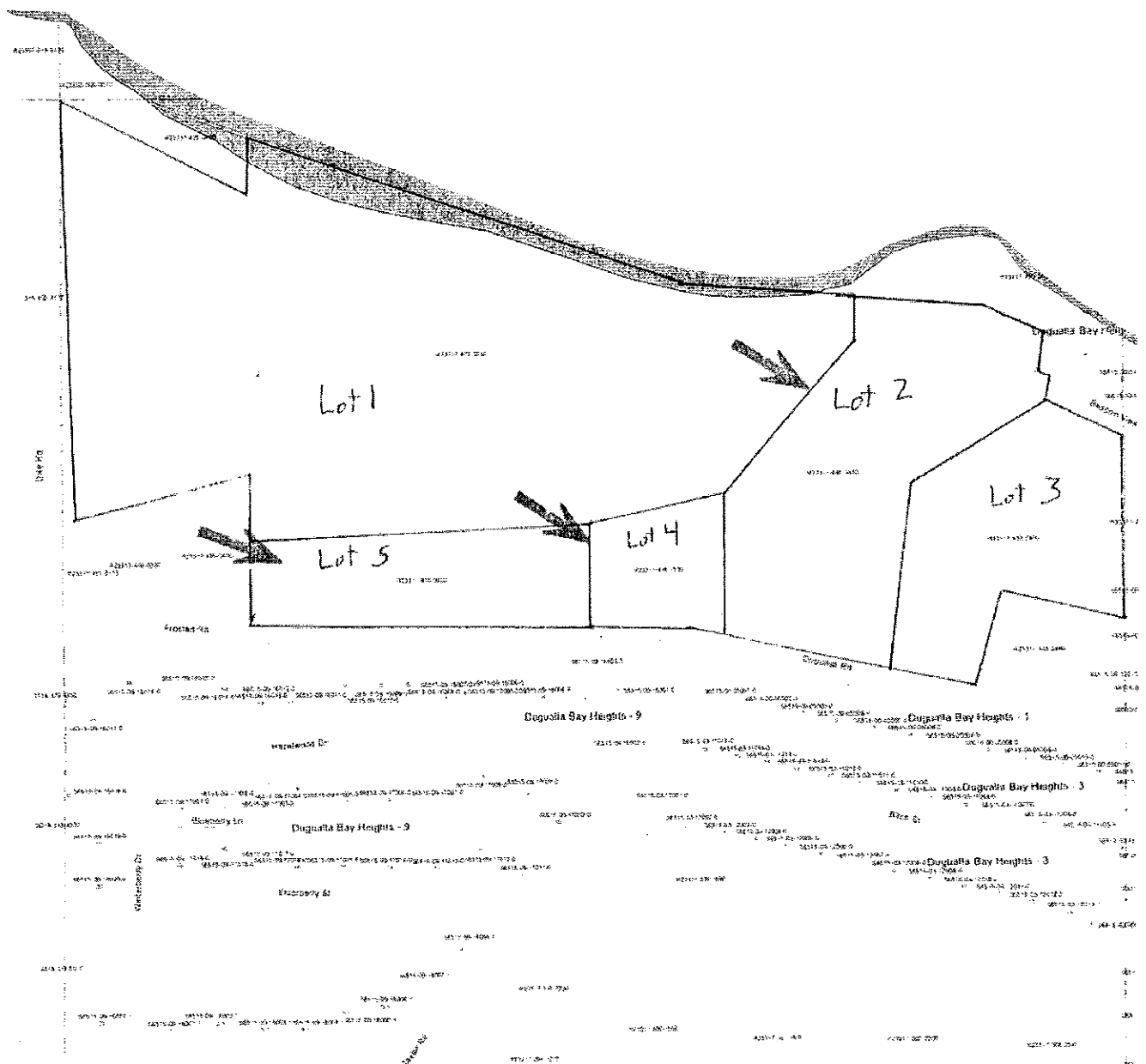
Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with the Privacy Policy and First American's *Fair Information Values*. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

OAK HARBOR, WA 98277

NOTICE: This sketch is furnished by First American Title Insurance Company, and its agents as a courtesy only. This sketch is not part of any commitment for title insurance or policy of title insurance. This sketch is furnished solely for the purpose of assisting in locating the premises. It does not purport to be a survey of the premises, to show all highways, to show all roads and/or easements affecting the subject premises. No reliance should be placed upon this sketch for dimensions of the premises. No liability is assumed by First American Title as to the correctness depicted herein. This map is not to scale.



AFTER RECORDING MAIL TO:

JAMES L. KOTSCHWAR
Attorney at Law
265 NE Kettle Street
Post Office Box 1593
Oak Harbor, Washington 98277

Document Title: *L42198-53*
QUIT CLAIM DEED
EXCISE TAX EXEMPT
APR 27 1999
#12-

Grantors:

FRANCES L. DUCKEN and HETTIE J. DUCKEN

Grantee:

DUCKEN FAMILY, L.L.C., a Washington limited liability company

Abbreviated Legal Descriptions and Tax Parcel Nos.

- Parcel 1: Section 17, Township 33 North, Range 2 E.W.M., portion of GL 3
(Tax Parcel No. R23317-450-2020); full legal description on Exhibit "A", page 2
- Parcel 2: Section 16, Township 33 North, Range 2 E.W.M., GL 4
(Tax Parcel No. R23316-298-0570); full legal description on Exhibit "A", page 2
- Parcel 3: Section 17, Township 33 North, Range 2 E.W.M., portion of GL 4
(Tax Parcel Nos. R23317-452-0610 and R23317-462-0920); full legal description on Exhibit "A", page 2
- Parcel 4: Section 17, Township 33 North, Range 2 E.W.M., tidelands adjacent to GL 4
(Tax Parcel No. R23317-467-0230); full legal description on Exhibit "A", page 2
- Parcel 5: Section 18, Township 33 North, Range 2 E.W.M., N 1/2, NE 1/4, SE 1/4
(Tax Parcel No. R23318-231-4670); full legal description on Exhibit "A", page 2
- Parcel 6: Section 17, Township 33 North, Range 2 E.W.M., tidelands adjacent to GL 4
(Tax Parcel No. R23317-500-0370); full legal description on Exhibit "A", page 3
- Parcel 7: Section 17, Township 33 North, Range 2 E.W.M., portion of GL 2
(Tax Parcel No. R23317-309-3750); full legal description on Exhibit "A", page 3
- Parcel 8: Section 17, Township 33 North, Range 2 E.W.M., tidelands adjoining ptn GL 3
(Tax Parcel Nos. R23317-511-2140 and R23317-521-1800); full legal description on Exhibit "A", page 3
- Parcel 9: Section 17, Township 33 North, Range 2 E.W.M., portion of GL 1
(Tax Parcel No. R23317-326-4720); full legal description on Exhibit "A", page 3
- Parcel 10: Section 18, Township 33 North, Range 2 E.W.M., portion of GL 1
(Tax Parcel No. R23318-298-4340); full legal description on Exhibit "A", page 3
- Parcel 11: Lots 79, 80, 81, and 82, Dugalla Bay Heights, Division No. 8
(Tax Parcel Nos. S6515-08-00079-0; S6515-08-00080-0; S6515-08-00081-0; and S6515-08-00082-0); full legal description on Exhibit "A", page 3
- Parcel 12: Section 18, Township 33 North, Range 2 E.W.M., tidelands adjoining ptn GL 1
(Tax Parcel No. R23318-452-4770); full legal description on Exhibit "A", page 4
- Parcel 13: Lots 42A, 43A, 46A, 47A, 49A, Dugalla Bay Heights, Division No. 7
(Tax Parcel Nos. S6515-07-00042-1; S6515-07-00043-1; S6515-07-00046-1; S6515-07-00047-1; and S6515-07-00049-1); full legal description on Exhibit "A", page 4
- Parcel 14: Section 17, Township 33 North, Range 2 E.W.M., ptn of N 1/2 S 1/2 NW 1/4
(Tax Parcel No. R23317-396-2300); full legal description on Exhibit "A", page 4
- Parcel 15: Sections 16 and 17, Township 33 North, Range 2 E.W.M., portion of tidelands
(Tax Parcel Nos. R23317-506-3460 and R23317-527-2670); full legal description on Exhibit "A", page 4

After Recording, Return to:

James L. Kotschwar
Attorney at Law
P.O. Box 1593
Oak Harbor, WA 98277

QUIT CLAIM DEED

THE GRANTORS, FRANCES L. DUCKEN, an unmarried person, and HETTIE J. DUCKEN, an unmarried person, each as to her separate estate, for and in consideration of the transfer of property by tenants in common into a family limited liability company, with the grantors' interest therein being the same percentage as their tenancy-in-common interests [WAC 458-61-375-2(a)] - no monetary consideration,

convey and quit claim to GRANTEE, DUCKEN FAMILY L.L.C., a Washington limited liability company, those parcels of real estate, situated in the County of Island, State of Washington, together with all after acquired title of the grantors therein, which are legally described in attached Exhibit "A", attached hereto as pages 2, 3, and 4.

DATED this 27th day of April, 1999.

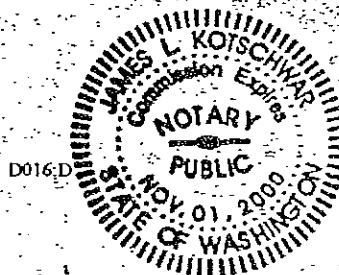
Frances L. Ducken
FRANCES L. DUCKEN

Hettie J. Ducken
HETTIE J. DUCKEN

STATE OF WASHINGTON)
) ss.
County of Island)

On this 27 day of April, A.D. 1999, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn personally appeared FRANCES L. DUCKEN and HETTIE J. DUCKEN, to me known to be the individuals described in and who executed the foregoing instrument, and acknowledged to me that they signed and sealed the said instrument as their free and voluntary act and deed for the uses and purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.



James L. Kotschwar
JAMES L. KOTSCHWAR
Notary Public in and for the State of
Washington, residing in Oak Harbor.
My commission expires: Nov. 1, 2000.

EXHIBIT "A"

All situate in the County of Island, State of Washington:

Parcel 1: (Tax Parcel No. R23317-450-2020)

That portion of Government Lot 3 of Section 17, Township 33 North, Range 2 E.W.M.;
EXCEPT therefrom any portion lying within the Plat of Dugwalla Bay Heights, Division
No. 1, recorded in Volume 6 of Plats, page 63, records of Island County, Washington;
ALSO EXCEPT therefrom that portion as described in Deed recorded December 31, 1990,
Auditor's File No. 90023677, records of Island County, Washington;
ALSO EXCEPT a 20 foot strip of land along a portion of the Southerly boundary for road
purposes as conveyed to Island County in Deed recorded March 13, 1941, under Auditor's
File No. 52763, records of Island County, Washington.

Parcel 2: (Tax Parcel No. R23316-298-0570)

All of Government Lot 4 and adjacent tidelands in Section 16, Township 33 North, Range 2
E.W.M.;
EXCEPT any tidelands owned by Island County;
ALSO EXCEPT any portion lying within the Plat of Dugwalla Bay Heights, Division No. 4,
according to the plat thereof recorded in Volume 8 of Plats, page 48, records of Island County,
Washington;
ALSO EXCEPT any portion lying within the Plat of Dugwalla Bay Heights, Division No. 6,
according to the plat thereof recorded in Volume 9 of Plats, page 16, records of Island County,
Washington;
ALSO EXCEPT any portion lying within the Plat of Dugwalla Bay Heights, Division No. 7,
according to the plat thereof recorded in Volume 9 of Plats, page 69, records of Island County,
Washington.

Parcel 3: (Tax Parcel Nos. R23317-452-0610 and R23317-462-0920)

The East 850 feet of Government Lot 4, Section 17, Township 33 North, Range 2 E.W.M.;
EXCEPT therefrom the South 20 feet for public road and highway purposes as conveyed to
Island County, in instrument recorded March 13, 1941, under Auditor's File No. 52763,
records of Island County, Washington.

Parcel 4: (Tax Parcel No. R23317-467-0230)

Second class tidelands as conveyed by the State of Washington, located in front of
Government Lot 4, Section 17, Township 33 North, Range 2 E.W.M., described as follows:
Beginning at the corner common to Sections 7, 8, 17, and 18, Township 33 North, Range 2
E.W.M.;
thence South a distance of 1,091.7 feet;
thence North 76°08' East a distance of 467 feet;
thence North a distance of 540 feet;
thence North 46° West a distance of 632 feet, more or less to the point of beginning;
EXCEPT therefrom that portion, if any, lying with the following described parcel:
Beginning at the corner common to said Sections 7, 8, 17, and 18;
thence South 46° East a distance of 632 feet;
thence North a distance of 210 feet;
thence North 63°55' West a distance of 510 feet, more or less, to the point of beginning.

Parcel 5: (Tax Parcel No. R23318-231-4670)

The North Half of the Northeast Quarter of the Southeast Quarter of Section 18, Township 33
North, Range 2 E.W.M.

(Exhibit "A" Continues on Next Page)

QUIT CLAIM DEED - Page 2

Parcel 6: (Tax Parcel No. R23317-500-0370)

Second class tidelands as conveyed by the State of Washington, located in front of Government Lot 4, Section 17, Township 33 North, Range 2 E.W.M., described as follows:
Beginning at the corner common to Sections 7, 8, 17, and 18, in Township 33 North, Range 2 E.W.M.;
thence South 46° East a distance of 632 feet;
thence North 210 feet;
thence North 63°55' West a distance of 510 feet to the point of beginning.

Parcel 7: (Tax Parcel No. R23317-309-3750)

That portion of Government Lot 2 of Section 17, Township 33 North, Range 2 E.W.M., lying Southerly of the Plat of Dugualla Bay Heights Division No. 2, recorded in Volume 7 of Plats, page 32, records of Island County, Washington, and Easterly of the Plat of Dugualla Bay Heights Division No. 5, recorded in Volume 8 of Plats, page 72, records of Island County, Washington;

EXCEPT therefrom that portion lying within Dugualla Road as shown in the Plat of Dugualla Bay Heights Division No. 4, recorded in Volume 8 of Plats, page 48, records of Island County, Washington.

Parcel 8: (Tax Parcel Nos. R23317-511-2140 and R23317-521-1800)

Second class tidelands as conveyed by the State of Washington, located in front of Government Lot 3, of Section 17, Township 33 North, Range 2 E.W.M.;

EXCEPT therefrom that portion as described in Deed recorded June 20, 1986, in Auditor's File No. 86007224, records of Island County, Washington;

ALSO EXCEPT therefrom that portion as described in Deed recorded December 31, 1990, in Auditor's File No. 90023677, records of Island County, Washington.

Parcel 9: (Tax Parcel No. R23317-326-4720)

That portion of Government Lot 1 of Section 17, Township 33 North, Range 2 E.W.M., lying Southerly of the Plat of Dugualla Bay Heights Division No. 7, recorded in Volume 9 of Plats, page 69, records of Island County, Washington, and Southerly and Easterly of the Plat of Dugualla Bay Heights Division No. 8, recorded in Volume 10 of Plats, page 52, records of Island County, Washington, and Easterly of Elk Horn Street, as shown on the above mentioned Plat of Dugualla Bay Heights Division No. 8;

EXCEPT therefrom that portion lying within Dugualla Road as shown in the Plat of Dugualla Bay Heights Division No. 4, recorded in Volume 8 of Plats, page 48, records of Island County, Washington.

Parcel 10: (Tax Parcel No. R23318-298-4340)

The West 10 acres of the South 20 acres of Government Lot 1 in Section 18, Township 33 North, Range 2 E.W.M.

Parcel 11: (Tax Parcel Nos. S6515-08-00079-0; S6515-08-00080-0; S6515-08-00081-0; and S6515-08-00082-0)

Lots 79, 80, 81, and 82, Dugualla Bay Heights, Division No. 8, records of Island County, Washington.

(Exhibit "A" Continues on Next Page)

EXHIBIT "A" - Continued

Parcel 12: (Tax Parcel No. R23318-452-4770)

Second class tidelands in front of Government Lot 1 in Section 18, Township 33 North, Range 2 E.W.M., described as follows:

Beginning at the corner common to Sections 7, 8, 17, and 18;

thence North 58°38' West a distance of 905 feet;

thence Southwesterly along the South side of channel to the 1/16th line;

thence South a distance of 750 feet;

thence North 59° East a distance of 493 feet;

thence North 75°45' East a distance of 900 feet (more or less to East line of Government Lot 1);

thence North a distance of 1,098.7 feet to the point of beginning.

Parcel 13: (Tax Parcel Nos. S6515-07-00042-1; S6515-07-00043-1; S6515-07-00046-1; S6515-07-00047-1; and S6515-07-00049-1)

Lots 42A, 43A, 46A, 47A, 49A, Dugalla Bay Heights, Division No. 7, records of Island County, Washington.

Parcel 14: (Tax Parcel No. R23317-396-2300)

That portion of the following described real property, lying Northerly of Dugalla Bay Road:

The North Half of the South Half of the Northwest Quarter of Section 17, Township 33 North, Range 2 E.W.M.;

EXCEPT therefrom that portion lying within the Plat of Dugalla Bay Heights Division No. 1, recorded in Volume 6 of Plats, page 63, records of Island County, Washington;

ALSO EXCEPT therefrom that portion lying within the Plat of Dugalla Bay Heights Division No. 9, recorded in Volume 11 of Plats, page 57, records of Island County, Washington;

ALSO EXCEPT therefrom that portion lying within the Plat of Dugalla Bay Heights Division No. 3, recorded in Volume 8 of Plats, page 7, records of Island County, Washington;

ALSO EXCEPT that portion as conveyed to Island County for road purposes in Deed recorded March 13, 1941, under Auditor's File No. 52763, records of Island County, Washington.

Parcel 15: (Tax Parcel Nos. R23317-506-3460 and R23317-527-2670)

Tidelands of the second class, described as:

Beginning at a point which is 18.031 chains North and 43.58 chains West of the meander corner of Sections 16 and 17, Township 33 North, Range 2 E.W.M.;

thence North 25°0' East 20.332 chains;

thence North 73°34.5' West 6 chains;

thence South 25°0' West to a point which bears North 87°30' West of the point of beginning, a distance of 6 chains;

thence South 87°30' East to point of beginning.

ALSO: Beginning at a point which is 18.031 chains North and 43.58 chains West of the meander corner of Sections 16 and 17, Township 33 North, Range 2 E.W.M.;

thence North 25°0' East 12.66 chains; thence South 64°51' East 6 chains;

thence South 25°0' West to a point which bears South 68°6' East of the point of beginning, a distance of 6 chains; thence North 68°6' West to a point of beginning.

END OF EXHIBIT "A"

The North East quarter (¼) of the North East quarter (¼) of Section Seven (7) in Township Thirty-three (33), Range Two (2) East of Willamette Principal Meridian

Subject to Taxes subsequent to the year 1910 situated in the County of Island in the State of Washington, hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of this State.

Dated this Twenty Eighth day of January A.D. 1915.

Jefferson J. Greene (Seal)
Sarah H. Greene (Seal)

County of Peoria

I, J. F. SCHADER, Notary Public in and for the State of Washington, DO HEREBY CERTIFY, that Jefferson J. Greene and Sarah H. Greene, his wife personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead. Given under my hand and Notarial Seal, this 28th day of January A.D. 1915.

J. F. Seal of Frances B. Schader,
My Commission expires Jan. 2-1917.
Peoria Co. Ill.

Frances B. Schader
Notary Public.

Filed for record at the request of John Bell: March 5th, 1917; at 8:30 A.M.

Roy H. Gillespie
County Auditor.

17069

D E D

No. 10876

State of Washington

to

STATE OF WASHINGTON

S. K. Ducken

IN CONSIDERATION OF Three hundred twenty-six and 25/100 (\$326.25) Dollars, the receipt of which is hereby acknowledged, the State of Washington, does hereby grant, bargain, sell and convey unto S. K. Ducken, his heirs and assigns, the following described 60000 lands, situated in Island County, Washington, to-wit:

Lot four (4), section sixteen (16), township thirty-three (33) north, range two (2) east of the Willamette Meridian, containing 21.75 acres, more or less, according to the government survey thereof.

This conveyance is made pursuant to a sale of said land had January 2nd, 1917.

The above described lands are sold subject to all the provisions of Chapter 108 of the Session Laws of 1911, to which reference is hereby made, and which shall be as binding upon the grantee and any successor in interest of said grantee as though set out at length herein.

"The grantor hereby expressly saves, excepts and reserves out of the grant hereby made, unto itself, its successors, and assigns forever, all oils, gases, coal, ores, minerals and fossils of every name, kind or description, and which may be in or upon said lands above described, or any part thereof, and the right to explore the same for such oil, gases, coal, ores, minerals and fossils; and it also hereby expressly saves and reserves out of the grant hereby made, unto itself, its successors and assigns forever, the right to enter by itself, its agents, attorneys and servants upon said lands or any part or parts thereof, at any and all times, for the purpose of opening, developing and working mines thereon, and taking out and removing therefrom all such oils, gases, coal, ores, minerals and fossils, and to that end it further expressly reserves out of the grant hereby made, unto itself, its successors and assigns forever, the right by its or their agents, servants and attorneys at any and all

times to erect, construct, maintain and use all such buildings, machinery, roads and railroads, sink such shafts, remove such soil, and to remain on said lands or any part thereof for the business of mining and to occupy as much of said land as may be necessary or convenient for the successful prosecution of such mining business hereby expressly reserving to itself, its successors and assigns, as aforesaid, generally, all rights and powers in, to, and over said lands, whether herein expressed or not, reasonably necessary or convenient to render beneficial and efficient the complete enjoyment of the property and rights hereby expressly

PROVIDED, That no rights shall be exercised under this reservation by the State, its successors or assigns, until the full payment for all damages sustained by said owner, by reason of entering upon said land,

assigns to pay to the owner of the land upon which the rights herein reserved to the State, its successors or assigns or sought to be exercised, full payment for all damages sustained by said owner, by reason of entering upon said land.

Erasure of these clauses will not render same invalid.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said S.K. Bucken, his heirs and assigns forever.

WITNESS the seal of the state, affixed this 20th day of January 1917.

Ernest Lister
Governor.

SEAL OF THE STATE OF WASHINGTON.
1889

Attest:
J. Grant Hinkle
Assistant Secretary of State.

State Record of Deeds, Volume 5 Page 398
App. No. 9988
Cont. No. -----

Filed for record at the request of J.C. Bucken: March 5th, 1917: at 10:30 A.M.

Ray H. Gillespie
County Auditor.

17073

WARRANTY DEED.

W. St. George Elliott
to

William Johnston

THIS INSTRUMENT, Made this seventeenth day of May A.D. 1911 between W. St. George Elliott, a widower, party of the first part, and William Johnston, party of the second part

WITNESSETH, That the said party of the first part, for and in consideration of the sum of Two thousand and no/100 Dollars Gold coin of the United States of America to him in hand paid by the said party of the second part, does by these presents, grant, bargain, sell, convey and confirm unto the said party of the second part, his heirs, executors, administrators and assigns, the following real estate, lying and being in the County of Island, State of Washington, described as follows, to-wit:

The north half ($\frac{1}{2}$) of the southwest quarter (S.W. $\frac{1}{4}$) of section eighteen (18), township thirty-two (32), North of range one (1) east of the Willamette Meridian, containing eighty (80) acres, more or less.

With all and singular the hereditaments and appurtenances to the same belonging or appertaining, the reversion or reversions, the remainder or remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, The above granted premises unto the said party of the second part, his heirs, executors, administrators and assigns forever, with all the privileges and appurtenances thereto belonging.

RETURN ORIGINAL DOCUMENT TO:

NAME (Print) Robert L. Edmons
MAILING ADDRESS 483 Elderberry St
Oak Harbor, WA 98277

RESTRICTIVE COVENANT

The grantor(s) herein, Ducken Family, LLC, is (are) the owner(s) of (an interest in) the following described real estates situated in Island County, State of Washington, to wit: Tax Parcel R23317-450-2020, a portion of Government Lot 3, Section 17, Township 33 North, Range 2 East, W.M.

The grantee(s) herein, Robert L. Edmons and Helen A. Lebel-Edmons, own(s) and operate(s) a well and waterworks supplying water for private use, located upon the following described real estates situated in Island County, State of Washington, to wit: Tax Parcel R23317-396-2300, a portion of Government Lot 3, Section 17, Township 33 North, Range 2 East, W.M., which well and waterworks is in close proximity to the land of the grantor(s), and said grantee(s) is (are) required to keep the water supplied from said well free from impurities which might be injurious to the public health.

It is the purpose of these grants and covenants to prevent certain practices hereinafter enumerated in the use of the said grantor(s) land which might contaminate said water supply.

NOW, THEREFORE, the grantor(s), agree(s) and covenant(s) that said grantee(s), its successors and assigns, said covenants to run with the land for the benefit of the land of the grantee(s), that said grantor(s), its (their) heirs, successors and assigns will not construct, maintain or suffer to be constructed or maintained upon the said land of the grantor(s) and within 100 (one hundred) feet of the well of the grantee(s), so long as the same is operated to furnish water for private consumption, any of the following: cesspools, sewers, privies, drain fields, manure piles, garbage of any kind or description, barns, chicken houses, rabbit hutches, pigpens, or other enclosures or structures for the keeping or maintenance of fowls or animals, or storage of liquid or dry chemicals, herbicides, or insecticides; and within 50 (fifty) feet of the well of the grantee(s), so long as the same is operated to furnish water for private consumption, any of the following: septic tanks, and septic transport lines.

WITNESS my hand this 29 day of March, 2004

Tracy L. Ducken (Seal)

(Seal)
Grantor(s)



4095371

Page: 2 of 2

03/29/2004 11:59A

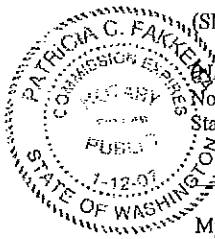
ISLAND COUNTY AUDITOR

R

State of Washington
County of Island

I, the undersigned, a Notary Public in and for the above named County and State, do hereby certify that on this 29 day of March, 2004, personally appeared before me Frances Ducken to me known to be the individual described in and who executed the within instrument, and acknowledge that she signed and sealed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal the day and year last above written.



(SIGNATURE)

(NAME -PRINTED)

Notary Public in and for the
State of Washington, residing at

Island County

My Commission Expires: 1/12/07



4101811

Page: 1 of 7

05/28/2004 02:03P

ISLAND COUNTY AUDITOR

BLA

RETURN ORIGINAL DOCUMENT TO:

Name (Print) ROBERT EDMONS
Street 483 ELDERBERRY ST.
City, ST, zip OAK HARBOR, WA 98277

BOUNDARY LINE ADJUSTMENT
PART B (To be recorded)

Authorized Agent (print name) DON DUNSMORE

Lot A <u>Travis Ducken</u> <u>Ducken Family, LLC</u> Owner's Name Owner's Name <u>511 E Frostad Road</u> Mailing Address <u>Oak Harbor, WA 98277</u> City, State, Zip Code <u>360-675-2151</u> Phone	<u>R 23317-450-2020</u> Assessor Parcel No. If applicable, Plat Name or Short Plat Number: Block No. Lot No. Recorded Volume & Page Owner's Signature <u>Travis Ducken</u> Owner's Signature
Lot B <u>Robert L. Edmons</u> Owner's Name <u>Debra A. Edmons</u> Owner's Name <u>483 Elderberry St</u> Mailing Address <u>Oak Harbor, WA 98277</u> City, State, Zip Code <u>360-679-9792</u> Phone	<u>R 23317-396-2300</u> Assessor Parcel No. If applicable, Plat Name or Short Plat Number: Block No. Lot No. Recorded Volume & Page <u>Robert L. Edmons</u> Owner's Signature <u>Debra A. Edmons</u> Owner's Signature
Lot C Owner's Name Owner's Name Mailing Address City, State, Zip Code Phone	 Assessor Parcel No. If applicable, Plat Name or Short Plat Number: Block No. Lot No. Recorded Volume & Page RECEIVED Owner's Signature <u>APR - 1 2004</u> Owner's Signature <u>ISLAND COUNTY</u> <u>COMMUNITY DEVELOPMENT</u>

LOCATED IN: SE 1/4 of the NW 1/4 of Section 17, Township 33, Range 2
Abbreviated Legal Description PORTION OF GOV'T LOT 3 AND OF
THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF
SECTION 17, T. 33 N., R. 2 E. W.M.
Full Legal Descriptions of existing parcels found on Page(s) 4 as attached

FOR COUNTY USE ONLY

Boundary Line Adjustment Form (2-12-01)

BLA # 113/04 BLA Page 1 of 2 Approved: 5-28-04 By: CD



ISLAND COUNTY AUDITOR

9LA

ACKNOWLEDGEMENTS

FUTURE COMPLIANCE WITH COUNTY CODE

(This part must be signed by all property owners)

I/We acknowledge that Island County does not determine that the reconfigured lots are useable or buildable during the review of this Boundary Line Adjustment, and that compliance with all applicable County Codes, including those contained in Titles 8 (Health, Welfare and Sanitation), 11 (Land Development Standards), 13 (Public Works), and 17 (Island County Critical Areas and Zoning Ordinance) will be required before any development of the modified lots is permitted or before any permits are issued by Island County.

Lot <u>A</u> : (e.g. A,B,etc)	<u>Ducken Family, LLC</u> Owner Name (print name)	<u>Francis Ducken</u> Owner's Signature	<u>3/12/04</u> Date
Lot <u>B</u> : (e.g. A,B,etc)	<u>Robert L. Edmons</u> Owner Name (print name)	<u>Robert L. Edmons</u> Owner's Signature	<u>3/12/04</u> Date
Lot <u>B</u> : (e.g. A,B,etc)	<u>Helen A. Lebel-Edmons</u> Owner Name (print name)	<u>Helen A. Lebel-Edmons</u> Owner's Signature	<u>3/12/04</u> Date
Lot _____ : (e.g. A,B,etc)	_____ Owner Name (print name)	_____ Owner's Signature	_____ Date
Lot _____ : (e.g. A,B,etc)	_____ Owner Name (print name)	_____ Owner's Signature	_____ Date
Lot _____ : (e.g. A,B,etc)	_____ Owner Name (print name)	_____ Owner's Signature	_____ Date

WAIVER OF VERIFICATION OF ACCESS BY COUNTY

(If evidence of legal access is not provided, this part must be signed by all property owners)

I/We hereby certify that I/we have waived the verification of legal means of access by the county and acknowledge it may not have been provided for at this time.

Lot <u>A</u> : (e.g. A,B,etc)	<u>Ducken Family, LLC</u> Owner Name (print name)	<u>Francis Ducken</u> Owner's Signature	<u>3/12/04</u> Date
Lot <u>B</u> : (e.g. A,B,etc)	<u>Robert L. Edmons</u> Owner Name (print name)	<u>Robert L. Edmons</u> Owner's Signature	<u>3/12/04</u> Date
Lot <u>B</u> : (e.g. A,B,etc)	<u>Helen A. Lebel-Edmons</u> Owner Name (print name)	<u>Helen A. Lebel-Edmons</u> Owner's Signature	<u>3/12/04</u> Date
Lot _____ : (e.g. A,B,etc)	_____ Owner Name (print name)	_____ Owner's Signature	_____ Date
Lot _____ : (e.g. A,B,etc)	_____ Owner Name (print name)	_____ Owner's Signature	_____ Date
Lot _____ : (e.g. A,B,etc)	_____ Owner Name (print name)	_____ Owner's Signature	_____ Date

RECEIVED

APR - 1 2004

ISLAND COUNTY
COMMUNITY DEVELOPMENT

FOR COUNTY USE ONLY

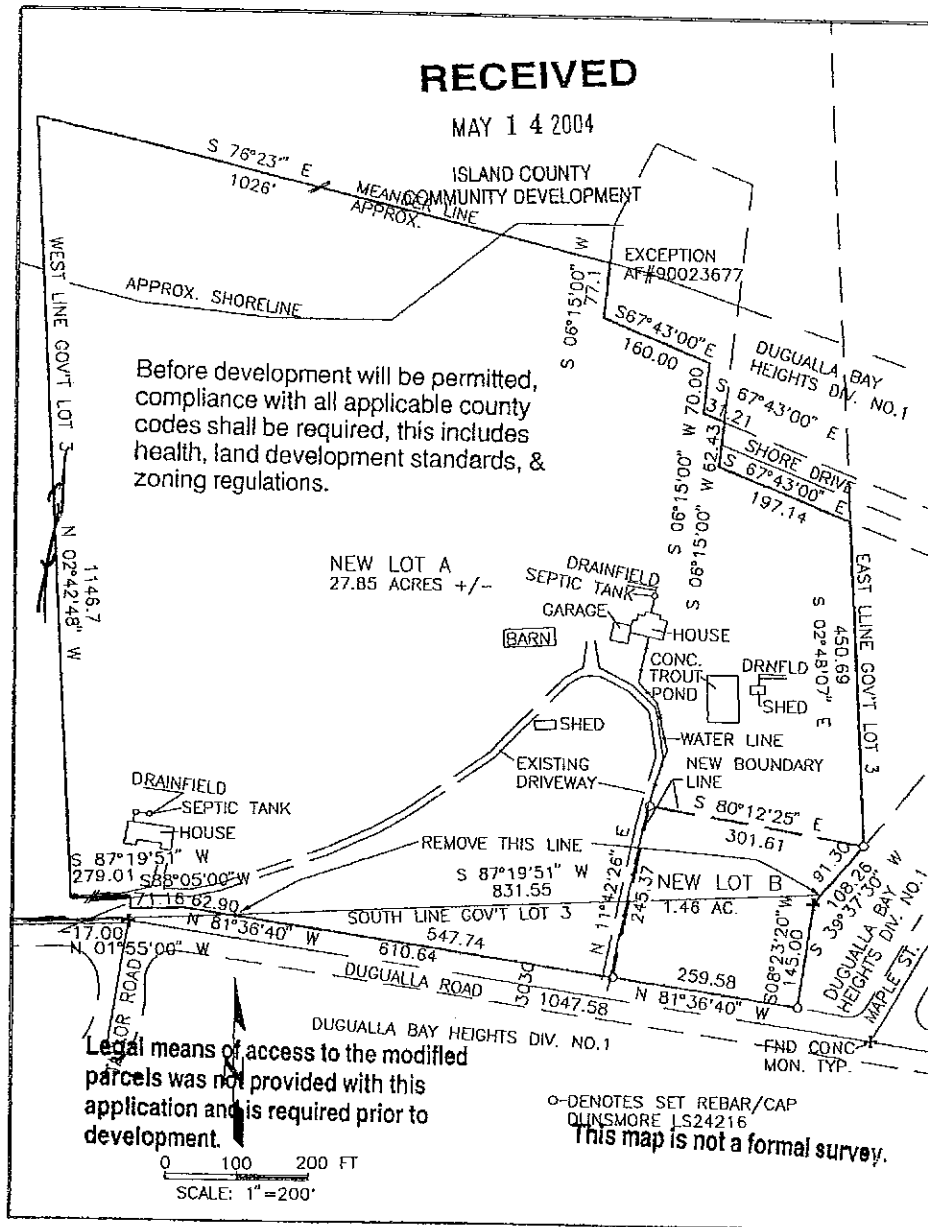
Boundary Line Adjustment Form (2-12-01)

BLA # 113/04 BLA Page 2 of 2 Approved: 5-28-04 By: Christ



ISLAND COUNTY AUDITOR

BLA



EXISTING LOT A: R23317-450-2020 CURRENT AREA: 27.85 ACRES PROPOSED AREA: 27.85 ACRES
EXISTING LOT B: R23317-396-2300 CURRENT AREA: 1.46 ACRES PROPOSED AREA: 1.46 ACRES
PORTION OF GOV'T LOT 3, SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M.

WE HEREBY CERTIFY THAT WE ARE THE AUTHORIZED APPLICANT AND WE ACKNOWLEDGE THAT COMPLIANCE WITH ALL APPLICABLE COUNTY CODES INCLUDING THOSE CONTAINED IN TITLE 8, 11, 13 AND 17 ICC WILL BE REQUIRED BEFORE DEVELOPMENT OF THE MODIFIED LOTS IS PERMITTED.

WE HEREBY CERTIFY THAT WE HAVE CLEARLY PROVIDED INFORMATION SHOWING LEGAL MEANS OF ACCESS FROM THE PROPERTY TO A PUBLIC OR PRIVATE ROAD OR, IF NOT, THAT WE HAVE WAIVED VERIFICATION OF LEGAL MEANS OF ACCESS.

APPLICANTS SIGNATURE:

LOT A: Ducken Family, LLC DATE: 5/11/04
LOT B: Robert L. Edmonds DATE: 5/11/04
LOT B: Robert L. Edmonds DATE: 5/14/04

BOUNDARY LINE ADJUSTMENT		DWN BY: DRD
PORTION GOV'T LOT 3		DATE: 3/04
SECTION 17, T.33N., R.2E.W.M.		SCALE: 1"=200'
DUNSMORE & ASSOCIATES 901 GRACE ST/PO BOX 1403 COUPEVILLE, WA 98239 360-678-3459		WO: 1486

BLA# 113/0422 PAGE # 3 OF 7 APPROVED 5-28-04 BY: CCroft



4101811

Page: 4 of 7

05/28/2004 02:03P

ISLAND COUNTY AUDITOR

3LA

LEGAL DESCRIPTION of EXISTING PARCELS

Attach additional pages as needed and note on first page of application (Needed for Recording purposes)

LOT A:

GOVERNMENT LOT 3 OF SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M.; EXCEPT THEREFROM ANY PORTION LYING WITHIN THE PLAT OF DUGUALLA BAY HEIGHTS, DIVISION NO. 1, RECORDED IN VOLUME 6 OF PLATS, PAGE 63, RECORDS OF ISLAND COUNTY, WASHINGTON; ALSO EXCEPT THEREFROM THAT PORTION AS DESCRIBED IN DEED RECORDED DECEMBER 31, 1990, AUDITOR'S FILE NO. 90023677, RECORDS OF ISLAND COUNTY, WASHINGTON; ALSO EXCEPT A 20 FOOT STRIP OF LAND ALONG A PORTION OF THE SOUTHERLY BOUNDARY FOR ROAD PURPOSES AS CONVEYED TO ISLAND COUNTY IN DEED RECORDED MARCH 13, 1941, UNDER AUDITOR'S FILE NO. 52763, RECORDS OF ISLAND COUNTY, WASHINGTON.

LOT B:

THAT PORTION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., LYING NORTHERLY OF COUNTY ROAD RIGHT OF WAY KNOWN AS DUGUALLA ROAD AND LYING WESTERLY OF BLOCK 2, PLAT OF DUGUALLA BAY HEIGHTS DIVISION NO. 1 AS RECORDED IN VOLUME 6 OF PLATS, PAGE 63, RECORDS OF ISLAND COUNTY, WASHINGTON.

ALL SITUATE IN THE COUNTY OF ISLAND, STATE OF WASHINGTON.

RECEIVED

APR - 1 2004

ISLAND COUNTY
COMMUNITY DEVELOPMENT

NOTE: All additional pages must have a one (1) inch margin on all sides for recording purposes

FOR COUNTY USE ONLY

Boundary Line Adjustment Form (2-12-01)

BLA # 113/04

BLA Page 4 of 7

Approved: 5-28-04

By: [Signature]



ISLAND COUNTY AUDITOR

BLA

LEGAL DESCRIPTION of PROPOSED PARCELS

Attach additional pages as needed

LOT A:

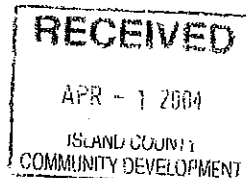
GOVERNMENT LOT 3 OF SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M.; EXCEPT THEREFROM ANY PORTION LYING WITHIN THE PLAT OF DUGUALLA BAY HEIGHTS, DIVISION NO. 1, RECORDED IN VOLUME 6 OF PLATS, PAGE 63, RECORDS OF ISLAND COUNTY, WASHINGTON; ALSO EXCEPT THEREFROM THAT PORTION AS DESCRIBED IN DEED RECORDED DECEMBER 31, 1990, AUDITOR'S FILE NO. 90023677, RECORDS OF ISLAND COUNTY, WASHINGTON; ALSO EXCEPT A 20 FOOT STRIP OF LAND ALONG A PORTION OF THE SOUTHERLY BOUNDARY FOR ROAD PURPOSES AS CONVEYED TO ISLAND COUNTY IN DEED RECORDED MARCH 13, 1941, UNDER AUDITOR'S FILE NO. 52763, RECORDS OF ISLAND COUNTY, WASHINGTON.

TOGETHER WITH THAT PORTION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., LYING NORTHERLY OF COUNTY ROAD RIGHT OF WAY KNOWN AS DUGUALLA ROAD AND LYING WESTERLY OF BLOCK 2, PLAT OF DUGUALLA BAY HEIGHTS DIVISION NO. 1 AS RECORDED IN VOLUME 6 OF PLATS, PAGE 63, RECORDS OF ISLAND COUNTY, WASHINGTON.

EXCEPT THAT PORTION OF GOVERNMENT LOT 3 AND OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., LYING NORTHERLY OF COUNTY ROAD RIGHT OF WAY KNOWN AS DUGUALLA ROAD AND LYING WESTERLY OF BLOCK 2, PLAT OF DUGUALLA BAY HEIGHTS DIVISION NO. 1 AS RECORDED IN VOLUME 6 OF PLATS, PAGE 63, RECORDS OF ISLAND COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 10, BLOCK 2, OF SAID PLAT OF DUGUALLA BAY HEIGHTS DIVISION NO. 1; THENCE N08°23'20"E ALONG THE WEST LINE OF SAID BLOCK 2 A DISTANCE OF 145.00 FEET; THENCE CONTINUING ALONG SAID WEST LINE N39°37'30"E 91.30 FEET TO THE INTERSECTION WITH THE EAST LINE OF SAID GOVERNMENT LOT 3; THENCE N80°12'25"W 301.61 FEET; THENCE S11°42'26"W 245.37 FEET, MORE OR LESS, TO THE NORTH RIGHT OF WAY LINE OF DUGUALLA ROAD; THENCE S81°36'40"E ALONG SAID RIGHT OF WAY LINE 259.58 FEET TO THE POINT ON BEGINNING.

ALL SITUATE IN THE COUNTY OF ISLAND, STATE OF WASHINGTON.



NOTE: All additional pages must have a one (1) inch margin on all sides for recording purposes

FOR COUNTY USE ONLY

Boundary Line Adjustment Form (2-12-01)

BLA# 113/04 BLA Page 5 of 7 Approved: 5-28-04 By: C. Crayth



4101811

Page: 6 of 7

05/28/2004 02:03P

ISLAND COUNTY AUDITOR

BLA

LEGAL DESCRIPTION of PROPOSED PARCELS

Attach additional pages as needed

LOT B:

THAT PORTION OF GOVERNMENT LOT 3 AND OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., LYING NORTHERLY OF COUNTY ROAD RIGHT OF WAY KNOWN AS DUGUALLA ROAD AND LYING WESTERLY OF BLOCK 2, PLAT OF DUGUALLA BAY HEIGHTS DIVISION NO. 1 AS RECORDED IN VOLUME 6 OF PLATS, PAGE 63, RECORDS OF ISLAND COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 10, BLOCK 2, OF SAID PLAT OF DUGUALLA BAY HEIGHTS DIVISION NO. 1; THENCE N08°23'20"E ALONG THE WEST LINE OF SAID BLOCK 2 A DISTANCE OF 145.00 FEET; THENCE CONTINUING ALONG SAID WEST LINE N39°37'30"E 91.30 FEET TO THE INTERSECTION WITH THE EAST LINE OF SAID GOVERNMENT LOT 3; THENCE N80°12'25"W 301.61 FEET; THENCE S11°42'26"W 245.37 FEET, MORE OR LESS, TO THE NORTH RIGHT OF WAY LINE OF DUGUALLA ROAD; THENCE S81°36'40"E ALONG SAID RIGHT OF WAY LINE 259.58 FEET TO THE POINT ON BEGINNING.

ALL SITUATE IN THE COUNTY OF ISLAND, STATE OF WASHINGTON.



NOTE: All additional pages must have a one (1) inch margin on all sides for recording purposes

FOR COUNTY USE ONLY

Boundary Line Adjustment Form (2-12-01)

BLA # 113/04 BLA Page 6 of 7 Approved: 5-28-04 By: [Signature]



ISLAND COUNTY AUDITOR

BLA

Staff Findings
BOUNDARY LINE ADJUSTMENT # 113/04 BLA

Assessor Parcel Number(s) R23317-450-2020 and R23317-396-2300

Section 17 Township 33 Range 2 Quarter Section NW
Existing Zoning Rural RAID name N/A
Minimum Lot size 5 Acres Base Density 1 dwelling unit per 5 acres
If the parcels are within a subdivision; N/A
Number & Date of approved subdivision: _____ Auditor File # N/A

Site Plan

Yes Based on information provided, Application and map signed by all owners.
Yes Shows existing and proposed boundary lines.
Yes Shows all structures and setbacks.
Yes Shows well sites, if any?
Yes Shows drainfields, if needed?

Parcel sizes	Existing size	Proposed size
Parcel A	27.85 Acres	27.85 Acres
Parcel B	1.46 Acres	1.46 Acres
Parcel C		
Parcel D		

Approval Requirements

Yes The proposed boundary adjustment does not create additional Lots, Tracts or Parcels and therefore is exempt from Short Plat regulations. ICC 16.06.030
Yes The lots being created are contiguous, legally created lots. ICC 16.06.070.A.1
Yes The proposed boundary adjustment does not create a split-zoned parcel. ICC 16.06.070.A.2
Yes The proposed boundary adjustment will not create a lot of insufficient width or dimension to meet Lot size requirement for the existing zone. ICC 16.06.070.A.3 (except as provided in ICC 16.06.070.A.8). If no, see notes.
Yes The boundary adjustment will not cause any structure to fail to comply with setback requirements, or cause any setback to become nonconforming or more nonconforming. ICC 16.06.070.A.4 (except as provided in ICC 16.06.070.A.8). If no, see notes.
Yes The proposed boundary adjustment will not violate conditions of approval of a previous permit involving any of the subject parcels. ICC 16.06.070.A.5 (except as provided in ICC 16.06.070.A.8). If no, see notes.
Yes Legal means of access has been provided, or a waiver of legal means of access has been signed. ICC 16.06.070.A.6
Yes An acknowledgement that compliance with all applicable County Codes contained in Titles 8, 11, 13 and 17 ICC will be required before any permits are issued has been signed by the applicant. ICC 17.03.070.A.7
Yes This boundary adjustment is allowed pursuant to ICC 16.06.070.A.8. (See notes)
Yes No easements are being created or adversely affected with this action.

Departmental Comments

Building comments returned on, _____ no objections X no comment
Health comments returned on, May 28, 2004 X no objections
Engineering comments returned on, May 15, 2004 X no objections

Based on the foregoing Findings and Conclusions, Boundary Line Adjustment Application 114/04 BLA is hereby GRANTED to Ducken Family, LLC and Robert Edmonds

Conformance with all applicable county regulations and codes shall be required for all future development on these parcels. If your site is located within 400 feet of a bald eagle nest or within a bald eagle breeding or habitat area, you will be required to complete and sign a Short or Custom Eagle Management Plan before you may receive a building permit or any other permit that would involve disturbance to the land and/or vegetation.

SIGNED THIS 28th DAY OF May, 2004.

Carole Croft
Carole Croft
Planning Manager

SEC 17 & 18, TWP 33 N, R 2 E, W.M.

ROAD

1. BASIS OF BEARING: WASHINGTON COORDINATE SYSTEM
NAD83/91 NORTH ZONE BASED ON USCGCS STATIONS
"DUGUALLA" AND "COCK".

DUGALLA
N: 495B5B.005
E: 1211316.012
COOK (DESTROYED)
M: 406780.140

2. PROCEDURE & EQUIPMENT: REFERENCE SECTION 18 SUBDIVISION REPORT PUBLISHED BY FAKKEDA & KINGMA, INC. FOR ISLAND COUNTY, JULY 1974.
3. GROUND FEATURES SHOWN HEREON ARE BASED ON ISLAND COUNTY PUBLIC WORKS FIELD SURVEY.

TAYLOR ROAD

1) THE PLAT OF DUCALLA BAY HEIGHTS, DIV. NO. 1, 2, AND 3 DEDICATES A 80 FT AND 30 FT RIGHT-OF-WAY.

2. UNAC- 41. AF 52772, DEED FROM J. DUCKEN DESCRIBES A 40
RIGHT-OF-WAY BEGINNING AT A POINT 1.654 FT EAST OF THE
SOUTHWEST CORNER OF GOVERNMENT LOT 4, SECTION 17, T10N
SOUTHEASTERNLY TO THE WEST BOUNDARY OF THE SOUTHEAST 1/4 OF
THE NORTHWEST 1/4 OF SECTION 17. THE RIGHT-OF-WAY AFFECTS A
PORTION OF LOT 1, PLAT OF DUGSALLY-BAY HEIGHTS, DIV. NO. 1 AND
BLAND COUNTY PARCEL NUMBER R25317-5359-1580.

SURVEYOR'S CERTIFICATE:

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF ISLAND COUNTY PUBLIC WORKS

AUDITOR'S CERTIFICATE:

FILED FOR RECORD THIS 11 DAY OF JAN

AT 2:34 IN BOOK 14 OF SURVEYS AT PAGE 289-293 AT
THE REQUEST OF FAKKEMA & KINGMA INC. UNDER AUDITOR'S
FILE NO. H191507 *K. van der Kolk*

RECORD OF SURVEY MAP OF
A PORTION OF SEC 17 & 18, TWP 33 N, R 2 E, W.M.

FOR ISLAND COUNTY PUBLIC WORKS

	DATE JULY, 1974	FILE NO. E-CH
Falkema And Kinema, Inc.		
CONSULTING ENGINEERING & LAND SURVEYING		
SCALE NO SCALE	PLOTTER NO. 4453	BY SURVEYOR PAGE

1/09/07

CERTIFICATE NO. 11941

My name is David J. Lindquist
COUNTY AUDITOR

— 29 —

Water 1

8/05

U.S. 019

DATE _____

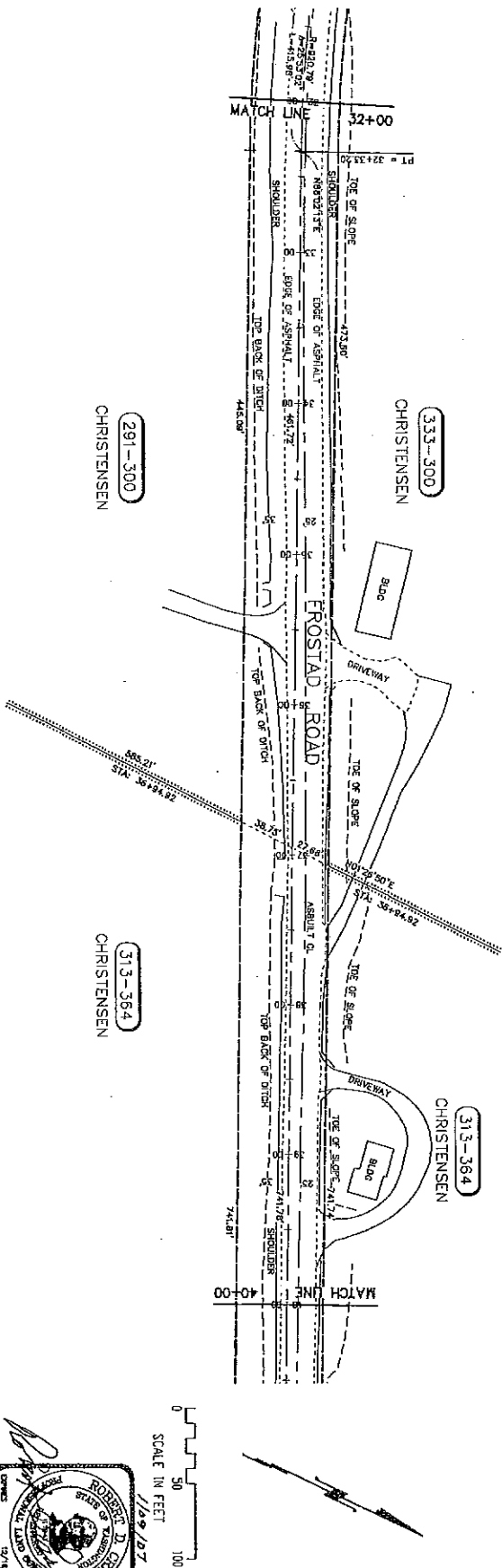
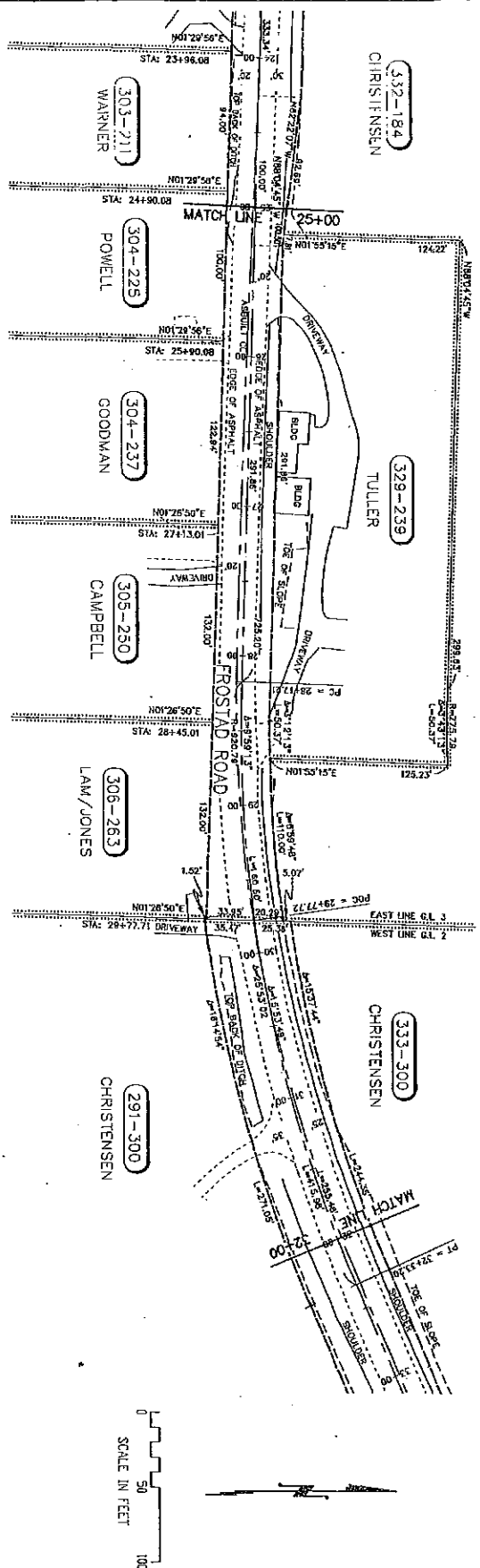
INDEPENDENT

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SURVEYOR'S CERTIFICATE:

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF ISLAND COUNTY PUBLIC WORKS *APP 15. P.*

1/08/07

Robert S. Lewis
CERTIFICATE NO. 11961

CERTIFICATE NO. 115611

AUDITOR'S CERTIFICATE:

FILED FOR RECORD THIS ____ DAY OF _____
AT ____ IN BOOK ____ OF SURVEYS AT PAGE ____ AT
THE REQUEST OF FAKEMA & KINGMA INC, UNDER AUDITOR'S
FILE NO. 4191507

no. 4191507

COUNTY AUDITOR

FBI CH

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Appendix 1

RECORD OF SURVEY MAP OF
A PORTION OF SEC 17 & 18, TWP 33 N, R 2 E, W.M..

FOR ISLAND COUNTY PUBLIC WORKS

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EGH

RC/RNF

JULY, 1974

12/27/06

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FARKKUDA AND MURPHY, INC.
CONSULTING ENGINEERING & LAND SURVEYING

840 25TH AVE. SUITE 102 DAK HARBOR, WA 98227 (360)675-6873

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Dr. S. J.

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AVERTISSEMENT

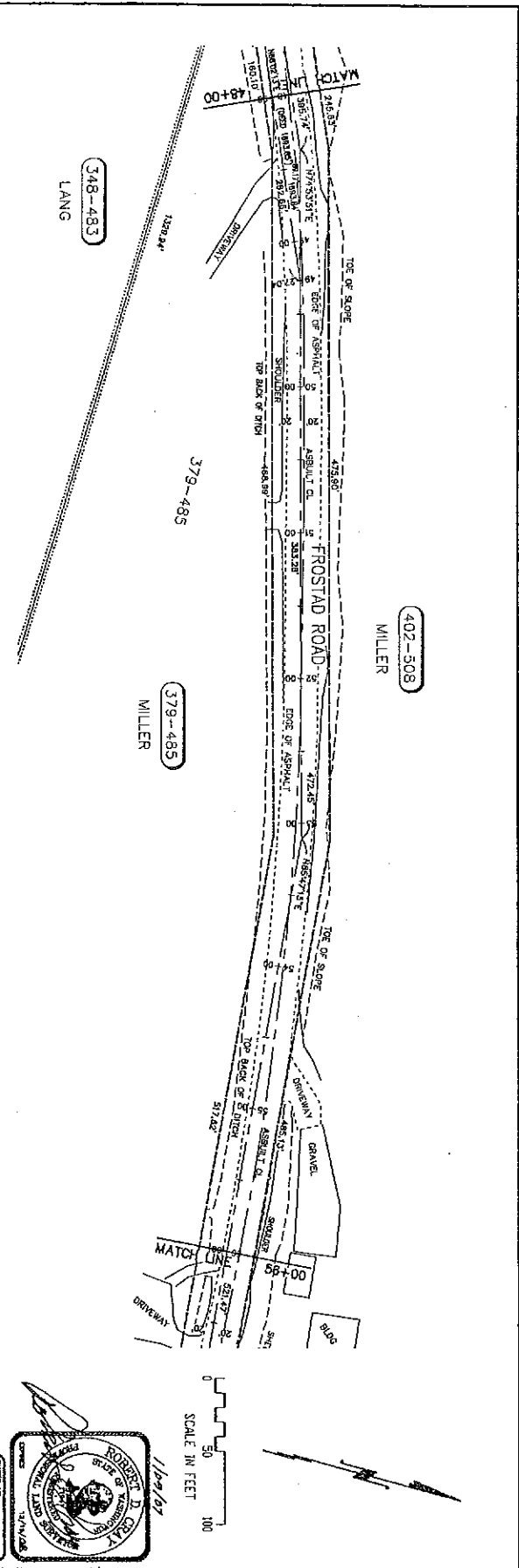
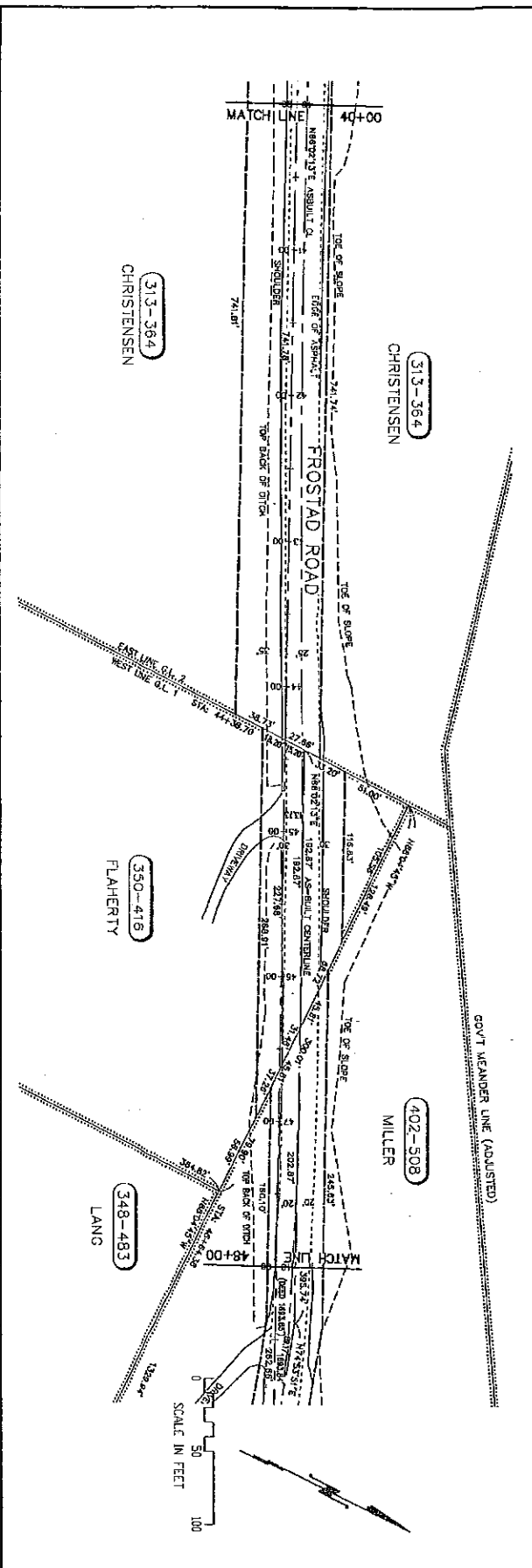
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SHEET NO. 3 OF 7

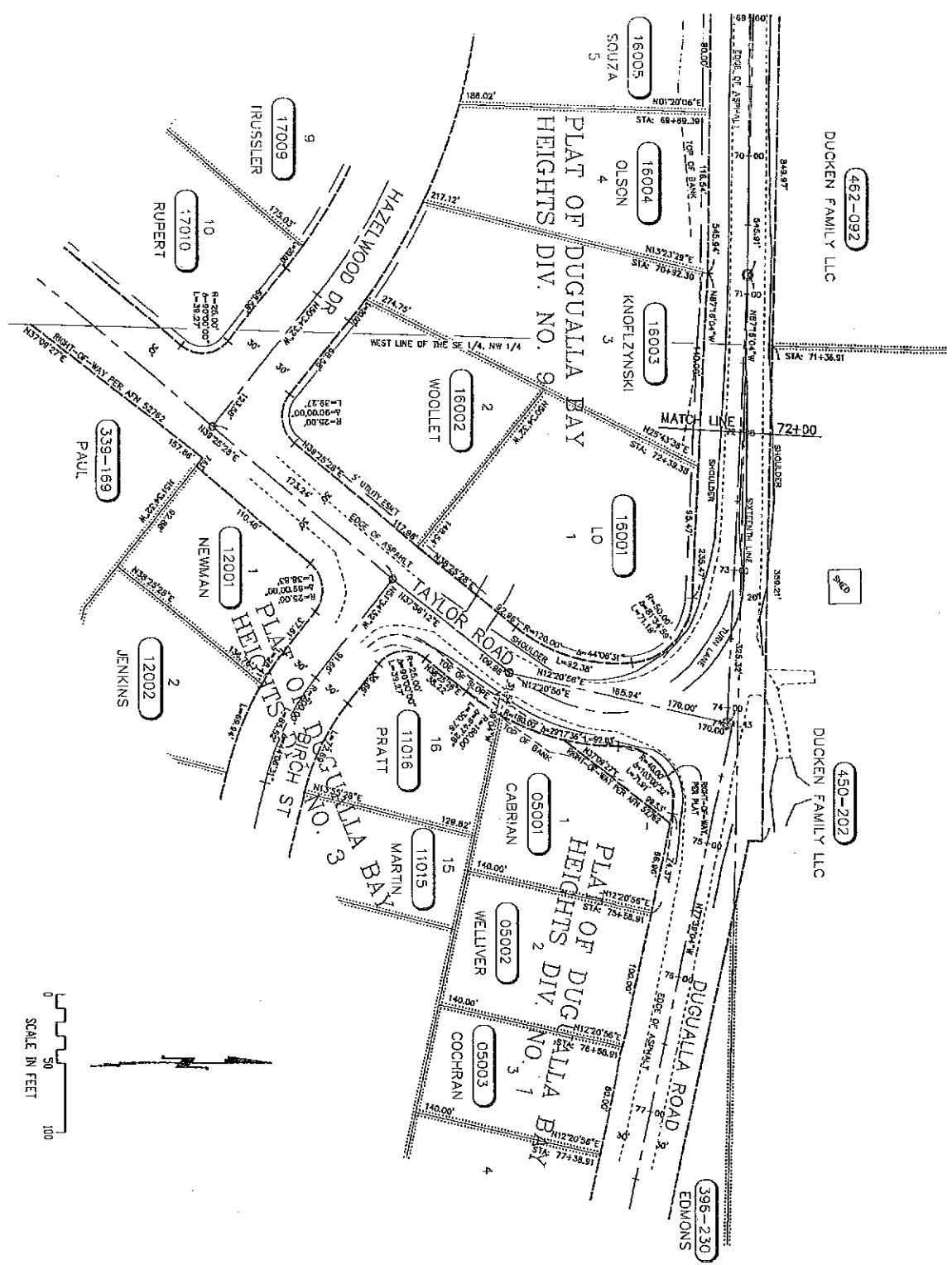




SURVEYOR'S CERTIFICATE:
THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF ISLAND COUNTY PUBLIC WORKS
1/09/07
CERTIFICATE NO. 1394

AUDITOR'S CERTIFICATE:
FILED FOR RECORD THIS DAY OF AT
IN BOOK OF SURVEYS AT PAGE AT
THE REQUEST OF FARKEMA & KINGMA INC. UNDER AUDITOR'S FILE NO. 4191507
COUNTY AUDITOR

RECORD OF SURVEY MAP OF A PORTION OF SEC 17 & 18, TWP 33 N, R 2 E, W.M. FOR ISLAND COUNTY PUBLIC WORKS
ISLAND COUNTY
JULY 1874
FARKEMA AND KINGMA, INC.
CONSULTING ENGINEERING & LAND SURVEYING
WASHINGTON
11/09/07
SCALE 1"=50'



SURVEYOR'S CERTIFICATE:

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF ISLAND COUNTY PUBLIC WORKS

11/09/07

CERTIFICATE NO. 1194

AUDITOR'S CERTIFICATE:

FILED FOR RECORD THIS DAY OF AT IN BOOK OF SURVEYS AT PAGE AT THE REQUEST OF FALKEMA & KINGMA INC. UNDER AUDITOR'S FILE NO. 4191507

COUNTY AUDITOR

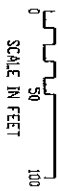
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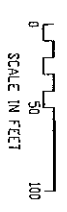
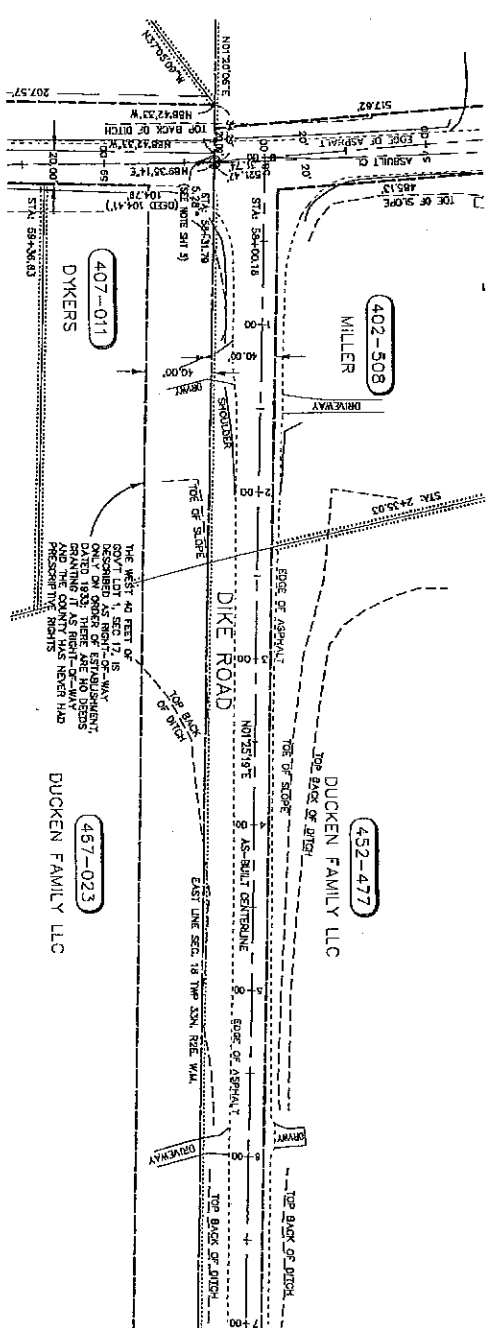
RECORD OF SURVEY MAP OF A PORTION OF SEC 17 & 18, TWP 33 N, R 2 E, W.M. ISLAND COUNTY FOR ISLAND COUNTY PUBLIC WORKS WASHINGTON

DATE JULY 1974 DATE 12/27/06 FALKEMA AND KINGMA, INC. CONSULTING ENGINEERING & LAND SURVEYING 1-50' PROJECT NO. 4455



11/09/07





SURVEYOR'S CERTIFICATE:

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF ISLAND COUNTY PUBLIC WORKS

1/6/97

CERTIFICATE NO. 11841

AUDITOR'S CERTIFICATE:

FILED FOR RECORD THIS DAY OF AT THE REQUEST OF FAYELLA & KINGMA INC. UNDER AUDITOR'S FILE NO. 4191507

COUNTY AUDITOR

FILED FOR RECORD

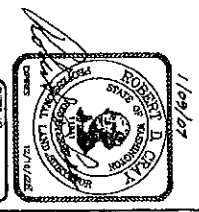
ISLAND COUNTY

RECORD OF SURVEY MAP OF A PORTION OF SEC. 17 & 18, TWP 33 N, R 2 E, W.M. FOR ISLAND COUNTY PUBLIC WORKS WASHINGTON

DATE JULY 1974

PAKKEENA AND KINGMA, INC. CONSULTING ENGINEERING & LAND SURVEYING

DATE 1-50' PROJECT NO. 4455



After Recording Return to:
John Ducken
12319 209 Avenue NE
Redmond, WA 98053

11/09/2009 03:36:46 PM
Recording Fee \$68.00 Page 1 of 7
Easement
Island County Washington

4263395



EXCISE TAX EXEMPT

NOV 9 2009

LINDA E. RIEFF
ISLAND COUNTY TREASURER

Grantor :	Ducken Family LLC
Grantee:	Ducken Family LLC
Abbreviated Legal Description:	Portions of Sec. 17, T33N, R2E, W.M.
Assessor's Tax Parcel No(s).	R23317-462-0920, R23317-467-0230 and R23317-500-0370

EASEMENT AGREEMENT

THIS EASEMENT is granted this 4th day of November, 2009, by DUCKEN FAMILY LCC, a Washington Limited Liability Company, c/o John Ducken, 12319—209th Avenue NE, Redmond, WA 98053 (the "Grantor"), to DUCKEN FAMILY LLC (the "Grantee").

Recitals

- A. The Ducken Family LLC is the owner of Lots 2, 3 and 4, located in the County of Island, Washington more particularly described in Exhibit A (the "Property").
- B. Access to Lots 2 and 3 is by means of a driveway through Lot 4, more particularly described in Exhibit B. Grantee and Grantor desire to establish a formal access easement to provide legal access to Lots 2 and 3.



Easement

NOW THEREFORE, in consideration of Ten Dollars, and the recitals, terms and conditions contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. The Grantor grants to Grantee a perpetual, non-exclusive easement forty (40) feet in width ("Easement") for ingress and egress over, on, under and across that driveway described in Exhibit B. The purposes of this easement are (a) the use, maintenance, construction, repair, and replacement, of the driveway for ingress and egress; and (b) the installation, use, maintenance, repair and replacement of utilities (including, but not limited to, electric, power, telephone, and water lines).
2. The owners of Lots 2 and 3 shall bear all of the cost of the construction, repair and maintenance of the driveway and any utility work.
3. This easement is granted for the use and benefit of, and appurtenant to, Lots 2 and 3.
4. This Agreement shall constitute the entire agreement and any prior understanding or representation of any kind preceding the date of this Easement Agreement shall not be binding upon any party except to the extent incorporated in the Agreement. In addition, any modification of this Agreement or additional obligation shall be binding only if evidenced in writing and signed by each party or an authorized representative of each party.
5. The owners Lots 2 and 3 agree to defend, indemnify and hold harmless the owner of Lot 4 and its successors and assigns from and against all claims, losses, liabilities and expenses (including attorneys' fees and court costs) incurred by or asserted against them or their successors and assigns as a result of use of the Easement by the owners of Lots 2 and 3 or their successors or assigns. This indemnity shall run with the land and shall inure to the benefit owner of Lot 4.

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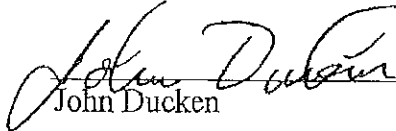


6. This Easement constitutes a covenant running with the land, and shall be binding upon and inure to the benefit of the respective owners, and their successors and assigns.

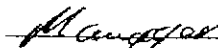
IN WITNESS WHEREOF the Grantor has executed this Easement Agreement as of the date and year first above written.

GRANTOR: DUCKEN FAMILY LLC


By


John Ducken

Its


Manager

By


Joseph K. Ducken

Its

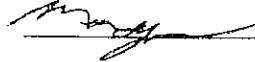

Manager



EXHIBIT A

LEGAL DESCRIPTION of PROPERTY (LOTS 2, 3 and 4)

LOT 2

THAT PORTION OF GOVERNMENT LOT 3 AND THE SE1/4 OF THE NW1/4 OF SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., LYING NORTHERLY OF DUGUALLA ROAD AND EASTERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 17;
THENCE S02°37'30"E, ALONG THE WEST LINE OF SAID SECTION 17, FOR 1324.53 FEET TO THE SOUTHWEST CORNER OF GOVERNMENT LOT 4, SAID SECTION 17;
THENCE N87°19'51"E, ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 4, FOR 454.80 FEET TO THE WEST LINE OF THE EAST 850 FEET OF SAID GOVERNMENT LOT 4;
THENCE N02°42'48"W, ALONG SAID WEST LINE, FOR 205.00 FEET;
THENCE N84°15'53"E FOR 851.18 FEET TO THE EAST LINE OF SAID GOVERNMENT LOT 4;
THENCE N69°48'24"E FOR 366.94 FEET TO THE EAST LINE OF THE WEST 350 FEET OF SAID GOVERNMENT LOT 3, THE POINT OF BEGINNING;
THENCE N42°55'42"E FOR 462.16 FEET;
THENCE N01°00'15"W TO THE NORTH LINE OF SAID GOVERNMENT LOT 3 AND THE TERMINUS OF SAID LINE;

EXCEPT THAT PORTION OF GOVERNMENT LOT 3 AND THE SE1/4 OF THE NW1/4 OF SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., LYING EASTERLY OF THE FOLLOWING DESCRIBED LINE;

COMMENCING AT THE SOUTHWEST CORNER OF LOT 10, BLOCK 2, DUGUALLA BAY HEIGHTS, DIVISION NO. 1, RECORDED IN VOLUME 6 OF PLAT, PAGE 63, RECORDS OF ISLAND COUNTY, WASHINGTON;
THENCE N81°36'40"W, ALONG THE NORTH LINE OF DUGUALLA ROAD, FOR 480.00 FEET TO THE POINT OF BEGINNING;
THENCE N05°19'32"E FOR 468.00 FEET;
THENCE N55°46'40"E FOR 383.59 FEET TO THE SOUTHWEST CORNER OF SHORE DRIVE RIGHT-OF-WAY, PER SAID PLAT OF DUGUALLA BAY HEIGHTS, DIVISION NO. 1, AND THE TERMINUS OF SAID LINE;

ALSO EXCEPT THAT PORTION AS DESCRIBED IN DEED RECORDED DECEMBER 31, 1990, AUDITOR'S FILE NO. 90023677, RECORDS OF ISLAND COUNTY, WASHINGTON.

ALSO EXCEPT ANY PORTION LYING WITHIN THE PLAT OF DUGUALLA BAY HEIGHTS, DIVISION NO. 1, RECORDED IN VOLUME 6 OF PLATS, PAGE 63, RECORDS OF ISLAND COUNTY, WASHINGTON.

ALSO EXCEPT THE WEST 350 FEET OF SAID GOVERNMENT LOT 3:

ALSO EXCEPT THEREFROM THE SOUTH 20 FEET FOR PUBLIC ROAD AND HIGHWAY PURPOSES AS CONVEYED TO ISLAND COUNTY, IN INSTRUMENT RECORDED MARCH 13, 1941, UNDER AUDITOR'S FILE NO. 52763, RECORDS OF ISLAND COUNTY, WASHINGTON.

SITUATE IN ISLAND COUNTY, WASHINGTON.



EXHIBIT A (page 2 of 3)

LOT 3

THAT PORTION OF GOVERNMENT LOT 3 AND THE SE1/4 OF THE NW1/4 OF SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., LYING NORTHERLY OF DUGUALLA ROAD, SOUTHERLY OF SHORE DRIVE AND EASTERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 10, BLOCK 2, DUGUALLA BAY HEIGHTS, DIVISION NO. 1, RECORDED IN VOLUME 6 OF PLAT, PAGE 63, RECORDS OF ISLAND COUNTY, WASHINGTON;

THENCE N81°36'40"W, ALONG THE NORTH LINE OF DUGUALLA ROAD, FOR 480.00 FEET TO THE POINT OF BEGINNING;

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EXCEPT THAT PORTION OF GOVERNMENT LOT 3 AND OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., LYING NORTHERLY OF COUNTY ROAD RIGHT OF WAY KNOWN AS DUGUALLA ROAD AND LYING WESTERLY OF BLOCK 2, PLAT OF DUGUALLA BAY HEIGHTS DIVISION NO. 1 AS RECORDED IN VOLUME 6 OF PLATS, PAGE 63, RECORDS OF ISLAND COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 10, BLOCK 2, OF SAID PLAT OF DUGUALLA BAY HEIGHTS DIVISION NO. 1;

THENCE NORTH 08°23'20" EAST ALONG THE WEST LINE OF SAID BLOCK 2 A DISTANCE OF 145.00 FEET;

THENCE CONTINUING ALONG SAID WEST LINE NORTH 39°37'30" EAST 91.30 FEET TO THE INTERSECTION WITH THE EAST LINE OF SAID GOVERNMENT LOT 3;

THENCE NORTH 80°12'25" WEST 301.61 FEET;

THENCE SOUTH 11°42'26" WEST 245.37 FEET, MORE OR LESS, TO THE NORTH RIGHT OF WAY LINE OF DUGUALLA ROAD;

THENCE SOUTH 81°36'40" EAST ALONG SAID RIGHT OF WAY LINE 259.58 FEET TO THE POINT OF BEGINNING;

ALSO EXCEPT ANY PORTION LYING WITHIN THE PLAT OF DUGUALLA BAY HEIGHTS, DIVISION NO. 1, RECORDED IN VOLUME 6 OF PLATS, PAGE 63, RECORDS OF ISLAND COUNTY, WASHINGTON.

SITUATE IN ISLAND COUNTY, WASHINGTON.



EXHIBIT A (page 3 of 3)

LOT 4

THAT PORTION OF THE WEST 350 FEET OF GOVERNMENT LOT 3, SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., LYING SOUTH OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 17;
THENCE S02°37'30"E, ALONG THE WEST LINE OF SAID SECTION 17, FOR 1324.53 FEET TO THE SOUTHWEST CORNER OF GOVERNMENT LOT 4, SAID SECTION 17;
THENCE N87°19'51"E, ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 4, FOR 454.80 FEET TO THE WEST LINE OF THE EAST 850 FEET OF SAID GOVERNMENT LOT 4;
THENCE N02°42'48"W, ALONG SAID WEST LINE, FOR 205.00 FEET;
THENCE N84°15'53"E FOR 851.18 FEET TO THE EAST LINE OF SAID GOVERNMENT LOT 4 AND THE POINT OF BEGINNING;
THENCE N69°48'24"E FOR 366.94 FEET TO THE EAST LINE OF THE WEST 350 FEET OF SAID GOVERNMENT LOT 3 AND THE TERMINUS OF SAID LINE;

EXCEPT THEREFROM THE SOUTH 20 FEET FOR PUBLIC ROAD AND HIGHWAY PURPOSES AS CONVEYED TO ISLAND COUNTY, IN INSTRUMENT RECORDED MARCH 13, 1941, UNDER AUDITOR'S FILE NO. 52763, RECORDS OF ISLAND COUNTY, WASHINGTON.

SITUATE IN ISLAND COUNTY, WASHINGTON.



EXHIBIT B

Legal Description of Easement

A 20 FOOT STRIP OF LAND OVER, UNDER, ACROSS AND THROUGH A PORTION OF GOVERNMENT LOT 3, SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., LYING 10 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHEAST CORNER OF THE WEST 350 FEET OF SAID GOVERNMENT LOT 3;
THENCE N02°42'48"W, ALONG THE EAST LINE OF SAID WEST 350 FEET, FOR 30.17 FEET TO THE POINT OF BEGINNING;
THENCE N76°44'41"E FOR 140.89 FEET;
THENCE N67°26'08"E FOR 142.60 FEET;
THENCE N56°42'32"E FOR 169.52 FEET TO THE WEST LINE OF LOT 3 OF ISLAND COUNTY BOUNDARY LINE ADJUSTMENT NO. 214/09, AND THE TERMINUS OF SAID CENTERLINE;

TOGETHER WITH THE NORTH 20 FEET OF THE SOUTH 40 FEET OF THE EAST 100 FEET OF THE WEST 350 FEET OF SAID GOVERNMENT LOT 3;

SITUATE IN ISLAND COUNTY, WASHINGTON.



RETURN ORIGINAL DOCUMENT TO:

Name (Print) Patricia Powell
Street 765 Wenn Rd C201
City, ST, zip Greenbank, WA 98253

BOUNDARY LINE ADJUSTMENT
PART B (To be recorded)

Authorized Agent (print name) Patricia Powell

Parcel A (1) Owner's Name <u>Ducken Family LLC</u> Owner's Name Mailing Address <u>12319 209th Ave NE</u> <u>Redmond, WA 98053</u> City, State, Zip Code <u>425-681-1444</u> Phone	Assessor Parcel No. <u>R23317-450-2020</u> If applicable, Plat Name or Short Plat Number: Block No. Lot No. Recorded Auditor's File No. Owner's Signature <u>[Signature]</u> Owner's Signature <u>[Signature]</u>
Parcel B (2) <u>See above - A</u> Owner's Name Owner's Name Mailing Address City, State, Zip Code Phone	Assessor Parcel No. <u>R23317-462-0920</u> If applicable, Plat Name or Short Plat Number: Block No. Lot No. Recorded Auditor's File No. Owner's Signature <u>[Signature]</u> Owner's Signature <u>[Signature]</u>
Parcel C (3) <u>See above - A</u> Owner's Name Owner's Name Mailing Address City, State, Zip Code Phone	Assessor Parcel No. <u>R23317-467-0230</u> If applicable, Plat Name or Short Plat Number: Block No. Lot No. Recorded Auditor's File No. Owner's Signature <u>[Signature]</u> Owner's Signature <u>[Signature]</u>

LOCATED IN: 1/4 of the 1/4 of Section 17, Township 33N, Range 2E
Abbreviated Legal Description
Portion Govt Lots 3 and 4, Sec 17, T33N, R2E, WM

Boundary Line Adjustment Form (November, 2008)

FOR COUNTY USE ONLY Legal Descriptions of existing parcels found on Page(s) 5 & 6 attached
BLA# 214/09 Page 1 of 11 Approved: 11-19-09 By: C. White



Parcel D (4) See above - A	R23317-500-0370
Owner's Name	Assessor Parcel No.
Owner's Name	If applicable, Plat Name or Short Plat Number:
Mailing Address	Block No. Lot No. Recorded Auditor's File No.
City, State, Zip Code	Owner's Signature
Phone	Owner's Signature
Parcel E (5) See above - A	R23317-452-0610
Owner's Name	Assessor Parcel No.
Owner's Name	If applicable, Plat Name or Short Plat Number:
Mailing Address	Block No. Lot No. Recorded Auditor's File No.
City, State, Zip Code	Owner's Signature
Phone	Owner's Signature
Parcel F N/A	R23317 N/A
Owner's Name	Assessor Parcel No.
Owner's Name	If applicable, Plat Name or Short Plat Number:
Mailing Address	Block No. Lot No. Recorded Auditor's File No.
City, State, Zip Code	Owner's Signature
Phone	Owner's Signature

ACKNOWLEDGEMENTS

WAIVER OF CRITICAL AREAS REVIEW BY COUNTY

(If evidence of critical areas is not provided, this part must be signed by all property owners)

I/We hereby certify that I/we have elected to waive critical areas review by the County and acknowledge any future alteration to a critical area or buffer, pursuant to Chapter 17.02A, Island County Code, shall not be permitted unless the extent of the proposed alteration is less than any alteration that would be have been necessary prior to approval of this Boundary Line Adjustment. This condition is binding on future owners.

Parcel <u>A/1:</u> (e.g. A,B,etc)	<u>Ducken LLC</u> Owner Name (print name)	<u>[Signature]</u> Owner's Signature	<u>11-4-09</u> Date
Parcel <u>B/2:</u> (e.g. A,B,etc)	<u>Ducken LLC</u> Owner Name (print name)	<u>[Signature]</u> Owner's Signature	<u>11-4-09</u> Date
Parcel <u>C/3:</u> (e.g. A,B,etc)	<u>Ducken LLC</u> Owner Name (print name)	<u>[Signature]</u> Owner's Signature	<u>11-4-09</u> Date
Parcel <u>D/4:</u> (e.g. A,B,etc)	<u>Ducken LLC</u> Owner Name (print name)	<u>[Signature]</u> Owner's Signature	<u>11-4-09</u> Date
Parcel <u>E/5:</u> (e.g. A,B,etc)	<u>Ducken LLC</u> Owner Name (print name)	<u>[Signature]</u> Owner's Signature	<u>11-4-09</u> Date
Parcel <u>N/A</u> (e.g. A,B,etc)	<u>Ducken LLC</u> Owner Name (print name)	<u>[Signature]</u> Owner's Signature	<u>11-4-09</u> Date

WAIVER OF VERIFICATION OF ACCESS BY COUNTY

(If evidence of legal access is not provided, this part must be signed by all property owners)

I/We hereby certify that I/we have waived the verification of legal means of access by the County and acknowledge it may not have been provided for at this time.

Parcel <u>A/1:</u> (e.g. A,B,etc)	<u>Ducken LLC</u> Owner Name (print name)	<u>[Signature]</u> Owner's Signature	<u>11-4-09</u> Date
Parcel <u>B/2:</u> (e.g. A,B,etc)	<u>Ducken LLC</u> Owner Name (print name)	<u>[Signature]</u> Owner's Signature	<u>11-4-09</u> Date
Parcel <u>C/3:</u> (e.g. A,B,etc)	<u>Ducken LLC</u> Owner Name (print name)	<u>[Signature]</u> Owner's Signature	<u>11-4-09</u> Date
Parcel <u>D/4:</u> (e.g. A,B,etc)	<u>Ducken LLC</u> Owner Name (print name)	<u>[Signature]</u> Owner's Signature	<u>11-4-09</u> Date
Parcel <u>E/5:</u> (e.g. A,B,etc)	<u>Ducken LLC</u> Owner Name (print name)	<u>[Signature]</u> Owner's Signature	<u>11-4-09</u> Date
Parcel <u>N/A</u> (e.g. A,B,etc)	<u>Ducken LLC</u> Owner Name (print name)	<u>[Signature]</u> Owner's Signature	<u>11-4-09</u> Date

FUTURE COMPLIANCE WITH COUNTY CODE

(This part must be signed by all property owners)

I/We acknowledge that Island County does not determine that the reconfigured lots are useable or buildable during the review of this Boundary Line Adjustment, and that compliance with all applicable County Codes, including those contained in Titles 8 (Health, Welfare and Sanitation), 11 (Land Development Standards), 13 (Public Works), and 17 (Island County Critical Areas and Zoning Ordinance) will be required before any development of the modified lots is permitted or before any permits are issued by Island County.

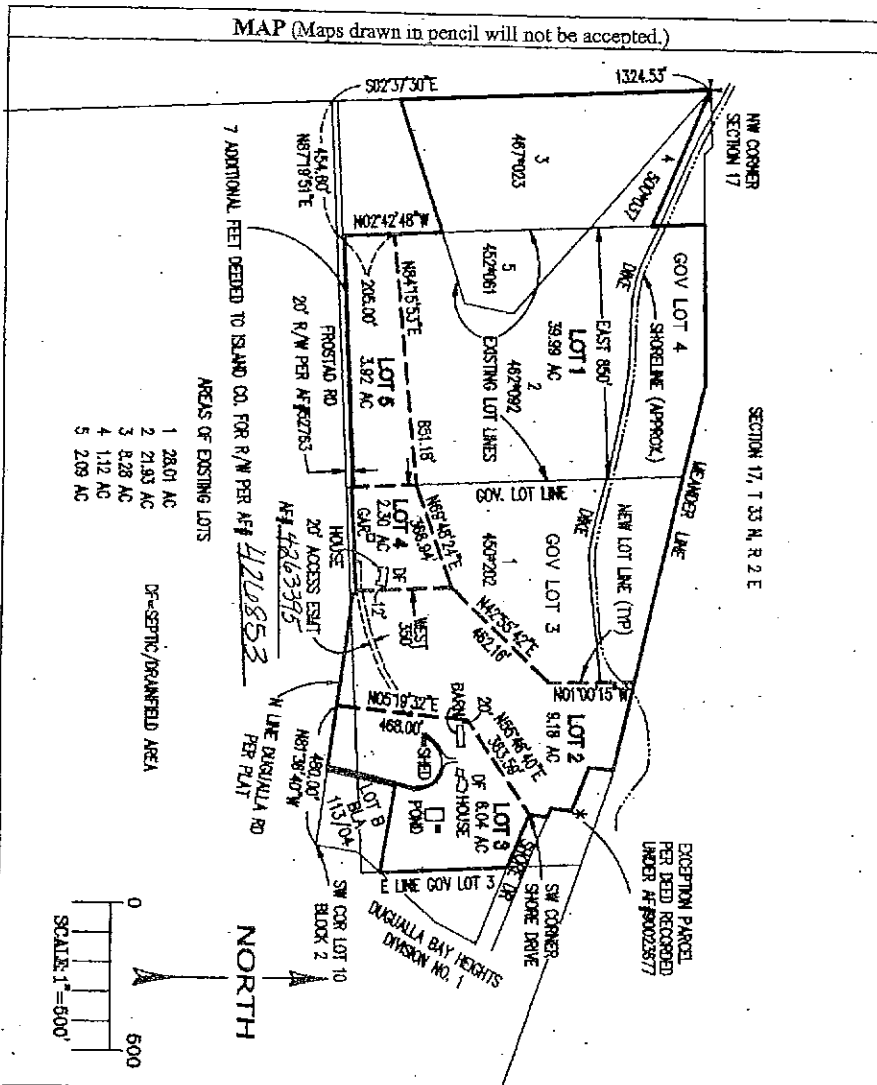
Parcel <u>A/1:</u> (e.g. A,B,etc)	<u>Ducken LLC</u> Owner Name (print name)	<u>[Signature]</u> Owner's Signature	<u>11-4-09</u> Date
Parcel <u>B/2:</u> (e.g. A,B,etc)	<u>Ducken LLC</u> Owner Name (print name)	<u>[Signature]</u> Owner's Signature	<u>11-4-09</u> Date
Parcel <u>C/3:</u> (e.g. A,B,etc)	<u>Ducken LLC</u> Owner Name (print name)	<u>[Signature]</u> Owner's Signature	<u>11-4-09</u> Date
Parcel <u>D/4:</u> (e.g. A,B,etc)	<u>Ducken LLC</u> Owner Name (print name)	<u>[Signature]</u> Owner's Signature	<u>11-4-09</u> Date
Parcel <u>E/5:</u> (e.g. A,B,etc)	<u>Ducken LLC</u> Owner Name (print name)	<u>[Signature]</u> Owner's Signature	<u>11-4-09</u> Date
Parcel <u>N/A</u> (e.g. A,B,etc)	<u>Ducken LLC</u> Owner Name (print name)	<u>[Signature]</u> Owner's Signature	<u>11-4-09</u> Date

FOR COUNTY USE ONLY

BLA# 214109 Page 3 of 11 Approved: 11-19-09 By: C. White
Boundary Line Adjustment Form (November, 2008)

4264326

MAP (Maps drawn in pencil will not be accepted.)



This map is not a formal survey.
Before development will be permitted, compliance with all applicable County Codes shall be required. This includes but is not limited to health, land development standards, critical areas, zoning regulations.

Scale: 1" = 500 feet (standard engineering scale)

Existing Boundary Line _____ Drawn by: Jack Turp-1 Date: 10-21-09

Proposed Boundary Line - - - - - Section 17 Township 33N Range 2E

Parcel No.	Current Area	Proposed Area
Parcel A: <u>450-2020</u>	28.01 AC (sq.ft.)	39.99 AC (sq.ft.)
Parcel B: <u>462-0920</u>	21.93 AC (sq.ft.)	9.18 AC (sq.ft.)
Parcel C: <u>467-0230</u>	8.28 AC (sq.ft.)	6.04 AC (sq.ft.)
Parcel D: <u>500-0370</u>	1.12 AC (sq.ft.)	2.30 AC (sq.ft.)
Parcel E: <u>452-0610</u>	2.09 AC (sq.ft.)	3.92 AC (sq.ft.)
Parcel F:		

Parcel No. _____

Applicants' Signature: (blue ink)

Parcel No.	Signature	Date
Parcel A:	<u>[Signature]</u>	<u>11-4-09</u>
Parcel B:	<u>[Signature]</u>	<u>11-4-09</u>
Parcel C:	<u>[Signature]</u>	<u>11-4-09</u>
Parcel D:	<u>[Signature]</u>	<u>11-4-09</u>
Parcel E:	<u>[Signature]</u>	<u>11-4-09</u>
Parcel F:		

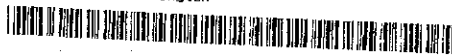
FOR COUNTY USE ONLY

See Page 3 of this BLA.

BLA# 214109 Page 4 of 11 Approved: 11-19-09 By: C. White

Legal means of access has been waived by the Applicant(s).
Critical Areas Review By County has been waived by the Applicant(s).

Boundary Line Adjustment Form (November, 2008)



LEGAL DESCRIPTION of EXISTING PARCELS

Attach additional pages as needed and note on first page of application (Needed for Recording purposes)

EXISTING LOT 1

Government Lot 3 of Section 17, Township 33 North, Range 2 East, W.M.;

EXCEPT therefrom any portion lying within the Plat of Dugualla Bay Heights, Division No. 1, recorded in Volume 6 of Plats, page 63, Records of Island County, Washington;

ALSO EXCEPT therefrom that portion as described in deed recorded December 31, 1990, Auditor's File No. 90023677, Records of Island County, Washington;

ALSO EXCEPT a 20 foot strip of land along a portion of the southerly boundary for road purposes as conveyed to Island County in deed recorded March 13, 1941, under Auditor's File No. 52763, Records of Island County, Washington;

TOGETHER WITH that portion of the Southeast Quarter of the Northwest Quarter of Section 17, Township 33 North, Range 2 East, W.M., lying Northerly of county road right of way known as Dugualla Road and lying Westerly of Block 2, Plat of Dugualla Bay Heights, Division No. 1, as recorded in Volume 6 of Plats, page 63, Records of Island County, Washington;

EXCEPT that portion of Government Lot 3 and of the Southeast Quarter of the Northwest Quarter of Section 17, Township 33 North, Range 2 East, W.M., lying Northerly of county road right of way known as Dugualla Road and lying Westerly of Block 2, Plat of Dugualla Bay Heights, Division No. 1, as recorded in Volume 6 of Plats, page 63, Records of Island County, Washington, described as follows:

Beginning at the Southwest corner of Lot 10, Block 2, of said Plat of Dugualla Bay Heights Division No. 1;

thence North 08°23'20" East along the west line of said Block 2 a distance of 145.00 feet;

thence continuing along said West line North 39°37'30" East 91.30 feet to the intersection with the East line of said Government Lot 3;

thence North 80°12'25" West 301.61 feet;

thence South 11°42'26" West 245.37 feet, more or less, to the North right of way line of Dugualla Road;

thence South 81°36'40" East along said right of way line 259.58 feet to the point of beginning,

Situate in Island County, Washington.

EXISTING LOT 2

The East 850 feet of Government Lot 4 of Section 17, Township 33 North, Range 2 East, W.M.;

EXCEPT That portion of Second Class tidelands as conveyed by the State of Washington, located in front of Government Lot 4, Section 17, Township 33 North, Range 2 East, W.M., lying East of the following described line:

Beginning at the corner common to Sections 7, 8, 17 and 18, said Township 33 North, Range 2 East, W.M.;

thence South a distance of 1098.7 feet;

thence North 76°08' East a distance of 467 feet to the true point of beginning of said line;

thence North 540 feet to the terminus of said line.

ALSO EXCEPT therefrom the South 20 feet for public road and highway purposes as conveyed to Island County, in instrument recorded March 13, 1941, under Auditor's File No. 52763, records of Island County, Washington.

ALSO EXCEPT the North 7 feet of the South 27 feet of the East 850 feet of said Government Lot 4, deeded to Island County, for right-of-way, per Auditor's file number 4263853;

Situate in Island County, Washington.

NOTE: All additional pages must have a one (1) inch margin on all sides for recording purposes

FOR COUNTY USE ONLY

BLA# 214/09 Page 5 of 11 Approved: 11-19-09 By: C White

Boundary Line Adjustment Form (November, 2008)



LEGAL DESCRIPTION of EXISTING PARCELS

Attach additional pages as needed and note on first page of application (Needed for Recording purposes)

EXISTING LOT 3

Second Class tidelands as conveyed by the State of Washington, located in front of Government Lot 4, Section 17, Township 33 North, Range 2 East, W.M., described as follows:

Beginning at the corner common to Sections 7, 8, 17 and 18, said Township 33 North, Range 2 East, W.M.;
thence South a distance of 1098.7 feet;
thence North 76°08' East a distance of 467 feet;
thence North a distance of 540 feet;
thence North 46° West a distance of 632 feet, more or less to the point of beginning;

EXCEPT therefrom that portion, if any, lying within the following described parcel:
Beginning at the corner common to said Sections 7, 8, 17 and 18;
thence South 46° East a distance of 632 feet;
thence North a distance of 210 feet;
thence North 63°55' West a distance of 510 feet, more or less, to the point of beginning.

Situate in Island County, Washington.

EXISTING LOT 4

Second Class tidelands as conveyed by the State of Washington, located in front of Government Lot 4, Section 17, Township 33 North, Range 2 East, W.M., described as follows:

Beginning at the corner common to said Sections 7, 8, 17 and 18, Township 33 North, Range 2 East, W.M.;
thence South 46° East a distance of 632 feet;
thence North 210 feet;
thence North 63°55' West a distance of 510 feet, more or less, to the point of beginning.

Situate in Island County, Washington.

EXISTING LOT 5

That portion of Second Class tidelands as conveyed by the State of Washington, located in front of Government Lot 4, Section 17, Township 33 North, Range 2 East, W.M., lying East of the following described line:

Beginning at the corner common to Sections 7, 8, 17 and 18, said Township 33 North, Range 2 East;
thence South a distance of 1098.7 feet;
thence North 76°08' East a distance of 467 feet to the true point of beginning of said line;
thence North 540 feet to the terminus of said line.

Situate in Island County, Washington.

NOTE: All additional pages must have a one (1) inch margin on all sides for recording purposes

FOR COUNTY USE ONLY

BLA# 214/09 Page 6 of 11 Approved: 11-19-09 By: C. White

Boundary Line Adjustment Form (November, 2008)



LEGAL DESCRIPTION of PROPOSED PARCELS

Attach additional pages as needed

NEW LOT 1

THAT PORTION OF THE EAST 850 FEET OF GOVERNMENT LOT 4 AND THAT PORTION OF GOVERNMENT LOT 3, SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., LYING NORTH AND WEST OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 17;
THENCE S02°37'30"E, ALONG THE WEST LINE OF SAID SECTION 17, FOR 1324.53 FEET TO THE
SOUTHWEST CORNER OF SAID GOVERNMENT LOT 4;
THENCE N87°19'51"E, ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 4, FOR 454.80 FEET TO THE
WEST LINE OF THE EAST 850 FEET OF SAID GOVERNMENT LOT 4;
THENCE N02°42'48"W, ALONG SAID WEST LINE, FOR 205.00 FEET TO THE POINT OF BEGINNING;
THENCE N84°15'53"E FOR 851.18 FEET TO THE EAST LINE OF SAID GOVERNMENT LOT 4;
THENCE N69°48'24"E FOR 366.94 FEET;
THENCE N42°53'42"E FOR 462.16 FEET;
THENCE N01°00'15"W TO THE NORTH LINE OF SAID GOVERNMENT LOT 3 AND THE TERMINUS OF SAID
LINE;

EXCEPT THAT PORTION OF SECOND CLASS TIDELANDS AS CONVEYED BY THE STATE OF
WASHINGTON, LOCATED IN FRONT OF GOVERNMENT LOT 4, SECTION 17, TOWNSHIP 33 NORTH, RANGE
2 EAST, W.M., LYING EAST OF THE FOLLOWING DESCRIBED LINE:
BEGINNING AT THE CORNER COMMON TO SECTIONS 7, 8, 17 AND 18, TOWNSHIP 33 NORTH,
RANGE 2 EAST, W.M.;
THENCE SOUTH A DISTANCE OF 1098.7 FEET;
THENCE NORTH 76°08' EAST A DISTANCE OF 467 FEET TO THE TRUE POINT OF BEGINNING OF SAID
LINE;
THENCE NORTH 540 FEET TO THE TERMINUS OF SAID LINE.

TOGETHER WITH SECOND CLASS TIDELANDS AS CONVEYED BY THE STATE OF WASHINGTON,
LOCATED IN FRONT OF GOVERNMENT LOT 4, SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M.,
DESCRIBED AS FOLLOWS:
BEGINNING AT THE CORNER COMMON TO SECTIONS 7, 8, 17 AND 18, SAID TOWNSHIP 33 NORTH, RANGE
2 EAST, W.M.;
THENCE SOUTH A DISTANCE OF 1098.7 FEET;
THENCE NORTH 76°08' EAST A DISTANCE OF 467 FEET;
THENCE NORTH A DISTANCE OF 540 FEET;
THENCE NORTH 46° WEST A DISTANCE OF 632 FEET, MORE OR LESS TO THE POINT OF BEGINNING;

ALSO TOGETHER WITH SECOND CLASS TIDELANDS AS CONVEYED BY THE STATE OF WASHINGTON,
LOCATED IN FRONT OF GOVERNMENT LOT 4, SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M.,
DESCRIBED AS FOLLOWS:
BEGINNING AT THE CORNER COMMON TO SAID SECTIONS 7, 8, 17 AND 18;
THENCE SOUTH 46° EAST A DISTANCE OF 632 FEET;
THENCE NORTH A DISTANCE OF 210 FEET;
THENCE NORTH 63°55' WEST A DISTANCE OF 510 FEET, MORE OR LESS, TO THE POINT OF BEGINNING,

ALSO TOGETHER WITH THAT PORTION OF SECOND CLASS TIDELANDS AS CONVEYED BY THE STATE
OF WASHINGTON, LOCATED IN FRONT OF GOVERNMENT LOT 4, SECTION 17, TOWNSHIP 33 NORTH,
RANGE 2 EAST, W.M., LYING EAST OF THE FOLLOWING DESCRIBED LINE:
BEGINNING AT THE CORNER COMMON TO SECTIONS 7, 8, 17 AND 18, TOWNSHIP 33 NORTH,
RANGE 2 EAST, W.M.;
THENCE SOUTH A DISTANCE OF 1098.7 FEET;
THENCE NORTH 76°08' EAST A DISTANCE OF 467 FEET TO THE TRUE POINT OF BEGINNING OF SAID
LINE;
THENCE NORTH 540 FEET TO THE TERMINUS OF SAID LINE.

SITUATE IN ISLAND COUNTY, WASHINGTON.



NOTE: All additional pages must have a one (1) inch margin on all sides for recording purposes

FOR COUNTY USE ONLY

BLA# 214109 Page 7 of 11 Approved: 11-19-09 By: C. White

Boundary Line Adjustment Form (November, 2008)



LEGAL DESCRIPTION of PROPOSED PARCELS

Attach additional pages as needed

NEW LOT 2

THAT PORTION OF GOVERNMENT LOT 3 AND THE SE1/4 OF THE NW1/4 OF SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., LYING NORTHERLY OF DUGUALLA ROAD AND EASTERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 17;
THENCE S02°37'30"E, ALONG THE WEST LINE OF SAID SECTION 17, FOR 1324.53 FEET TO THE SOUTHWEST CORNER OF GOVERNMENT LOT 4, SAID SECTION 17;
THENCE N87°19'51"E, ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 4, FOR 454.80 FEET TO THE WEST LINE OF THE EAST 850 FEET OF SAID GOVERNMENT LOT 4;
THENCE N02°42'48"W, ALONG SAID WEST LINE, FOR 205.00 FEET;
THENCE N84°15'53"E FOR 851.18 FEET TO THE EAST LINE OF SAID GOVERNMENT LOT 4;
THENCE N69°48'24"E FOR 366.94 FEET TO THE EAST LINE OF THE WEST 350 FEET OF SAID GOVERNMENT LOT 3, THE POINT OF BEGINNING;
THENCE N42°55'42"E FOR 462.16 FEET;
THENCE N01°00'15"W TO THE NORTH LINE OF SAID GOVERNMENT LOT 3 AND THE TERMINUS OF SAID LINE;

EXCEPT THAT PORTION OF GOVERNMENT LOT 3 AND THE SE1/4 OF THE NW1/4 OF SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., LYING EASTERLY OF THE FOLLOWING DESCRIBED LINE;

COMMENCING AT THE SOUTHWEST CORNER OF LOT 10, BLOCK 2, DUGUALLA BAY HEIGHTS, DIVISION NO. 1, RECORDED IN VOLUME 6 OF PLAT, PAGE 63, RECORDS OF ISLAND COUNTY, WASHINGTON;
THENCE N81°36'40"W, ALONG THE NORTH LINE OF DUGUALLA ROAD, FOR 480.00 FEET TO THE POINT OF BEGINNING;
THENCE N05°19'32"E FOR 468.00 FEET;
THENCE N55°46'40"E FOR 383.59 FEET TO THE SOUTHWEST CORNER OF SHORE DRIVE RIGHT-OF-WAY, PER SAID PLAT OF DUGUALLA BAY HEIGHTS, DIVISION NO. 1, AND THE TERMINUS OF SAID LINE;

ALSO EXCEPT THAT PORTION AS DESCRIBED IN DEED RECORDED DECEMBER 31, 1990, AUDITOR'S FILE NO. 90023677, RECORDS OF ISLAND COUNTY, WASHINGTON.

ALSO EXCEPT ANY PORTION LYING WITHIN THE PLAT OF DUGUALLA BAY HEIGHTS, DIVISION NO. 1, RECORDED IN VOLUME 6 OF PLATS, PAGE 63, RECORDS OF ISLAND COUNTY, WASHINGTON.

ALSO EXCEPT THE WEST 350 FEET OF SAID GOVERNMENT LOT 3:

ALSO EXCEPT THEREFROM THE SOUTH 20 FEET FOR PUBLIC ROAD AND HIGHWAY PURPOSES AS CONVEYED TO ISLAND COUNTY, IN INSTRUMENT RECORDED MARCH 13, 1941, UNDER AUDITOR'S FILE NO. 52763, RECORDS OF ISLAND COUNTY, WASHINGTON.

SITUATE IN ISLAND COUNTY, WASHINGTON.



NOTE: All additional pages must have a one (1) inch margin on all sides for recording purposes

FOR COUNTY USE ONLY

BLA# 214/109

Page 8 of 11

Approved: 11-19-09

By: C. White

Boundary Line Adjustment Form (November, 2008)



LEGAL DESCRIPTION of PROPOSED PARCELS

Attach additional pages as needed

NEW LOT 3

THAT PORTION OF GOVERNMENT LOT 3 AND THE SE1/4 OF THE NW1/4 OF SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., LYING NORTHERLY OF DUGUALLA ROAD, SOUTHERLY OF SHORE DRIVE AND EASTERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 10, BLOCK 2, DUGUALLA BAY HEIGHTS, DIVISION NO. 1, RECORDED IN VOLUME 6 OF PLAT, PAGE 63, RECORDS OF ISLAND COUNTY, WASHINGTON;
THENCE N81°36'40"W, ALONG THE NORTH LINE OF DUGUALLA ROAD, FOR 480.00 FEET TO THE POINT OF BEGINNING;
THENCE N05°19'32"E FOR 468.00 FEET;
THENCE N55°46'40"E FOR 383.59 FEET TO THE SOUTHWEST CORNER OF SHORE DRIVE RIGHT-OF-WAY, PER SAID PLAT OF DUGUALLA BAY HEIGHTS, DIVISION NO. 1, AND THE TERMINUS OF SAID LINE;

EXCEPT THAT PORTION OF GOVERNMENT LOT 3 AND OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., LYING NORTHERLY OF COUNTY ROAD RIGHT OF WAY KNOWN AS DUGUALLA ROAD AND LYING WESTERLY OF BLOCK 2, PLAT OF DUGUALLA BAY HEIGHTS DIVISION NO. 1 AS RECORDED IN VOLUME 6 OF PLATS, PAGE 63, RECORDS OF ISLAND COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 10, BLOCK 2, OF SAID PLAT OF DUGUALLA BAY HEIGHTS DIVISION NO. 1;
THENCE NORTH 08°23'20" EAST ALONG THE WEST LINE OF SAID BLOCK 2 A DISTANCE OF 145.00 FEET;
THENCE CONTINUING ALONG SAID WEST LINE NORTH 39°37'30" EAST 91.30 FEET TO THE INTERSECTION WITH THE EAST LINE OF SAID GOVERNMENT LOT 3;
THENCE NORTH 80°12'25" WEST 301.61 FEET;
THENCE SOUTH 11°42'26" WEST 245.37 FEET, MORE OR LESS, TO THE NORTH RIGHT OF WAY LINE OF DUGUALLA ROAD;
THENCE SOUTH 81°36'40" EAST ALONG SAID RIGHT OF WAY LINE 259.58 FEET TO THE POINT OF BEGINNING;

ALSO EXCEPT ANY PORTION LYING WITHIN THE PLAT OF DUGUALLA BAY HEIGHTS, DIVISION NO. 1, RECORDED IN VOLUME 6 OF PLATS, PAGE 63, RECORDS OF ISLAND COUNTY, WASHINGTON.

SITUATE IN ISLAND COUNTY, WASHINGTON.



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FOR COUNTY USE ONLY

BLA# 214/09 Page 9 of 11 Approved: 11-19-09 By: C White

Boundary Line Adjustment Form (November, 2008)



LEGAL DESCRIPTION of PROPOSED PARCELS

Attach additional pages as needed

NEW LOT 4

THAT PORTION OF THE WEST 350 FEET OF GOVERNMENT LOT 3, SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., LYING SOUTH OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 17;
THENCE S02°37'30"E, ALONG THE WEST LINE OF SAID SECTION 17, FOR 1324.53 FEET TO THE SOUTHWEST CORNER OF GOVERNMENT LOT 4, SAID SECTION 17;
THENCE N87°19'51"E, ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 4, FOR 454.80 FEET TO THE WEST LINE OF THE EAST 850 FEET OF SAID GOVERNMENT LOT 4;
THENCE N02°42'48"W, ALONG SAID WEST LINE, FOR 205.00 FEET;
THENCE N84°15'53"E FOR 851.18 FEET TO THE EAST LINE OF SAID GOVERNMENT LOT 4 AND THE POINT OF BEGINNING;
THENCE N69°48'24"E FOR 366.94 FEET TO THE EAST LINE OF THE WEST 350 FEET OF SAID GOVERNMENT LOT 3 AND THE TERMINUS OF SAID LINE;

EXCEPT THEREFROM THE SOUTH 20 FEET FOR PUBLIC ROAD AND HIGHWAY PURPOSES AS CONVEYED TO ISLAND COUNTY, IN INSTRUMENT RECORDED MARCH 13, 1941, UNDER AUDITOR'S FILE NO. 52763, RECORDS OF ISLAND COUNTY, WASHINGTON.

SITUATE IN ISLAND COUNTY, WASHINGTON.

NEW LOT 5

THAT PORTION OF THE EAST 850 FEET OF GOVERNMENT LOT 4, SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., LYING SOUTH OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 17;
THENCE S02°37'30"E, ALONG THE WEST LINE OF SAID SECTION 17, FOR 1324.53 FEET TO THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 4;
THENCE N87°19'51"E, ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 4, FOR 454.80 FEET TO THE WEST LINE OF THE EAST 850 FEET OF SAID GOVERNMENT LOT 4;
THENCE N02°42'48"W, ALONG SAID WEST LINE, FOR 205.00 FEET TO THE POINT OF BEGINNING;
THENCE N84°15'53"E FOR 851.18 FEET TO THE EAST LINE OF SAID GOVERNMENT LOT 4 AND THE TERMINUS OF SAID LINE;

EXCEPT THEREFROM THE SOUTH 20 FEET FOR PUBLIC ROAD AND HIGHWAY PURPOSES AS CONVEYED TO ISLAND COUNTY, IN INSTRUMENT RECORDED MARCH 13, 1941, UNDER AUDITOR'S FILE NO. 52763, RECORDS OF ISLAND COUNTY, WASHINGTON.

ALSO EXCEPT THE NORTH 7 FEET OF THE SOUTH 27 FEET OF THE EAST 850 FEET OF SAID GOVERNMENT LOT 4, DEEDED TO ISLAND COUNTY FOR RIGHT-OF-WAY, PER AUDITOR'S FILE NUMBER 4243853;

SITUATE IN ISLAND COUNTY, WASHINGTON.



NOTE: All additional pages must have a one (1) inch margin on all sides for recording purposes

FOR COUNTY USE ONLY

BLA# 244/09

Page 10 of 11

Approved: 11-19-09 By: C White

Boundary Line Adjustment Form (November, 2008)

Staff Findings

Page 1 of 1

BOUNDARY LINE ADJUSTMENT

214/09 BLA

Assessor Parcel Number(s) R23317-450-2020; R23317-462-0920; R23317-467-0230; R23317-500-0370 & R23317-452-0610

Section 17 Township 33 Range 2 Quarter Section NW
Existing Zoning Rural RAID name
Minimum Lot size 5 acres Base Density 1 dwelling unit per 5 acres
If the parcels are within a subdivision; Number &
Date of approved subdivision: Auditor File #

Site Plan

- Yes Map is drawn to standard engineering scale, and ALL pages have a 1" margin around all sides
Yes Based on information provided, Application and map signed by all owners.
Yes Shows existing and proposed boundary lines.
Yes Shows all structures and setbacks.
Yes Shows well sites, if any?
Yes Shows drainfields, if needed?

Parcel sizes as provided	Existing size	Referenced Files	Proposed size
Lot A R23317-450-2020	28.01 acres	113/04 bla	39.99 acres
Lot B R23317-462-0920	21.93 acres		9.18 acres
Lot C R23317-467-0230	8.28 acres		6.04 acres
Lot D R23317-500-0370	1.12 acres		2.30 acres
Lot E R23317-452-0610	2.09 acres		3.92 acres

Approval Requirements

- Yes 1. The proposed boundary adjustment does not create additional Lots, Tracts or Parcels and therefore is exempt from Short Plat regulations. ICC 16.06.030
Yes 2. The lots being created are contiguous, legally created lots. ICC 16.06.070.A.1
Yes 3. The proposed boundary adjustment does not create a split-zoned parcel. ICC 16.06.070.A.2
Yes 4. The proposed boundary adjustment will not create a lot of insufficient width or dimension to meet Lot size requirement for the existing zone. ICC 16.06.070.A.3 (except as provided in ICC 16.06.070.A.8)
Yes 5. The boundary adjustment will not cause any structure to fail to comply with setback requirements, or cause any setback to become nonconforming or more nonconforming. ICC 16.06.070.A.4 (except as provided in ICC 16.06.070.A.8).
Yes 6. The proposed boundary adjustment will not violate conditions of approval of a previous permit involving any of the subject parcels. ICC 16.06.070.A.5 (except as provided in ICC 16.06.070.A.8).
Yes 7. Legal means of access has been provided, or a waiver of legal means of access has been signed. ICC 16.06.070.A.6
Yes 8. An acknowledgment that compliance with all applicable County Codes contained in Titles 8, 11, 13 and 17 ICC will be required before any permits are issued has been signed by the applicant. ICC 17.03.070.A.7
Yes 9. This boundary adjustment is allowed pursuant to ICC 16.06.070.A.8.
Yes 10. No easements are being created or adversely affected with this action.

16.06.070.A.8 Adjustment among existing Lots. For adjustments among two (2) or more Lots in which one (1) or more of the Lots involved in the adjustment is smaller than the current zoning classification, the adjustment would allow a Lot to more nearly conform to the Lot size or setback requirements of Chapter 17.03 ICC or create more buildable Lot configurations. For example, a smaller Lot may be made larger by reducing the size of a larger Lot so that, on balance, greater conformity is achieved.

Departmental Comments

Building comments returned on,			No objection	X	No comment
Health comments returned on,	11/16/09	X	No objection		
Engineering comments returned on,	11/13/09	X	No objection		
Planning & Community Development	11/19/09	X	No objection		Conditions:

Based on the foregoing Findings and Conclusions, Boundary Line Adjustment Application
is hereby GRANTED to Ducken Family LLC

214/09 BLA

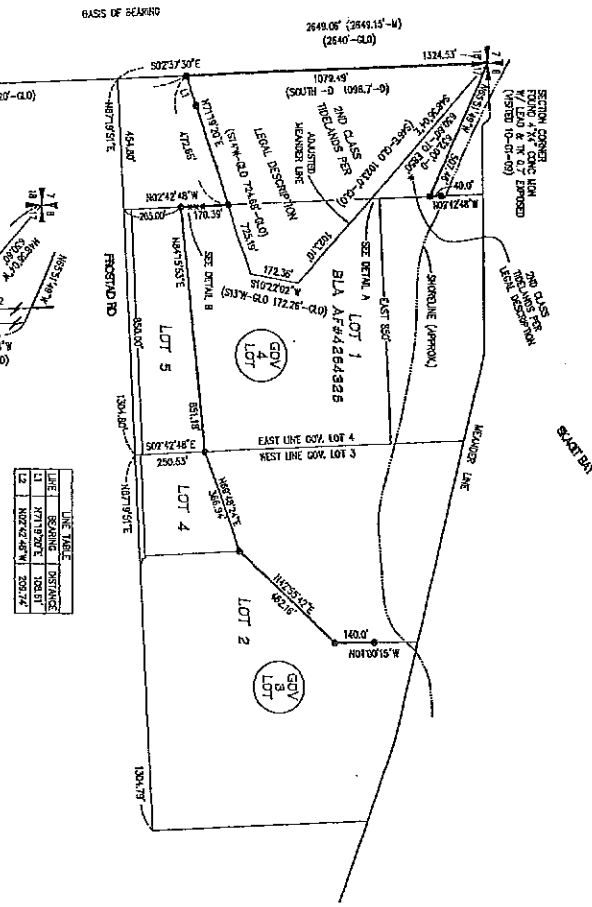
Disclaimer: Island County assumes no liability in any action which may arise as a result of this boundary line adjustment.

Conformance with all applicable county regulations and codes shall be required for all future development on these parcels.

If your site is located within 400 feet of a bald eagle nest or within a bald eagle breeding or habitat area, you will be required to complete and sign a Short or Custom Eagle Management Plan before you may receive a building permit or any other permit that would involve disturbance to the land and/or vegetation.

SIGNED THIS 19th DAY OF November, 2009.

Cindy White
Cindy White
Planning Technician



LINE	BEARING	DISTANCE
L1	N71°19'20"E	108.61'
L2	N02°42'48"W	209.74'

SUBJECT REFERENCES
DUGALLA BAY HEIGHTS DIV. NO. 9, VOL. 11, PG. 57.
BOUNDARY LINE ADJUSTMENT RECORDED UNDER AF4465325

1. THE METHOD OF SURVEY WAS FIELD TRAVERSE WITH A 5" TOTAL STATION.
2. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING STANDARDS OF THE PROFESSION.
3. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. IT DOES NOT SHOW ANY EASEMENTS OR RESTRICTIONS OF RECORD.
4. NORTHERLY TOWNSHIPS ARE NOT DETOURNED FOR THIS SURVEY.
5. THE NORTHERLY LIMITS OF GOVERNMENT LOTS 1 & 4 NOT DETOURNED FOR THIS SURVEY.

LEGEND
SET 1/2" X 24" REBAR AND YELLOW PLASTIC CAP STAMPED "32432".

- FIELD NO. GOVERNMENT LAND OFFICE BEARING AND OR DISTANCE
D = BEARING OR DISTANCE PER LEGAL DESCRIPTION

12/03/2009 11:52:38 AM
Recording Fee \$120.00 Page 1 of 1
Survey
Toland County Washington
4264662

AUDITOR'S FILE NO. 4264662

AUDITOR'S CERTIFICATE

3 DAY OF November 2001

AT THE REQUEST OF JACK W. TURNER *Shirley Dwyer*

By William J. Brown
COUNTY AUDITOR

CHAND COUNTY

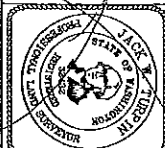
STATE
ARCHIVE
MICHIGAN

JACK W. TURPIN

SURVEYOR'S CERTIFICATE

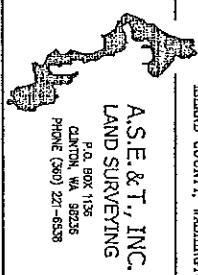
REQUEST OF WHIDBEY CAMANO LAND TRUST IN NOVEMBER, 2009.

CERTIFICATE NO. 32432



RECORD OF SURVEY

FOR
TERRY CARANO LAND TRUST



A.S.E. & T., INC.
LAND SURVEYING

P.O. BOX 1136
CLINTON, WA 98236
PHONE (360) 221-6541

SHEET 1 OF 1

BASIS OF BEARING
WEST LINE OF SECTION 17 PER PLAT OF DUGALLA BAY HEIGHTS DIV. NO. 9, AS SHOWN

LEGAL DESCRIPTION

THAT PORTION OF THE EAST 650 FEET OF GOVERNMENT LOT 4 AND THAT PORTION OF GOVERNMENT LOT 3, SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., LYING NORTH AND WEST OF THE FOLLOWING DESCRIBED LINE:

[illegible]

EXCEPT THAT PORTION OF SECOND CLASS TOWNSHIPS LOCATED IN FRONT OF GOVERNMENT LOT 4, SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., LYING EAST OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE CORNER COMMON TO SECTIONS 7, 8, 17 AND 18, TOWNSHIP 33 NORTH, RANGE 2 EAST, WILL

THENCE SOUTH A DISTANCE OF 1088.7 FEET;
THENCE NORTH 75.08° EAST A DISTANCE OF 46.7 FEET TO THE TRUE POINT OF BEGINNING OF SAID LINE;
THENCE NORTH 54.0 FEET TO THE TERMINUS OF SAID LINE.

TOGETHER WITH SECOND CLASS TIDELANDS AS CONVERTED BY THE STATE OF WASHINGTON, LOCATED IN FRONT OF GOVERNMENT LOT 4, SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., DESCRIBED AS FOLLOWS: BEGINNING AT THE CORNER COMMON TO SECTIONS 7, 8, 17 AND 18, SAID TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M.;

THENCE NORTH 76°08' EAST A DISTANCE OF 467 FEET;
THENCE SOUTH 84°10'00" WEST 1000 FEET;
THENCE NORTH 76°08' EAST A DISTANCE OF 467 FEET;
THENCE NORTH A DISTANCE OF 540 FEET;
THENCE NORTH 46° WEST A DISTANCE OF 632 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

ALSO TOGETHER WITH SECOND CLASS TIDELANDS AS CONVERTED BY THE STATE OF WASHINGTON, LOCATED IN FRONT OF GOVERNMENT LOT 4, SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE CORNER COMMON TO SAID SECTIONS 7, 8, 17 AND 18;

THENCE NORTH 65°55' WEST A DISTANCE OF 510 FEET, MORE OR LESS, TO THE POINT OF BEGINNING,
THENCE SOUTH 46° EAST A DISTANCE OF 652 FEET;
THENCE NORTH A DISTANCE OF 210 FEET;
ALSO THENCE WITH THAT PORTION OF SECTION 11 AS THEREAFTER AS CONVEYED BY THE STATE OF

RANGE 2 EAST, TOWNSHIP 33 NORTH,
SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST,
WASHINGTON, LOCATED IN FRONT OF GOVERNMENT LOT 4,
W.M., LYING EAST OF THE FOLLOWING DESCRIBED LINE:
BEGINNING AT THE CORNER COMMON TO SECTIONS 7, 8, 17 AND 18, TOWNSHIP 33 NORTH,
RANGE 2 EAST, W.M.:

THENCE SOUTH A DISTANCE OF 1098.7 FEET;
THENCE NORTH 78°08' EAST A DISTANCE OF 457 FEET TO THE TRUE POINT OF BEGINNING OF SAID LINE;
THENCE NORTH 54°0 FEET TO THE TERMINUS OF SAID LINE.

SITUATE IN ISLAND COUNTY, WASHINGTON.



SECTION INDEX	

A PORTION OF GOVERNMENT LOTS 3 AND 4
SECTION 17, TOWNSHIP 33 NORTH RANGE 2 EAST, T.1.

1203 201

ISLAND COUNTY, WASHINGTON

RECORD OF SURVEY

A.S.E. & T., INC.

DESIGNED BY: J. H. HARRIS

CHECKED BY: J. H. HARRIS

FOR
LAND SURVEYING
P.O. BOX 1135
CLINTON, WA 98236
DATE 11-25-
SCALE AS SHOWN

WEDDEY CALANO LAND TRUST

PHONE (360) 221-6538

SHEET 1 OF

URS NO. 4301

[illegible]

WHEN RECORDED RETURN TO:
Whidbey Camano Land Trust
765 Wonn Road, C201
Greenbank, WA 98253

06/08/2011 09:32:25 AM
Recording Fee \$64.00 Page 1 of 3
Agreement
Island County Washington

4296264



Notice of Grant Agreement

Grantor: Whidbey Camano Land Trust
Grantee: The Nature Conservancy

Legal Description

Abbreviated form: Portions of Govt Lots 3 and 4, Sec 17, T33N, R2E, EWM.
Additional legal on Exhibit A.

Assessor's Tax Parcel Number: R23317-450-2020

The Grantor, Whidbey Camano Land Trust, is the owner of a certain parcel of land or interest therein located in Island County, Washington more particularly described in Exhibit A attached hereto and made part hereof (the "Property").

Notice is hereby given that Whidbey Camano Land Trust acquired the Property or interest therein using funds provided by The Nature Conservancy, a District of Columbia nonprofit corporation ("the Conservancy"), and the Doris Duke Charitable Foundation ("DDCF"), pursuant to a Grant Agreement between The Nature Conservancy and Whidbey Camano Land Trust, dated July 16, 2009, Agreement Number: ORFO-07-16-09-01MT, a copy of which is kept at the offices of The Nature Conservancy, 821 SE 14th Avenue, Portland, Oregon 97214, and at the offices of Whidbey Camano Land Trust at 765 Wonn Road, C201, Greenbank, WA 98253.



Whidbey Camano Land Trust shall ensure the long term conservation of the Property by enforcing the terms of the Grant Agreement, and shall provide written notice to The Nature Conservancy prior to any encumbrance, assignment, or disposition of its interests in the Property.

In the event that the Property or interest therein purchased with grant funds is ever extinguished or sold and Whidbey Camano Land Trust receives any sort of monetary settlement in connection with such extinguishment or sale, Whidbey Camano Land Trust shall repay to the Conservancy and DDCF a percentage of the funds received based upon the proportion of the Whidbey Camano Land Trust's purchase price funded by this grant, or, at the Conservancy's election, allocate such percentage of funds for use on another conservation project related to the Northwest Wildlife Conservation Initiative as described in this Grant Agreement after consultation with the Conservancy.

In witness whereof Whidbey Camano Land Trust has set its hand and seal this 6 day of June, 2011.

By: Tom Cahill

Its: President

DULY AUTHORIZED

STATE OF WASHINGTON)
COUNTY OF ISLAND) SS:

On this 6 day of June, 2011, before me personally appeared Tom Cahill, to me personally known, who, being by me duly sworn did say that Tom Cahill is the President of the corporation named in the foregoing instrument and acknowledged said instrument to be the free act and deed of said corporation.


Notary Public
My Commission Expires:



Exhibit A: Legal Description of Skagit Bay Property

LOT 1

THAT PORTION OF THE EAST 850 FEET OF GOVERNMENT LOT 4 AND THAT PORTION OF GOVERNMENT LOT 3, SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., LYING NORTH AND WEST OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 17;
THENCE S02°37'30"E, ALONG THE WEST LINE OF SAID SECTION 17, FOR 1324.53 FEET TO THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 4;
THENCE N87°19'51"E, ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 4, FOR 454.80 FEET TO THE WEST LINE OF THE EAST 850 FEET OF SAID GOVERNMENT LOT 4;
THENCE N02°42'48"W, ALONG SAID WEST LINE, FOR 205.00 FEET TO THE POINT OF BEGINNING;
THENCE N84°15'53"E FOR 851.18 FEET TO THE EAST LINE OF SAID GOVERNMENT LOT 4;
THENCE N69°48'24"E FOR 366.94 FEET;
THENCE N42°55'42"E FOR 462.16 FEET;
THENCE N01°00'15"W TO THE NORTH LINE OF SAID GOVERNMENT LOT 3 AND THE TERMINUS OF SAID LINE;

EXCEPT THAT PORTION OF SECOND CLASS TIDELANDS AS CONVEYED BY THE STATE OF WASHINGTON, LOCATED IN FRONT OF GOVERNMENT LOT 4, SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., LYING EAST OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE CORNER COMMON TO SECTIONS 7, 8, 17 AND 18, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M.;
THENCE SOUTH A DISTANCE OF 1098.7 FEET;
THENCE NORTH 76°08' EAST A DISTANCE OF 467 FEET TO THE TRUE POINT OF BEGINNING OF SAID LINE;
THENCE NORTH 540 FEET TO THE TERMINUS OF SAID LINE.

TOGETHER WITH SECOND CLASS TIDELANDS AS CONVEYED BY THE STATE OF WASHINGTON, LOCATED IN FRONT OF GOVERNMENT LOT 4, SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE CORNER COMMON TO SECTIONS 7, 8, 17 AND 18, SAID TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M.;
THENCE SOUTH A DISTANCE OF 1098.7 FEET;
THENCE NORTH 76°08' EAST A DISTANCE OF 467 FEET;
THENCE NORTH A DISTANCE OF 540 FEET;
THENCE NORTH 46° WEST A DISTANCE OF 632 FEET, MORE OR LESS TO THE POINT OF BEGINNING;

ALSO TOGETHER WITH SECOND CLASS TIDELANDS AS CONVEYED BY THE STATE OF WASHINGTON, LOCATED IN FRONT OF GOVERNMENT LOT 4, SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE CORNER COMMON TO SAID SECTIONS 7, 8, 17 AND 18;
THENCE SOUTH 46° EAST A DISTANCE OF 632 FEET;
THENCE NORTH A DISTANCE OF 210 FEET;
THENCE NORTH 63°55' WEST A DISTANCE OF 510 FEET, MORE OR LESS, TO THE POINT OF BEGINNING,

ALSO TOGETHER WITH THAT PORTION OF SECOND CLASS TIDELANDS AS CONVEYED BY THE STATE OF WASHINGTON, LOCATED IN FRONT OF GOVERNMENT LOT 4, SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., LYING EAST OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE CORNER COMMON TO SECTIONS 7, 8, 17 AND 18, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M.;
THENCE SOUTH A DISTANCE OF 1098.7 FEET;
THENCE NORTH 76°08' EAST A DISTANCE OF 467 FEET TO THE TRUE POINT OF BEGINNING OF SAID LINE;
THENCE NORTH 540 FEET TO THE TERMINUS OF SAID LINE.

SITUATE IN ISLAND COUNTY, WASHINGTON. Subject to matters of record.

WHEN RECORDED RETURN TO:
Recreation and Conservation Office
Natural Resources Building
PO Box 40917
Olympia, WA 98504-0917
Attn: Mike Ramsey



EXCISE TAX EXEMPT

JUN 08 2011

Ana María d. Nuñez, CPA
Island County Treasurer

**DEED OF RIGHT TO USE LAND FOR
SALMON RECOVERY AND CONSERVATION PURPOSES**

Grantor: Whidbey Camano Land Trust
Grantee: State of Washington

Legal Description

Abbreviated form: Portions of Govt Lots 2, 3 and 4, Sec 17, T33N, R2E, EWM.

Additional legal on Exhibits A and B.

Assessor's tax Parcel Numbers: R23317-511-2140; R23317-521-1800; R23317-527-2670;
R23317-506-3460; and R23317-450-2020.

The Grantor, Whidbey Camano Land Trust, a Washington State non-profit corporation, 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 two Project Agreements for acquisition entered into between the Grantor, Whidbey Camano Land Trust and the State of Washington through the Salmon Recovery Funding Board: (1) titled Skagit Bay Nearshore Protection, Project Number 07-1591A, signed by Whidbey Camano Land Trust on March 12, 2008 and by the State of Washington on behalf of the Salmon Recovery Funding Board on March 25, 2008, as amended and signed by Whidbey Camano Land Trust on November 17, 2009 and the State of Washington on behalf of the Salmon Recovery Funding Board on November 10, 2009, and the application and supporting materials which are on file with the Grantor and the State in connection with the Project Agreement, and (2) titled Shorecrest Lagoon Protection Acquisition, Project Number 07-1591A signed by Whidbey Camano Land Trust on March 12, 2008 and by the State of Washington on behalf of the Salmon Recovery Funding Board on March 7, 2008, 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 of at least equal fair market value at the time of change of use and of as nearly as feasible equivalent qualities, characteristics and location for salmon recovery and conservation purposes for which state assistance was originally granted.

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 15th day of December, 2009

WHIDBEY CAMANO LAND TRUST

By: Ivan Miller
Ivan Miller, President

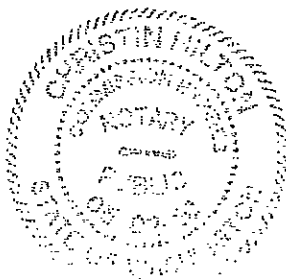
STATE OF WASHINGTON)

) ss.

COUNTY OF KING)

On this day personally appeared before me, Ivan Miller, known to me to be the President of the Whidbey Camano Land Trust, a Washington State non-profit corporation that executed the foregoing instrument, and acknowledged such instrument to be the free and voluntary act and deed of such corporation for the uses and purposes therein mentioned, and on oath stated that he was duly authorized to execute such instrument on behalf of such corporation.

GIVEN UNDER MY HAND AND OFFICIAL SEAL this 15th day of December 2009.



Christin Hilton
Printed Name: Christin Hilton
Notary Public in and for the State of Washington,
residing at Seattle, WA
My Commission Expires 5/2/2010



Exhibit A: Legal Description of Skagit Bay Property

LOT 1

THAT PORTION OF THE EAST 850 FEET OF GOVERNMENT LOT 4 AND THAT PORTION OF GOVERNMENT LOT 3, SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., LYING NORTH AND WEST OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 17;
THENCE S02°37'30"E, ALONG THE WEST LINE OF SAID SECTION 17, FOR 1324.53 FEET TO THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 4;
THENCE N87°19'51"E, ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 4, FOR 454.80 FEET TO THE WEST LINE OF THE EAST 850 FEET OF SAID GOVERNMENT LOT 4;
THENCE N02°42'48"W, ALONG SAID WEST LINE, FOR 205.00 FEET TO THE POINT OF BEGINNING;
THENCE N84°15'53"E FOR 851.18 FEET TO THE EAST LINE OF SAID GOVERNMENT LOT 4;
THENCE N69°48'24"E FOR 366.94 FEET;
THENCE N42°55'42"E FOR 462.16 FEET;
THENCE N01°00'15"W TO THE NORTH LINE OF SAID GOVERNMENT LOT 3 AND THE TERMINUS OF SAID LINE;

EXCEPT THAT PORTION OF SECOND CLASS TIDELANDS AS CONVEYED BY THE STATE OF WASHINGTON, LOCATED IN FRONT OF GOVERNMENT LOT 4, SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., LYING EAST OF THE FOLLOWING DESCRIBED LINE:
BEGINNING AT THE CORNER COMMON TO SECTIONS 7, 8, 17 AND 18, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M.;
THENCE SOUTH A DISTANCE OF 1098.7 FEET;
THENCE NORTH 76°08' EAST A DISTANCE OF 467 FEET TO THE TRUE POINT OF BEGINNING OF SAID LINE;
THENCE NORTH 540 FEET TO THE TERMINUS OF SAID LINE.

TOGETHER WITH SECOND CLASS TIDELANDS AS CONVEYED BY THE STATE OF WASHINGTON, LOCATED IN FRONT OF GOVERNMENT LOT 4, SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., DESCRIBED AS FOLLOWS:
BEGINNING AT THE CORNER COMMON TO SECTIONS 7, 8, 17 AND 18, SAID TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M.;
THENCE SOUTH A DISTANCE OF 1098.7 FEET;
THENCE NORTH 76°08' EAST A DISTANCE OF 467 FEET;
THENCE NORTH A DISTANCE OF 540 FEET;
THENCE NORTH 46° WEST A DISTANCE OF 632 FEET, MORE OR LESS TO THE POINT OF BEGINNING;

ALSO TOGETHER WITH SECOND CLASS TIDELANDS AS CONVEYED BY THE STATE OF WASHINGTON, LOCATED IN FRONT OF GOVERNMENT LOT 4, SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., DESCRIBED AS FOLLOWS:
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THENCE SOUTH 46° EAST A DISTANCE OF 632 FEET;
THENCE NORTH A DISTANCE OF 210 FEET;
THENCE NORTH 63°55' WEST A DISTANCE OF 510 FEET, MORE OR LESS, TO THE POINT OF BEGINNING,

ALSO TOGETHER WITH THAT PORTION OF SECOND CLASS TIDELANDS AS CONVEYED BY THE STATE OF WASHINGTON, LOCATED IN FRONT OF GOVERNMENT LOT 4, SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., LYING EAST OF THE FOLLOWING DESCRIBED LINE:
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THENCE SOUTH A DISTANCE OF 1098.7 FEET;
THENCE NORTH 76°08' EAST A DISTANCE OF 467 FEET TO THE TRUE POINT OF BEGINNING OF SAID LINE;
THENCE NORTH 540 FEET TO THE TERMINUS OF SAID LINE.

SITUATE IN ISLAND COUNTY, WASHINGTON. Subject to matters of record.



EXHIBIT B

Legal Description of Property - Tidelands

Parcel 5:

Second class tidelands as conveyed by the State of Washington, located in front of Government Lot 3, Section 17, Township 33 North, Range 2 E.W.M.;

EXCEPT therefrom that portion as described in Deed recorded June 20, 1986, in Auditor's File No. 86007224, records of Island County, Washington;

ALSO EXCEPT therefrom that portion as described in deed recorded December 31, 1990 in Auditor's File No. 900023677, records of Island County, Washington.

Situate in the County of Island, State of Washington.

Parcel 6:

Tidelands of the second class, described as:

Beginning at a point which is 18.031 chains North and 43.58 chains West of the meander corner of Sections 16 and 17, Township 33 North, Range 2 E.W.M.;

thence North 25°9' East 20.332 chains;

thence North 73°34.5' West 6 chains;

thence South 25°9' West to a point which bears North 87°30' West of the point of beginning, a distance of 6 chains;

thence South 87°30' East to point of beginning.

ALSO: Beginning at a point which is 18.031 chains North and 43.58 chains West of the meander corner of Sections 16 and 17, Township 33 North, Range 2 E.W.M.;

thence North 25°9' East 12.66 chains;

thence South 64°51' East 6 chains;

thence South 25°9' West to a point which bears South 68°6' East of the point of beginning, a distance of 6 chains;

thence North 68°6' West to a point of beginning.

Situate in the County of Island, State of Washington.

Parcel 7:

All that portion of the former Charles H. Hunter Oyster Claims, fronting on Sections 16 and 17, Township 33 North, Range 2 East, W.M., as deeded by the State of Washington to Charles H. Hunter by deed filed in Volume 22 of Deeds page 371, records of Island County, Washington, lying between property described in Treasurer's deed under Auditor's File No. 55426, in Volume 3 of Deeds, Page 8, and Treasurer's deed under Auditor's File No. 67545, in Volume 3 of Deeds, Page 380.

Situate in the County of Island, State of Washington.

90023677

7.2

FEE SIMPLE DEED

The Grantors, SIDNEY M. DUCKEN, and FRANCES L. DUCKEN, his wife, and KARL J. DUCKEN, and HETTIE J. DUCKEN, his wife, for the sum of SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$7,500.00), in hand paid, do by these presents convey and quit claim unto DUGUALLA COMMUNITY, INC., a Washington corporation, for so long as the same shall be used solely for small boat launching and for parking purposes for members and their guests, the following described property situated in Island County, Washington, to-wit:

That portion of Government Lot 3 of Section 17, Township 33 North, Range 2 East, of the Willamette Meridian, together with that portion of the second class tidelands, as conveyed by the State of Washington, both as included in the following description: Beginning at the south-westerly corner of Lot A of the plat of Dugualla Bay Heights, Division Number One, as recorded in Volume 6 of plats, page 63, records of Island County, Washington; thence north 67° 43' west 31.21 feet; thence north 6° 15' east 70 feet; thence north 67° 43' west 160 feet; thence north 6° 15' east 130 feet; thence north 26° 15' east 130 feet; thence south 67° 43' east 144.95 feet to the westerly margin of said Lot A; thence south 6° 15' west along said margin 334.94 feet to the point of beginning.

No building of any kind shall be built or moved onto this property. A large fir tree shall be left as is on the property. The Grantors, their successors and assigns, reserve the right to a ten-foot easement across the property for a drainage ditch.

ISLAND COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

Dated this 31st day of December 1990.

DEC 31 1990

FILED RECORDED
VOL. 114
P. 114

Dec 31 3 15 PM '90

RECORDED
INDEXED

NOTARY PUBLIC

STATE OF WASHINGTON)
) ss.
County of ISLAND)

Sidney M. Ducken
Frances L. Ducken
Karl J. Ducken D.P.A. Hg.
Hettie J. Ducken

AMOUNT PAID \$ 114.75 ck
MAXINE R. SAUTER
ISLAND COUNTY TREASURER

THIS IS TO CERTIFY that on this day before me, a Notary Public, personally appeared SIDNEY M. DUCKEN, FRANCES L. DUCKEN, KARL J. DUCKEN, and HETTIE J. DUCKEN, to me known to be the individuals described in and who executed the within and foregoing instrument and acknowledged to me that they signed and sealed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

WITNESS My hand and official seal this 31st day of December, 1990.

Monica B. Storehouse
NOTARY PUBLIC in and for the State of
Washington, residing at 710 E. Bay Street
Oak Harbor, WA 98277
(710 E. Bay St.)

90023677

12-31-90

399-7896

2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

[illegible][illegible]

SURVEYOR'S CERTIFICATE

RECORDED
127346

SECTION 17, TOWNSHIP 33 N., R. 2 E. W. M.

DESCRIPTION

ACKNOWLEDGMENT

1. H. H. FORD, WITNESS ADMITS THAT THE SIGNING PLACE AT DUNDAS DAY NIGHTS IS BASED UPON AN ACTUAL NUMBER THAT THE COUSERS AND ASSISTERS ARE KNOWN TO PARTICIPATE IN. THAT MOVEMENTS WERE BEEN SET AS FORTH AND THAT ALL ARE COUSERS HAVE BEEN STATED ON THE GROUND.

Registered Civil Engineer and Surveyor



2.7.1.1

CERTIFICATE OF RIGHT

RECORDED 2 FILE NO. 12942
VOLUME 29 PAGE 13 ISLAND COUNTY, WASHINGTON

PLANT AREA AT THE REQUEST OF
BUCHAN THIS DAY OF FEBRUARY 1962 AT 01
NINETEEN PAST 1 P.M. AND RECORDED IN VOLUME 6
OF PLANTS, PAGE 63, RECORD OF ISLAND COUNT
WASHINGTON.

ENGINEER'S
APPROVAL

RECEIVED AND APPROVED THIS
February, A. D. 1968

COMMISSIONERS

440 4440250 Mrs 8TH 241 of Belb., A. D., 1960

APR 27 1968

ST. C. Lucas

W. J. Evans
W. J. Evans

[illegible][illegible]

DUGUALLA HEIGHTS N°1

67-163

Quit Claim Deed

The grantor herein Chas. Bennett

for the consideration of One Dollars
and also of benefits to accrue to him by reason of laying out and establishing a public road through
his property, and which is hereafter described, convey, release and quit-claim to the
County of Island, State of Washington, for use of the Public forever, as a public road and highway, all in-
terest in the following described real estate, viz:

A strip of land 30 feet wide off the North boundary
of Lot 4 and 3, Sec. 17, Twp. 33 N. R. 26. beginning at the
Northwest corner of said Lot 4 and running thence East
1664 feet.

A strip of land 30 feet wide off the North boundary of
the S6 NW of Sec. 14, Twp. 33 N. R. 26 beginning at the
Northwest corner of said S6 NW and running thence
East 360 feet.

Island County shall have the right to make all
necessary rules and give a right of way
situated in the County of Island, State of Washington.

Dated this 2nd day of March, A. D. 1941.

WITNESSES:

STATE OF WASHINGTON,
County of Island.

On the 2nd day of March, 1941, before me, a Notary Public in and for
the State of Washington, duly commissioned and sworn, personally came Chas. Bennett
to me known to be the individual
described in and who executed the within instrument and acknowledged to me that he signed
and sealed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.

Witness my hand and official seal the day and year first above written.

Notary Public Island County
Notary Public in and for the State of Washington, residing at Corvallis
H. P. Seal of Island County
Comm. Exp. 1942

FILED FOR RECORD AT REQUEST OF

County Commissioner
on the 13 day of March, 1941, at 3 minutes past 3 P. M.

J. W. Lickley
Auditor.
By E. M. Morrison
Deputy.



RETURN ORIGINAL DOCUMENT TO:

Name (Print) Patricia Powell
Street 765 Wonn Rd C201
City, ST, zip Greenbank, WA 98253

BOUNDARY LINE ADJUSTMENT
PART B (To be recorded)

Authorized Agent (print name) Patricia Powell

Parcel A (1) Owner's Name <u>Ducken Family LLC</u> Owner's Name <u>12319 209th Ave NE</u> Mailing Address <u>Redmond, WA 98053</u> City, State, Zip Code <u>425-681-1444</u> Phone	<u>R23317-450-2020</u> Assessor Parcel No. If applicable, Plat Name or Short Plat Number: Block No. Lot No. Recorded Auditor's File No. <u>John Ducken</u> Owner's Signature <u>John Ducken</u> Owner's Signature
Parcel B (2) <u>See above - A</u> Owner's Name Owner's Name Mailing Address City, State, Zip Code Phone	<u>R23317-462-0920</u> Assessor Parcel No. If applicable, Plat Name or Short Plat Number: Block No. Lot No. Recorded Auditor's File No. <u>John Ducken</u> Owner's Signature <u>John Ducken</u> Owner's Signature
Parcel C (3) <u>See above - A</u> Owner's Name Owner's Name Mailing Address City, State, Zip Code Phone	<u>R23317-467-0230</u> Assessor Parcel No. If applicable, Plat Name or Short Plat Number: Block No. Lot No. Recorded Auditor's File No. <u>John Ducken</u> Owner's Signature <u>John Ducken</u> Owner's Signature

LOCATED IN: 1/4 of the 1/4 of Section 17, Township 33N, Range 2E
Abbreviated Legal Description
Porton Govt Lots 3 and 4, Sec 17, T33N, R2E, WM

Boundary Line Adjustment Form (November, 2008)

FOR COUNTY USE ONLY Legal Descriptions of existing parcels found on Page(s) 5 & 6 attached
BLA# 214/09 Page 1 of 11 Approved: 11-19-09 By: C. White



FOR COUNTY USE ONLY Legal Descriptions of existing parcels found on Page(s) 526 attached
BLA# 214109 Page 2 of 11 Approved: 11-19-09 By: C. White
Boundary Line Adjustment Form (November, 2008)

ACKNOWLEDGEMENTS

WAIVER OF CRITICAL AREAS REVIEW BY COUNTY

☒ If evidence of critical areas is not provided, this part must be signed by all property owners)
I/We hereby certify that I/we have elected to waive critical areas review by the County and acknowledge any future alteration to a critical area or buffer, pursuant to Chapter 17.02A, Island County Code, shall not be permitted unless the extent of the proposed alteration is less than any alteration that would be have been necessary prior to approval of this Boundary Line Adjustment. This condition is binding on future owners.

Parcel <u>A/1:</u> (e.g. A,B,etc)	<u>Ducken LLC</u> Owner Name (print name)	<u>[Signature]</u> Owner's Signature	<u>11-4-09</u> Date
Parcel <u>B/2:</u> (e.g. A,B,etc)	<u>Ducken LLC</u> Owner Name (print name)	<u>[Signature]</u> Owner's Signature	<u>11-4-09</u> Date
Parcel <u>C/3:</u> (e.g. A,B,etc)	<u>Ducken LLC</u> Owner Name (print name)	<u>[Signature]</u> Owner's Signature	<u>11-4-09</u> Date
Parcel <u>D/4:</u> (e.g. A,B,etc)	<u>Ducken LLC</u> Owner Name (print name)	<u>[Signature]</u> Owner's Signature	<u>11-4-09</u> Date
Parcel <u>E/5:</u> (e.g. A,B,etc)	<u>Ducken LLC</u> Owner Name (print name)	<u>[Signature]</u> Owner's Signature	<u>11-4-09</u> Date
Parcel <u>N/A</u> (e.g. A,B,etc)	<u>Ducken LLC</u> Owner Name (print name)	<u>[Signature]</u> Owner's Signature	<u>11-4-09</u> Date

WAIVER OF VERIFICATION OF ACCESS BY COUNTY

☒ If evidence of legal access is not provided, this part must be signed by all property owners)
I/We hereby certify that I/we have waived the verification of legal means of access by the County and acknowledge it may not have been provided for at this time

Parcel <u>A/1:</u> (e.g. A,B,etc)	<u>Ducken LLC</u> Owner Name (print name)	<u>[Signature]</u> Owner's Signature	<u>11-4-09</u> Date
Parcel <u>B/2:</u> (e.g. A,B,etc)	<u>Ducken LLC</u> Owner Name (print name)	<u>[Signature]</u> Owner's Signature	<u>11-4-09</u> Date
Parcel <u>C/3:</u> (e.g. A,B,etc)	<u>Ducken LLC</u> Owner Name (print name)	<u>[Signature]</u> Owner's Signature	<u>11-4-09</u> Date
Parcel <u>D/4:</u> (e.g. A,B,etc)	<u>Ducken LLC</u> Owner Name (print name)	<u>[Signature]</u> Owner's Signature	<u>11-4-09</u> Date
Parcel <u>E/5:</u> (e.g. A,B,etc)	<u>Ducken LLC</u> Owner Name (print name)	<u>[Signature]</u> Owner's Signature	<u>11-4-09</u> Date
Parcel <u>N/A</u> (e.g. A,B,etc)	<u>Ducken LLC</u> Owner Name (print name)	<u>[Signature]</u> Owner's Signature	<u>11-4-09</u> Date

FUTURE COMPLIANCE WITH COUNTY CODE

(This part must be signed by all property owners)

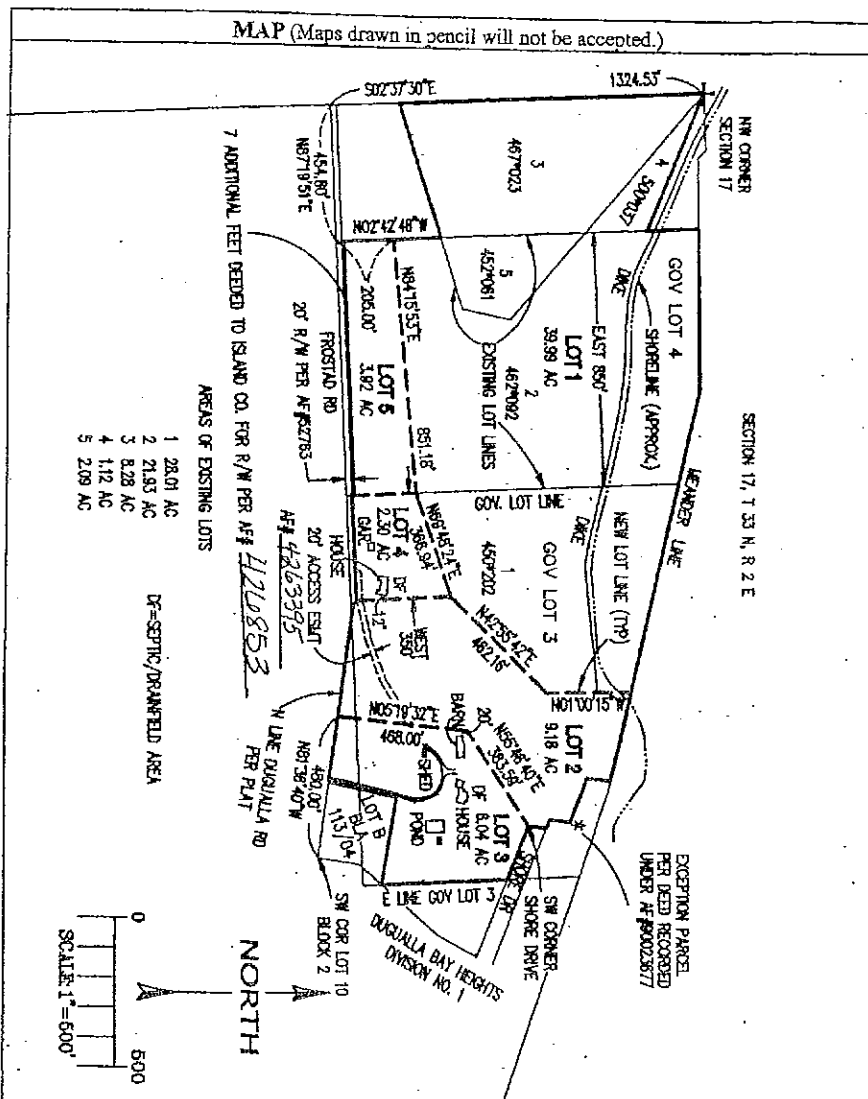
I/We acknowledge that Island County does not determine that the reconfigured lots are useable or buildable during the review of this Boundary Line Adjustment, and that compliance with all applicable County Codes, including those contained in Titles 8 (Health, Welfare and Sanitation), 11 (Land Development Standards), 13 (Public Works), and 17 (Island County Critical Areas and Zoning Ordinance) will be required before any development of the modified lots is permitted or before any permits are issued by Island County.

Parcel <u>A/1:</u> (e.g. A,B,etc)	<u>Ducken LLC</u> Owner Name (print name)	<u>[Signature]</u> Owner's Signature	<u>11-4-09</u> Date
Parcel <u>B/2:</u> (e.g. A,B,etc)	<u>Ducken LLC</u> Owner Name (print name)	<u>[Signature]</u> Owner's Signature	<u>11-4-09</u> Date
Parcel <u>C/3:</u> (e.g. A,B,etc)	<u>Ducken LLC</u> Owner Name (print name)	<u>[Signature]</u> Owner's Signature	<u>11-4-09</u> Date
Parcel <u>D/4:</u> (e.g. A,B,etc)	<u>Ducken LLC</u> Owner Name (print name)	<u>[Signature]</u> Owner's Signature	<u>11-4-09</u> Date
Parcel <u>E/5:</u> (e.g. A,B,etc)	<u>Ducken LLC</u> Owner Name (print name)	<u>[Signature]</u> Owner's Signature	<u>11-4-09</u> Date
Parcel <u>N/A</u> (e.g. A,B,etc)	<u>Ducken LLC</u> Owner Name (print name)	<u>[Signature]</u> Owner's Signature	<u>11-4-09</u> Date

FOR COUNTY USE ONLY

BLA# 214109 Page 3 of 11 Approved: 11-19-09 By: C. White
Boundary Line Adjustment Form (November, 2008)

MAP (Maps drawn in pencil will not be accepted.)



This map is not a formal survey.

Before development will be permitted, compliance with all applicable County Codes shall be required. This includes but is not limited to health, land development standards, critical areas, zoning regulations.

Scale: 1" = 500 feet (standard engineering scale)

Existing Boundary Line Drawn by: Jack Turp-1 Date: 10-21-09

Proposed Boundary Line Section 17 Township 33N Range 2E

Parcel A: 450-2020	Current Area: 28.01 AC (sq.ft.)	Proposed Area: 39.99 AC (sq.ft.)
Parcel B: 462-0920	Current Area: 21.93 AC (sq.ft.)	Proposed Area: 9.18 AC (sq.ft.)
Parcel C: 467-0230	Current Area: 8.28 AC (sq.ft.)	Proposed Area: 6.04 AC (sq.ft.)
Parcel D: 500-0370	Current Area: 1.12 AC (sq.ft.)	Proposed Area: 2.30 AC (sq.ft.)
Parcel E: 542-0610	Current Area: 2.09 AC (sq.ft.)	Proposed Area: 3.42 AC (sq.ft.)
Parcel F:	Current Area:	Proposed Area:

Parcel No.

Applicants' Signatures: (blue ink)

Parcel A: [Signature]	Date: 11-4-09	Parcel A: [Signature]	Date: 11-4-09
Parcel B: [Signature]	Date: 11-4-09	Parcel B: [Signature]	Date: 11-4-09
Parcel C: [Signature]	Date: 11-4-09	Parcel C: [Signature]	Date: 11-4-09
Parcel D: [Signature]	Date: 11-4-09	Parcel D: [Signature]	Date: 11-4-09
Parcel E: [Signature]	Date: 11-4-09	Parcel E: [Signature]	Date: 11-4-09
Parcel F:	Date:	Parcel F:	Date:

FOR COUNTY USE ONLY

See Page 3 of this DLA

BLA# 214/09

Legal means of access has been waived by the Applicant(s).

Critical Areas Review By County has been waived by the Applicant(s).

Page 4 of 11 Approved: 11-19-09 By: C White

LEGAL DESCRIPTION of EXISTING PARCELS

Attach additional pages as needed and note on first page of application (Needed for Recording purposes)

EXISTING LOT 1

Government Lot 3 of Section 17, Township 33 North, Range 2 East, W.M.;

EXCEPT therefrom any portion lying within the Plat of Dugualla Bay Heights, Division No. 1, recorded in Volume 6 of Plats, page 63, Records of Island County, Washington;

ALSO EXCEPT therefrom that portion as described in deed recorded December 31, 1990, Auditor's File No. 90023677, Records of Island County, Washington;

ALSO EXCEPT a 20 foot strip of land along a portion of the southerly boundary for road purposes as conveyed to Island County in deed recorded March 13, 1941, under Auditor's File No. 52763, Records of Island County, Washington;

TOGETHER WITH that portion of the Southeast Quarter of the Northwest Quarter of Section 17, Township 33 North, Range 2 East, W.M., lying Northerly of county road right of way known as Dugualla Road and lying Westerly of Block 2, Plat of Dugualla Bay Heights, Division No. 1, as recorded in Volume 6 of Plats, page 63, Records of Island County, Washington;

EXCEPT that portion of Government Lot 3 and of the Southeast Quarter of the Northwest Quarter of Section 17, Township 33 North, Range 2 East, W.M., lying Northerly of county road right of way known as Dugualla Road and lying Westerly of Block 2, Plat of Dugualla Bay Heights, Division No. 1, as recorded in Volume 6 of Plats, page 63, Records of Island County, Washington, described as follows:

Beginning at the Southwest corner of Lot 10, Block 2, of said Plat of Dugualla Bay Heights Division No. 1;

thence North 08°23'20" East along the west line of said Block 2 a distance of 145.00 feet;

thence continuing along said West line North 39°37'30" East 91.30 feet to the intersection with the East line of said Government Lot 3;

thence North 80°12'25" West 301.61 feet;

thence South 11°42'26" West 245.37 feet, more or less, to the North right of way line of Dugualla Road;

thence South 81°36'40" East along said right of way line 259.58 feet to the point of beginning,

Situate in Island County, Washington.

EXISTING LOT 2

The East 850 feet of Government Lot 4 of Section 17, Township 33 North, Range 2 East, W.M.;

EXCEPT That portion of Second Class tidelands as conveyed by the State of Washington, located in front of Government Lot 4, Section 17, Township 33 North, Range 2 East, W.M., lying East of the following described line:

Beginning at the corner common to Sections 7, 8, 17 and 18, said Township 33 North, Range 2 East, W.M.;

thence South a distance of 1098.7 feet;

thence North 76°08' East a distance of 467 feet to the true point of beginning of said line;

thence North 540 feet to the terminus of said line.

ALSO EXCEPT therefrom the South 20 feet for public road and highway purposes as conveyed to Island County, in instrument recorded March 13, 1941, under Auditor's File No. 52763, records of Island County, Washington.

ALSO EXCEPT the North 7 feet of the South 27 feet of the East 850 feet of said Government Lot 4, deeded to Island County, for right-of-way, per Auditor's file number 4263853;

Situate in Island County, Washington.

NOTE: All additional pages must have a one (1) inch margin on all sides for recording purposes

FOR COUNTY USE ONLY

BLA# 214/09

Page 5 of 11

Approved: 11-19-09 By: C White

Boundary Line Adjustment Form (November, 2008)



LEGAL DESCRIPTION of EXISTING PARCELS

Attach additional pages as needed and note on first page of application (Needed for Recording purposes)

EXISTING LOT 3

Second Class tidelands as conveyed by the State of Washington, located in front of Government Lot 4, Section 17, Township 33 North, Range 2 East, W.M., described as follows:

Beginning at the corner common to Sections 7, 8, 17 and 18, said Township 33 North, Range 2 East, W.M.;
thence South a distance of 1098.7 feet;
thence North $76^{\circ}08'$ East a distance of 467 feet;
thence North a distance of 540 feet;
thence North 46° West a distance of 632 feet, more or less to the point of beginning;

EXCEPT therefrom that portion, if any, lying within the following described parcel:
Beginning at the corner common to said Sections 7, 8, 17 and 18;
thence South 46° East a distance of 632 feet;
thence North a distance of 210 feet;
thence North $63^{\circ}55'$ West a distance of 510 feet, more or less, to the point of beginning.

Situate in Island County, Washington.

EXISTING LOT 4

Second Class tidelands as conveyed by the State of Washington, located in front of Government Lot 4, Section 17, Township 33 North, Range 2 East, W.M., described as follows:

Beginning at the corner common to said Sections 7, 8, 17 and 18, Township 33 North, Range 2 East, W.M.;
thence South 46° East a distance of 632 feet;
thence North 210 feet;
thence North $63^{\circ}55'$ West a distance of 510 feet, more or less, to the point of beginning.

Situate in Island County, Washington.

EXISTING LOT 5

That portion of Second Class tidelands as conveyed by the State of Washington, located in front of Government Lot 4, Section 17, Township 33 North, Range 2 East, W.M., lying East of the following described line:

Beginning at the corner common to Sections 7, 8, 17 and 18, said Township 33 North, Range 2 East;
thence South a distance of 1098.7 feet;
thence North $76^{\circ}08'$ East a distance of 467 feet to the true point of beginning of said line;
thence North 540 feet to the terminus of said line.

Situate in Island County, Washington.

NOTE: All additional pages must have a one (1) inch margin on all sides for recording purposes

FOR COUNTY USE ONLY

BLA# 214/09 Page 6 of 11 Approved: 11-19-09 By: C. W. H. Fe

Boundary Line Adjustment Form (November, 2008)

LEGAL DESCRIPTION of PROPOSED PARCELS

Attach additional pages as needed

NEW LOT 1

THAT PORTION OF THE EAST 850 FEET OF GOVERNMENT LOT 4 AND THAT PORTION OF GOVERNMENT LOT 3, SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., LYING NORTH AND WEST OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 17;
THENCE S02°37'30"E, ALONG THE WEST LINE OF SAID SECTION 17, FOR 1324.53 FEET TO THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 4;
THENCE N87°19'51"E, ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 4, FOR 454.80 FEET TO THE WEST LINE OF THE EAST 850 FEET OF SAID GOVERNMENT LOT 4;
THENCE N02°42'48"W, ALONG SAID WEST LINE, FOR 205.00 FEET TO THE POINT OF BEGINNING;
THENCE N84°15'53"E FOR 851.18 FEET TO THE EAST LINE OF SAID GOVERNMENT LOT 4;
THENCE N69°48'24"E FOR 366.94 FEET;
THENCE N42°53'42"E FOR 462.16 FEET;
THENCE N01°00'15"W TO THE NORTH LINE OF SAID GOVERNMENT LOT 3 AND THE TERMINUS OF SAID LINE;

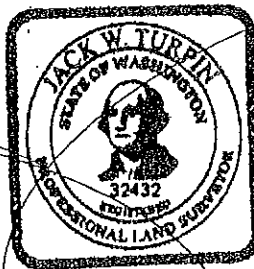
EXCEPT THAT PORTION OF SECOND CLASS TIDELANDS AS CONVEYED BY THE STATE OF WASHINGTON, LOCATED IN FRONT OF GOVERNMENT LOT 4, SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., LYING EAST OF THE FOLLOWING DESCRIBED LINE:
BEGINNING AT THE CORNER COMMON TO SECTIONS 7, 8, 17 AND 18, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M.;
THENCE SOUTH A DISTANCE OF 1098.7 FEET;
THENCE NORTH 76°08' EAST A DISTANCE OF 467 FEET TO THE TRUE POINT OF BEGINNING OF SAID LINE;
THENCE NORTH 540 FEET TO THE TERMINUS OF SAID LINE.

TOGETHER WITH SECOND CLASS TIDELANDS AS CONVEYED BY THE STATE OF WASHINGTON, LOCATED IN FRONT OF GOVERNMENT LOT 4, SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., DESCRIBED AS FOLLOWS:
BEGINNING AT THE CORNER COMMON TO SECTIONS 7, 8, 17 AND 18, SAID TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M.;
THENCE SOUTH A DISTANCE OF 1098.7 FEET;
THENCE NORTH 76°08' EAST A DISTANCE OF 467 FEET;
THENCE NORTH A DISTANCE OF 540 FEET;
THENCE NORTH 46° WEST A DISTANCE OF 632 FEET, MORE OR LESS TO THE POINT OF BEGINNING;

ALSO TOGETHER WITH SECOND CLASS TIDELANDS AS CONVEYED BY THE STATE OF WASHINGTON, LOCATED IN FRONT OF GOVERNMENT LOT 4, SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., DESCRIBED AS FOLLOWS:
BEGINNING AT THE CORNER COMMON TO SAID SECTIONS 7, 8, 17 AND 18;
THENCE SOUTH 46° EAST A DISTANCE OF 632 FEET;
THENCE NORTH A DISTANCE OF 210 FEET;
THENCE NORTH 63°55' WEST A DISTANCE OF 510 FEET, MORE OR LESS, TO THE POINT OF BEGINNING;

ALSO TOGETHER WITH THAT PORTION OF SECOND CLASS TIDELANDS AS CONVEYED BY THE STATE OF WASHINGTON, LOCATED IN FRONT OF GOVERNMENT LOT 4, SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., LYING EAST OF THE FOLLOWING DESCRIBED LINE:
BEGINNING AT THE CORNER COMMON TO SECTIONS 7, 8, 17 AND 18, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M.;
THENCE SOUTH A DISTANCE OF 1098.7 FEET;
THENCE NORTH 76°08' EAST A DISTANCE OF 467 FEET TO THE TRUE POINT OF BEGINNING OF SAID LINE;
THENCE NORTH 540 FEET TO THE TERMINUS OF SAID LINE.

SITUATE IN ISLAND COUNTY, WASHINGTON.



NOTE: All additional pages must have a one (1) inch margin on all sides for recording purposes

FOR COUNTY USE ONLY

BLA# 214/09 Page 7 of 11 Approved: 11-19-09 By: C White

Boundary Line Adjustment Form (November, 2008)

LEGAL DESCRIPTION of PROPOSED PARCELS

Attach additional pages as needed

NEW LOT 2

THAT PORTION OF GOVERNMENT LOT 3 AND THE SE1/4 OF THE NW1/4 OF SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., LYING NORTHERLY OF DUGUALLA ROAD AND EASTERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 17;
THENCE S02°37'30"E, ALONG THE WEST LINE OF SAID SECTION 17, FOR 1324.53 FEET TO THE SOUTHWEST CORNER OF GOVERNMENT LOT 4, SAID SECTION 17;
THENCE N87°19'51"E, ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 4, FOR 454.80 FEET TO THE WEST LINE OF THE EAST 850 FEET OF SAID GOVERNMENT LOT 4;
THENCE N02°42'48"W, ALONG SAID WEST LINE, FOR 205.00 FEET;
THENCE N34°15'53"E FOR 851.18 FEET TO THE EAST LINE OF SAID GOVERNMENT LOT 4;
THENCE N69°48'24"E FOR 366.94 FEET TO THE EAST LINE OF THE WEST 350 FEET OF SAID GOVERNMENT LOT 3, THE POINT OF BEGINNING;
THENCE N42°55'42"E FOR 462.16 FEET;
THENCE N01°00'15"W TO THE NORTH LINE OF SAID GOVERNMENT LOT 3 AND THE TERMINUS OF SAID LINE;

EXCEPT THAT PORTION OF GOVERNMENT LOT 3 AND THE SE1/4 OF THE NW1/4 OF SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., LYING EASTERLY OF THE FOLLOWING DESCRIBED LINE;

COMMENCING AT THE SOUTHWEST CORNER OF LOT 10, BLOCK 2, DUGUALLA BAY HEIGHTS, DIVISION NO. 1, RECORDED IN VOLUME 6 OF PLAT, PAGE 63, RECORDS OF ISLAND COUNTY, WASHINGTON;
THENCE N81°36'40"W, ALONG THE NORTH LINE OF DUGUALLA ROAD, FOR 480.00 FEET TO THE POINT OF BEGINNING;
THENCE N05°19'32"E FOR 468.00 FEET;
THENCE N55°46'40"E FOR 383.59 FEET TO THE SOUTHWEST CORNER OF SHORE DRIVE RIGHT-OF-WAY, PER SAID PLAT OF DUGUALLA BAY HEIGHTS, DIVISION NO. 1, AND THE TERMINUS OF SAID LINE;

ALSO EXCEPT THAT PORTION AS DESCRIBED IN DEED RECORDED DECEMBER 31, 1990, AUDITOR'S FILE NO. 90023677, RECORDS OF ISLAND COUNTY, WASHINGTON.

ALSO EXCEPT ANY PORTION LYING WITHIN THE PLAT OF DUGUALLA BAY HEIGHTS, DIVISION NO. 1, RECORDED IN VOLUME 6 OF PLATS, PAGE 63, RECORDS OF ISLAND COUNTY, WASHINGTON.

ALSO EXCEPT THE WEST 350 FEET OF SAID GOVERNMENT LOT 3:

ALSO EXCEPT THEREFROM THE SOUTH 20 FEET FOR PUBLIC ROAD AND HIGHWAY PURPOSES AS CONVEYED TO ISLAND COUNTY, IN INSTRUMENT RECORDED MARCH 13, 1941, UNDER AUDITOR'S FILE NO. 52763, RECORDS OF ISLAND COUNTY, WASHINGTON.

SITUATE IN ISLAND COUNTY, WASHINGTON.



NOTE: All additional pages must have a one (1) inch margin on all sides for recording purposes

FOR COUNTY USE ONLY

BLA# 214/09

Page 8 of 11

Approved: 11-19-09 By: C White

Boundary Line Adjustment Form (November, 2008)



LEGAL DESCRIPTION of PROPOSED PARCELS

Attach additional pages as needed

NEW LOT 3

THAT PORTION OF GOVERNMENT LOT 3 AND THE SE1/4 OF THE NW1/4 OF SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., LYING NORTHERLY OF DUGUALLA ROAD, SOUTHERLY OF SHORE DRIVE AND EASTERLY OF THE FOLLOWING DESCRIBED LINE:

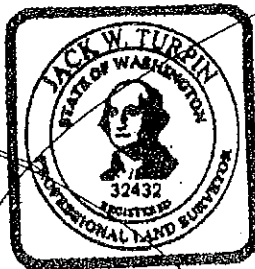
COMMENCING AT THE SOUTHWEST CORNER OF LOT 10, BLOCK 2, DUGUALLA BAY HEIGHTS, DIVISION NO. 1, RECORDED IN VOLUME 6 OF PLAT, PAGE 63, RECORDS OF ISLAND COUNTY, WASHINGTON;
THENCE N81°36'40"W, ALONG THE NORTH LINE OF DUGUALLA ROAD, FOR 480.00 FEET TO THE POINT OF BEGINNING;
THENCE N05°19'32"E FOR 468.00 FEET;
THENCE N55°46'40"E FOR 383.59 FEET TO THE SOUTHWEST CORNER OF SHORE DRIVE RIGHT-OF-WAY, PER SAID PLAT OF DUGUALLA BAY HEIGHTS, DIVISION NO. 1, AND THE TERMINUS OF SAID LINE;

EXCEPT THAT PORTION OF GOVERNMENT LOT 3 AND OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., LYING NORTHERLY OF COUNTY ROAD RIGHT OF WAY KNOWN AS DUGUALLA ROAD AND LYING WESTERLY OF BLOCK 2, PLAT OF DUGUALLA BAY HEIGHTS DIVISION NO. 1 AS RECORDED IN VOLUME 6 OF PLATS, PAGE 63, RECORDS OF ISLAND COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 10, BLOCK 2, OF SAID PLAT OF DUGUALLA BAY HEIGHTS DIVISION NO. 1;
THENCE NORTH 08°23'20" EAST ALONG THE WEST LINE OF SAID BLOCK 2 A DISTANCE OF 145.00 FEET;
THENCE CONTINUING ALONG SAID WEST LINE NORTH 39°37'30" EAST 91.30 FEET TO THE INTERSECTION WITH THE EAST LINE OF SAID GOVERNMENT LOT 3;
THENCE NORTH 80°12'25" WEST 301.61 FEET;
THENCE SOUTH 11°42'26" WEST 245.37 FEET, MORE OR LESS, TO THE NORTH RIGHT OF WAY LINE OF DUGUALLA ROAD;
THENCE SOUTH 81°36'40" EAST ALONG SAID RIGHT OF WAY LINE 259.58 FEET TO THE POINT OF BEGINNING;

ALSO EXCEPT ANY PORTION LYING WITHIN THE PLAT OF DUGUALLA BAY HEIGHTS, DIVISION NO. 1, RECORDED IN VOLUME 6 OF PLATS, PAGE 63, RECORDS OF ISLAND COUNTY, WASHINGTON.

SITUATE IN ISLAND COUNTY, WASHINGTON.



NOTE: All additional pages must have a one (1) inch margin on all sides for recording purposes

FOR COUNTY USE ONLY

BLA# 214/09

Page 9 of 11

Approved: 11-19-09

By: C. White

Boundary Line Adjustment Form (November, 2008)

LEGAL DESCRIPTION of PROPOSED PARCELS

Attach additional pages as needed

NEW LOT 4

THAT PORTION OF THE WEST 350 FEET OF GOVERNMENT LOT 3, SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., LYING SOUTH OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 17;
THENCE S02°37'30"E, ALONG THE WEST LINE OF SAID SECTION 17, FOR 1324.53 FEET TO THE SOUTHWEST CORNER OF GOVERNMENT LOT 4, SAID SECTION 17;
THENCE N87°19'51"E, ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 4, FOR 454.80 FEET TO THE WEST LINE OF THE EAST 850 FEET OF SAID GOVERNMENT LOT 4;
THENCE N02°42'48"W, ALONG SAID WEST LINE, FOR 205.00 FEET;
THENCE N84°15'53"E FOR 851.18 FEET TO THE EAST LINE OF SAID GOVERNMENT LOT 4 AND THE POINT OF BEGINNING;
THENCE N69°48'24"E FOR 366.94 FEET TO THE EAST LINE OF THE WEST 350 FEET OF SAID GOVERNMENT LOT 3 AND THE TERMINUS OF SAID LINE;

EXCEPT THEREFROM THE SOUTH 20 FEET FOR PUBLIC ROAD AND HIGHWAY PURPOSES AS CONVEYED TO ISLAND COUNTY, IN INSTRUMENT RECORDED MARCH 13, 1941, UNDER AUDITOR'S FILE NO. 52763, RECORDS OF ISLAND COUNTY, WASHINGTON.

SITUATE IN ISLAND COUNTY, WASHINGTON.

NEW LOT 5

THAT PORTION OF THE EAST 850 FEET OF GOVERNMENT LOT 4, SECTION 17, TOWNSHIP 33 NORTH, RANGE 2 EAST, W.M., LYING SOUTH OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 17;
THENCE S02°37'30"E, ALONG THE WEST LINE OF SAID SECTION 17, FOR 1324.53 FEET TO THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 4;
THENCE N87°19'51"E, ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 4, FOR 454.80 FEET TO THE WEST LINE OF THE EAST 850 FEET OF SAID GOVERNMENT LOT 4;
THENCE N02°42'48"W, ALONG SAID WEST LINE, FOR 205.00 FEET TO THE POINT OF BEGINNING;
THENCE N84°15'53"E FOR 851.18 FEET TO THE EAST LINE OF SAID GOVERNMENT LOT 4 AND THE TERMINUS OF SAID LINE;

EXCEPT THEREFROM THE SOUTH 20 FEET FOR PUBLIC ROAD AND HIGHWAY PURPOSES AS CONVEYED TO ISLAND COUNTY, IN INSTRUMENT RECORDED MARCH 13, 1941, UNDER AUDITOR'S FILE NO. 52763, RECORDS OF ISLAND COUNTY, WASHINGTON.

ALSO EXCEPT THE NORTH 7 FEET OF THE SOUTH 27 FEET OF THE EAST 850 FEET OF SAID GOVERNMENT LOT 4, DEEDED TO ISLAND COUNTY FOR RIGHT-OF-WAY, PER AUDITOR'S FILE NUMBER 4263853;

SITUATE IN ISLAND COUNTY, WASHINGTON.



NOTE: All additional pages must have a one (1) inch margin on all sides for recording purposes

FOR COUNTY USE ONLY

BLA# 244/09

Page 10 of 41

Approved: 11-19-09 By: C White

Boundary Line Adjustment Form (November, 2008)

Staff Findings

Page 1 of 1

BOUNDARY LINE ADJUSTMENT

214/09 BLA

Assessor Parcel Number(s) R23317-450-2020; R23317-462-0920; R23317-467-0230; R23317-500-0370 &
R23317-452-0610

Section 17 Township 33 Range 2 Quarter Section NW
Existing Zoning Rural RAID name
Minimum Lot size 5 acres Base Density 1 dwelling unit per 5 acres

If the parcels are within a subdivision; Number &
Date of approved subdivision:

Auditor File #

Site Plan

- Yes Map is drawn to standard engineering scale, and ALL pages have a 1" margin around all sides
Yes Based on information provided, Application and map signed by all owners.
Yes Shows existing and proposed boundary lines.
Yes Shows all structures and setbacks.
Yes Shows well sites, if any?
Yes Shows drainfields, if needed?

Parcel sizes as provided	Existing size	Referenced Files	Proposed size
Lot A R23317-450-2020	28.01 acres	113/04 bla	39.99 acres
Lot B R23317-462-0920	21.93 acres		9.18 acres
Lot C R23317-467-0230	8.28 acres		6.04 acres
Lot D R23317-500-0370	1.12 acres		2.30 acres
Lot E R23317-452-0610	2.09 acres		3.92 acres

Approval Requirements

- Yes 1. The proposed boundary adjustment does not create additional Lots, Tracts or Parcels and therefore is exempt from Short Plat regulations. ICC 16.06.030
Yes 2. The lots being created are contiguous, legally created lots. ICC 16.06.070.A.1
Yes 3. The proposed boundary adjustment does not create a split-zoned parcel. ICC 16.06.070.A.2
Yes 4. The proposed boundary adjustment will not create a lot of insufficient width or dimension to meet Lot size requirement for the existing zone. ICC 16.06.070.A.3 (except as provided in ICC 16.06.070.A.8)
Yes 5. The boundary adjustment will not cause any structure to fail to comply with setback requirements, or cause any setback to become nonconforming or more nonconforming. ICC 16.06.070.A.4 (except as provided in ICC 16.06.070.A.8).
Yes 6. The proposed boundary adjustment will not violate conditions of approval of a previous permit involving any of the subject parcels. ICC 16.06.070.A.5 (except as provided in ICC 16.06.070.A.8).
Yes 7. Legal means of access has been provided, or a waiver of legal means of access has been signed. ICC 16.06.070.A.6
Yes 8. An acknowledgment that compliance with all applicable County Codes contained in Titles 8, 11, 13 and 17 ICC will be required before any permits are issued has been signed by the applicant. ICC 17.03.070.A.7
Yes 9. This boundary adjustment is allowed pursuant to ICC 16.06.070.A.8.
Yes 10. No easements are being created or adversely affected with this action.

16.06.070.A.8 Adjustment among existing Lots. For adjustments among two (2) or more Lots in which one (1) or more of the Lots involved in the adjustment is smaller than the current zoning classification, the adjustment would allow a Lot to more nearly conform to the Lot size or setback requirements of Chapter 17.03 ICC or create more buildable Lot configurations. For example, a smaller Lot may be made larger by reducing the size of a larger Lot so that, on balance, greater conformity is achieved.

Departmental Comments

Building comments returned on,			No objection	X	No comment
Health comments returned on,	11/16/09	X	No objection		
Engineering comments returned on,	11/13/09	X	No objection		
Planning & Community Development	11/19/09	X	No objection		Conditions:

Based on the foregoing Findings and Conclusions, Boundary Line Adjustment Application
is hereby GRANTED to Ducken Family LLC

214/09 BLA

Disclaimer: Island County assumes no liability in any action which may arise as a result of this boundary line adjustment.

Conformance with all applicable county regulations and codes shall be required for all future development on these parcels.

If your site is located within 400 feet of a bald eagle nest or within a bald eagle breeding or habitat area, you will be required to complete and sign a Short or Custom Eagle Management Plan before you may receive a building permit or any other permit that would involve disturbance to the land and/or vegetation.

SIGNED THIS 19th DAY OF November, 2009.

Cindy White
Cindy White
Planning Technician



EXCISE TAX EXEMPT

NOV 17 2009

LINDA E. RIFFE
ISLAND COUNTY TREASURER

After recording, return to
Island County Public Works
Attn: Kelly Diefert/Mary Martin

Project: Frostad Road Improvements
W.O. #209: CRP # 96-06A
Parcel No.: R23317-462-0920
Sec 17, Twp. 33 North, Rge. 2 East W.M.
OWNER: DUCKEN

- * **DOCUMENT TITLE:** QUITCLAIM DEED
- * **Reference Numbers of Documents Assigned or Released:**
[on page N/A of document(s)] # N/A
- * **GRANTORS / Borrower (Last Name, First Name Initials):**
☐ OTHER
1. DUCKEN FAMILY LLC
2. _____
3. _____
4. _____
5. ☐ ADDITIONAL NAMES ON PAGE N/A OF DOCUMENT.
- * **GRANTEE / Assignee / Beneficiary: (Last Name, First Name Initials):**
☐ OTHER
1. ISLAND COUNTY
2. ☐ ADDITIONAL NAMES ON PAGE _____ OF DOCUMENT.
- * **LEGAL DESCRIPTION:**
[abbreviated: i.e. Lot, Block, Plat or Section, Township, Range]
Section: 17, Township: 33 North, Range: 2 East, W.M.
LOT N/A BLOCK N/A PLAT _____ N/A DIV N/A
X ADDITIONAL LEGAL IS ON PAGE 5 OF DOCUMENT.
- * **Assessor's Tax Parcel ID #:** R23317-462-0920 a portion of

~~W/ Access provided E. & W. of N. CARD part
all 1/2. rocks to Ducken LLC.~~





Project: Frostad Road Improvements
W.O. # 209: CRP # 96-06A
Parcel No.: R23317-462-0920
Sec 17, Twp. 33 North, Rge. 2 East W.M.
OWNER: DUCKEN

QUITCLAIM DEED

The GRANTORS, **DUCKEN FAMILY LLC, a Washington Limited Liability Company**, for and in consideration of **Two Thousand Two Hundred Two And No/100 Dollars, (\$2,202) [For 5,950 (+/-) Square Feet Of Land]**, and also of benefits to accrue to them by reason of laying out and establishing a public road through their property, convey and quitclaim to GRANTEE, **ISLAND COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF WASHINGTON**, for use of the Public forever, as a public road and highway, all interest, including any hereinafter acquired title, in the following described real estate, situated in Island County, Washington, to the same extent and purpose as if the rights herein granted had been acquired under the Eminent Domain Statutes of the State of Washington.

Legal description: See the Attached Schedule "A" - Page 5 of 6

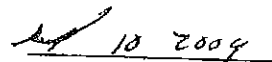
SEE MAP - Page 6

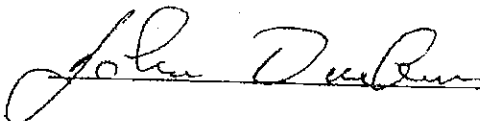
Island County Assessor's Parcel No.: a Ptn. of R23317-462-0920

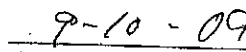
It is understood and agreed that delivery of this QUITCLAIM DEED Document is hereby tendered and that the terms and obligations hereof shall not become binding upon the Grantee unless and until accepted and approved hereon in writing for the Grantee by the Board of County Commissioners of Island County, State of Washington.

GRANTORS:




Date




Date




Project: Frostad Road Improvements
W.O. # 209: CRP # 96-06A
Parcel No.: R23317-462-0920
Sec 17, Twp. 33 North, Rge. 2 East W.M.
OWNER: DUCKEN

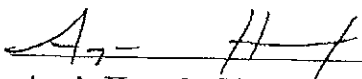
THIS QUIT CLAIM DEED IS ACCEPTED AND APPROVED BY THE ISLAND

COUNTY BOARD OF COMMISSIONERS THIS

9 day of NOVEMBER, 2009.


John Dean, Chairman


Helen Price Johnson, Member


Angie Homola, Member

ATTEST: Elaine Marlow
Elaine Marlow, Clerk of the Board





Project: Frostad Road Improvements
W.O. # 209: CRP # 96-06A
Parcel No.: R23317-462-0920
Sec 17, Twp. 33 North, Rge. 2 East W.M.
OWNER: DUCKEN

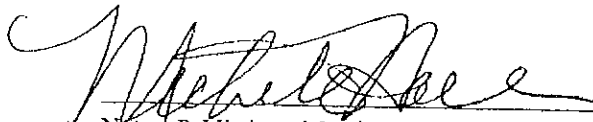
REPRESENTATIVE ACKNOWLEDGMENT

State of Washington) ss
County of ISLAND)

I certify that I know or have satisfactory evidence that JOSEPH K. DUCKEN + JOAN DUCKEN is/are the person(s) who appeared before me, and said person(s) acknowledged that he/she/they are authorized to execute the instrument and acknowledged as managers of the DUCKEN FAMILY LLC to be the free and voluntary act of such party for the uses and purposes therein mentioned in this instrument.

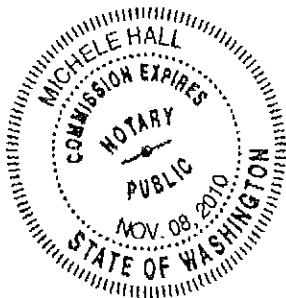
Dated SEPTEMBER 10, 2009

Notary Seal


Notary Public in and for the State of Washington,
Residing at Oak Harbor, WA.

My Appointment expires 11-10-09

MICHELE HALL
Printed Name of Notary Public





Project: Frostad Road Improvements
W.O. # 209: CRP # 96-06A
Parcel No.: R23317-462-0920
Sec 17, Twp. 33 North, Rge. 2 East W.M.
OWNER: DUCKEN

SCHEDULE "A"

NEW COUNTY RIGHT-OF-WAY DESCRIPTION:

The South 7 feet of the following parcel located in Section 17, Township 33 North, Range 2 East of the Willamette Meridian

The East 850 feet of Government Lot 4, Section 17, Township 33 North, Range 2 East of the Willamette Meridian,

EXCEPT therefrom the South 20 feet for public road and highway purposes as conveyed to Island County, in instrument recorded March 13, 1941 under Auditor's File No. 52763.

Containing 5,950 square feet.

Situated in Island County, Washington

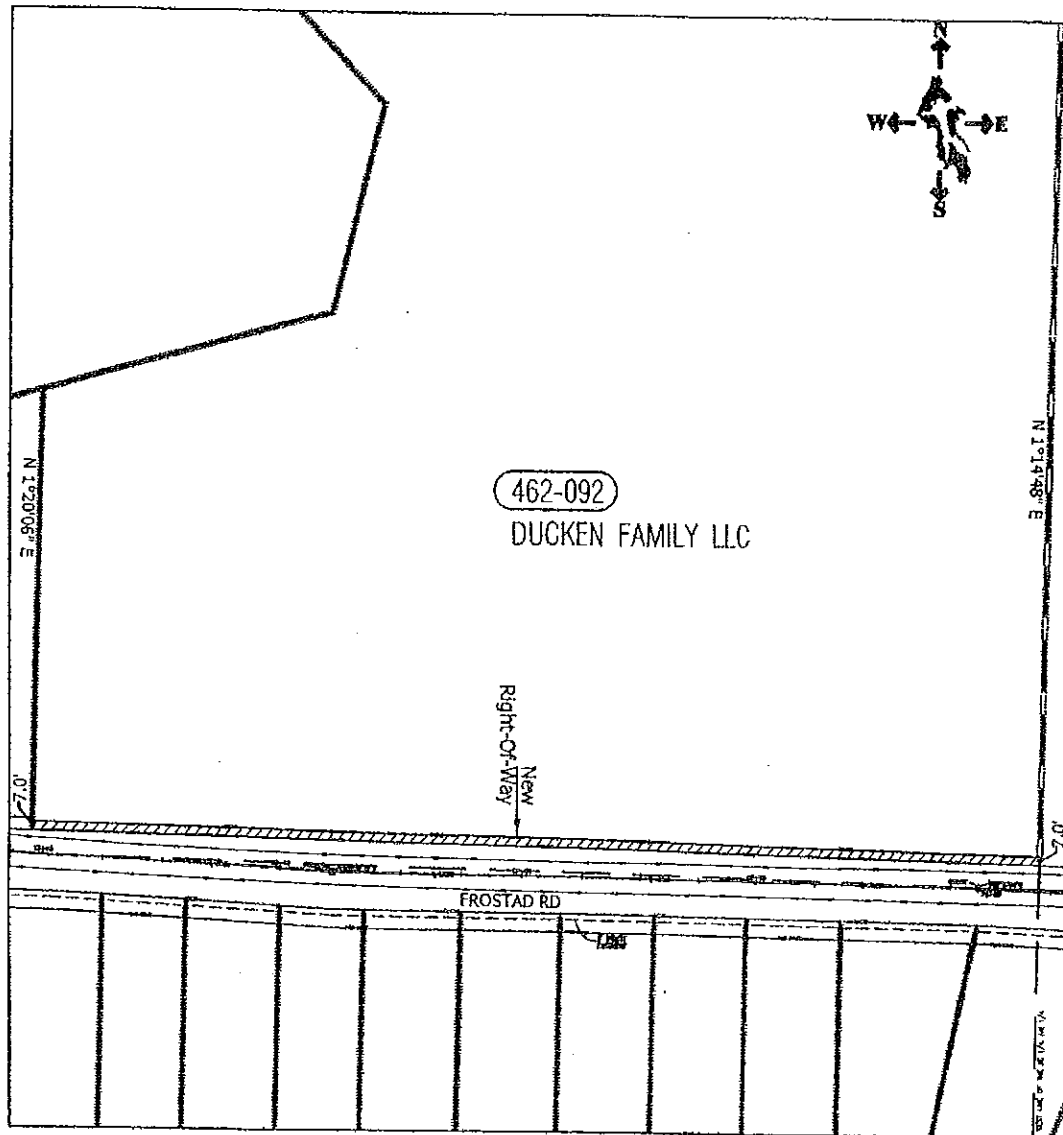
- END OF SCHEDULE "A" -



Project: Frostad Road Improvements
W.O. # 209: CRP # 96-06A
Parcel No.: R23317-462-0920
Sec 17, Twp. 33 North, Rgc. 2 East W.M.
OWNER: DUCKEN

MAP OF SITE

DO NOT USE AS A LEGAL DOCUMENT -- ACCURACY NOT GUARANTEED



21489.
H.A. Mayhugh et ux
to
Amos Geasley Knowles

WARRANTY DEED.

THE GRANTORS H.A. Mayhugh and Matilda Mayhugh, husband and wife of the city of Everett, County of Snohomish, State of Washington, the owner in fee simple, for and in consideration of One and no/100 Dollars (\$1.00) in hand paid, convey and warrant to Amos Geasley Knowles the following described real-estate, being in the County of Island and State of Washington, described as follows, to-wit:

The east half (2.5) of Block or tract number eleven (11), per the map of Saratoga, Washington, the plat of said is of record in the Auditor's office of Island County, State of Washington.

(U.S.I.R. Stamp 60c, attached & uncanceled)

Dated at Everett, Washington, this 15th day of June 1920.

H.A. Mayhugh (Seal)
Matilda Mayhugh (Seal)

State of Washington,)
County of Snohomish.) ss.

I the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, do hereby certify that on this 15th day of June, 1920, personally appeared before me, H.A. Mayhugh and Matilda Mayhugh, husband and wife to me known to be the individual described in and who executed the within instrument and acknowledged to me that they signed and executed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

Given under my hand and official seal this 15th day of June, 1920.

Wm. Seal, Lloyd Munrocker,
Com. expires Jun. 17, 1923.

Lloyd Munrocker
Notary Public in and for the State of
Washington, residing at Everett, Washington.

Filed for record at request of J. Knowles, Aug. 26, 1920 at 9:10 A.M.

Wm. Seal
County Auditor.

21500.

WARRANTY DEED.

Steve Saunders et ux
to
V.G. Webster.

The Grantors, Steve Saunders and Mary E. Saunders, husband and wife, of Marysville, Washington, for and in consideration of Ten Dollars lawful money of the United States in hand paid, convey and warrant to V.G. Webster, of Seattle, Washington, Grantors, the following described real estate, to-wit:

Beginning 850 feet west of the north east corner of lot 4, Sec. 17, Tp. 33 North, Range 1 East, T.M., thence west 455 feet to the south east corner of said lot 4, in said section, township and range, thence due north 236.9 feet to the meander corner on the line dividing sections 17 and 18 in said township and range, thence due north 1092.7 feet to the section corner common to sections 7, 8, 17 and 18, thence due north 138.4 feet to the meander corner between sections 7 and 8, said township and range, thence south 33°45' east 204.9 feet to meander corner on sections 8 and 17, thence south 41°20' east 38.3 feet, thence south 72°51' east 250.3 feet to a point due north of the point of beginning, thence due south 1237.1 feet to the point of beginning. Containing 12.89 acres more or less. Excepting from the above described property the right of way of the dike that realigns Duganilla bay, said right of way having been heretofore conveyed to Diking District # 3 of Island County, Washington.

This deed is given and accepted subject to all general and special taxes that may have been levied against said land subsequent to June 6th 1914.

Situated in the County of Island, State of Washington.

21500

Dated this 6th day of July 1930.

U.S. I.R. Stamp, \$1.00,
Attached & cancelled.

Steve Saunders
Mary E. Saunders

State of Washington. } ss.
County of Snohomish. }

I, the undersigned, a notary public, in and for the State of Wash-
ton, duly commissioned and sworn, do hereby certify that on this 6th day of July 1930,
personally appeared before me Steve Saunders and Mary E. Saunders, husband and wife to me
known to be the individuals described in and who executed the within instrument, and
acknowledged to me that they signed and executed the same as their free and voluntary act
and deed for the uses and purposes therein mentioned.

Given under my hand and official seal this 6th day of July 1930.

E. J. Scott, E. M. Colvin,
Commissioners Dec. 15, 1932.

E. M. Colvin
Notary Public, in and for the State of
Washington, residing at Marysville.

Filed for record at request of V. C. Webster, Aug. 28, 1930 at 10:40 A.M.

E. M. Colvin
Notary Public.

MERCHANDISE AGREEMENT.

Between Edward J. Slater et al
to
Grace Hanson.

HEREMAS, Edward J. Slater and Helen Slater, his wife, hereinafter referred to
as the party of the first part, are the record owners of ten acres, more or less, purchased as
a contract from Cornelious Boone and wife, said ten acres being located and situated on
Whidby Island, about three miles southwest of Oak Harbor, town on said island, in the State
of Washington, said contract being of record and.

HEREMAS said party of the first part desires to sell his interest and equity in said
property and.

HEREMAS, Grace Hanson, herein after referred to as party of the second part, desires to
purchase said equity.

NOT THEREFORE, for and in consideration of the sum of one dollar by said second party to
said first party in hand paid, receipt of which is hereby acknowledged, and for the further
covenants and agreements hereinafter contained, this agreement made in triplicate

WITNESSETH:-

Party of the first part agrees to and with party of the second part that he
has a merchantable title to the aforesaid ten acres; that upon the payment to him of the
sum of six hundred dollars as herein provided agree to and hereby does assign and sell
to the party of the second part all his right, title and interest in and to said ten acres
and the following described personal property now on said ten acres:- Approximately four
hundred chickens, all fixed and movable crops, a hand cultivator, one incubator, one hand de-
er and all small tools excepting one cross-cut saw and a chest of carpenter tools.

Party of the first part hereby declares that he has a right to sell and assign his
interest in said property without the consent of said Cornelious Boone and wife, and that the
contract executed with and by said Cornelious Boone and wife provides for delivery of a
clear title to said ten acres upon fulfillment of the provisions contained in said contract.

Party of the second part hereby covenants and agrees that she will, upon the execution
of this agreement, and within reasonable time thereafter, proceed to plow and cultivate said
ten acres and plant approximately three acres of potatoes, and that on or before the 1st
first day of June, 1931, said party of the second part shall pay to said party of the first

part the sum of six hundred dollars in lawful money of the United States.

FROSTAD ROAD RECORD OF SURVEY SEC 17 & 18, TWP 33 N, R 2 E, W.M.

SURVEYOR'S REPORT

DIKE ROAD
1) JUNE 1891, A.F. 8272, CALVIN PHILIPS GRANTED SEVERAL STRIPS OF LAND, 12 FEET OF EACH SIDE OF THE LINE BETWEEN GOVERNMENT LOT 4, SECTION 17, AND GOVERNMENT LOT 1, SECTION 18, FANGKEMA & KINGMA SUBDIVISIONS. THESE STRIPS WERE NOT PAID FOR BY EITHER OF THESE TWO GOVERNMENT LOTS. IN JUNE 1895, VOLUME 18 OF THE DEEDS, P. 541, JANE FOX BOUGHT FROM CALVIN PHILIPS GOVERNMENT LOTS TO STEVE SANDERS. SANDERS BEGAN SELLING PORTIONS OF THESE GOVERNMENT LOTS IN MAY, 1912, A.F. 10343.

2) IN MARCH, 1935, THE ISLAND COUNTY ENGINEER PREPARED AN ENGINEER'S REPORT WHICH INDICATED A 40 FT RIGHT-OF-WAY, BEING THE EAST 1/2 OF SECTION 17 TO THE LEFT BEGINNING 1245.57 FEET OF THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 1, THIS LINE CLOSELY MATCHES THE LOCATION OF THE EXISTING ROADWAY. AN ORDER OF ESTABLISHMENT WHICH INDICATED 40 FT OF RIGHT-OF-WAY ON EACH SIDE OF THE LINE BETWEEN GOVERNMENT LOT 4, SECTION 17, AND GOVERNMENT LOT 1, SECTION 18, WAS ISSUED BY THE COUNTY ENGINEER. THE COUNTY HAS NO DEEDS FOR THIS ROAD, BUT IT IS THE PORTION OF FANGKEMA & KINGMA THAT THE COUNTY, BY THE ENGINEER'S REPORT AND PRESENTING MONIES TO THE STATE, HAS EXTENDED OUT TO THE TOP OF THE SLOPES ON EACH SIDE OF THE ROAD.

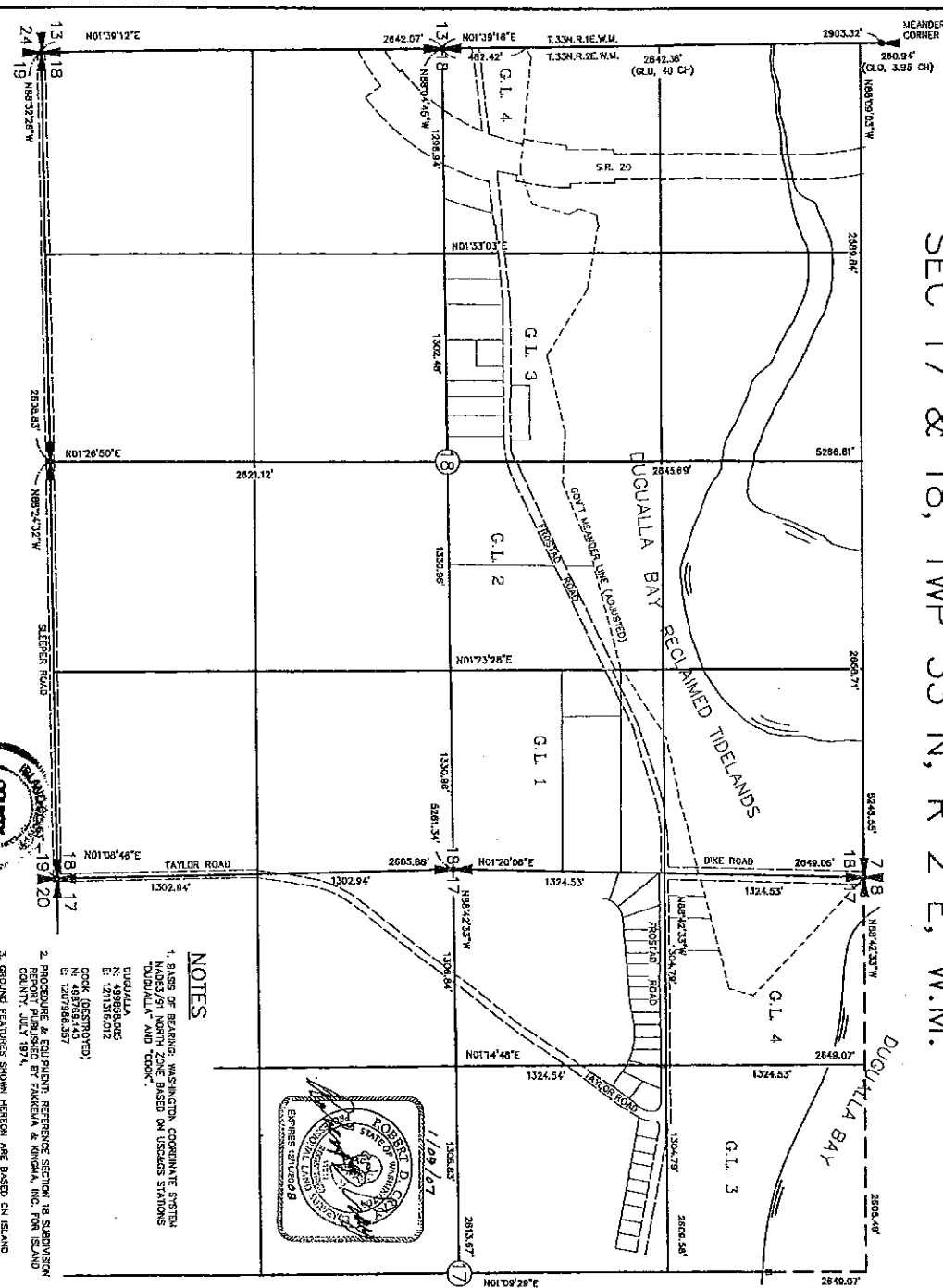
FROSTAD ROAD

1) AUGUST 1933, ORDER OF ESTABLISHMENT, MARCH, 1941, A.F. 52742, DEED FROM J. DUGGAN, MARCH, 1941, MAP BY ISLAND COUNTY ENGINEER, 1941, INDICATES A 40 FT RIGHT-OF-WAY, BEING THE EAST 1/2 OF SECTION 17 TO THE LEFT BEGINNING 1245.57 FEET OF THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 1, THIS LINE CLOSELY MATCHES THE LOCATION OF THE EXISTING ROADWAY. AN ORDER OF ESTABLISHMENT WHICH INDICATED 40 FT OF RIGHT-OF-WAY ON EACH SIDE OF THE LINE BETWEEN GOVERNMENT LOT 4, SECTION 17, AND GOVERNMENT LOT 1, SECTION 18, WAS ISSUED BY THE COUNTY ENGINEER. THE COUNTY HAS NO DEEDS FOR THIS ROAD, BUT IT IS THE PORTION OF FANGKEMA & KINGMA THAT THE COUNTY, BY THE ENGINEER'S REPORT AND PRESENTING MONIES TO THE STATE, HAS EXTENDED OUT TO THE TOP OF THE SLOPES ON EACH SIDE OF THE ROAD.

2) THE PLAT OF DUGGALA BAY HEIGHTS, DIV. NO. 9, VOLUME 11 OF PLATS, PAGE 57, DEDICATES GOVERNMENT LOT 2, SECTION 17, TO THE ISLAND COUNTY, IN GOVERNMENT LOT 4 AND GOVERNMENT LOT 1, THE PLAT SHOWS 20 FT OF RIGHT-OF-WAY ALONG SOUTH LINE OF GOVERNMENT LOT 4, GOVERNMENT LOT 1, AND GOVERNMENT LOT 2, ALL STARTING AT THE SOUTHWEST CORNER OF GOVERNMENT LOT 4 AND RUNNING EAST 1644 FEET. SEVERAL OF THE LATER DEEDS DESCRIBING FLOT EXCEPT OUTROAD RIGHT-OF-WAY BUT LANE NO MENTION OF ROAD WIDTH. JANUARY 1941, ENGINEER'S REPORT, MARCH, 1941, ORDER OF ESTABLISHMENT, FROSTAD ROAD, INDICATES THE COUNTY HAS OWNERSHIP OF THE 40 FEET AND PRESENTING MONIES TO THE STATE. THE LINE ALONG THE NORTH SIDE OF THE ROAD.

TAYLOR ROAD

1) THE PLAT OF DUGGALA BAY HEIGHTS, DIV. NO. 1, 2, AND 9 DEDICATES A 60 FT AND 30 FT RIGHT-OF-WAY.
2) MARCH, 1941, A.F. 52742, DEED FROM J. DUGGAN DESCRIBES A 40 FT RIGHT-OF-WAY BEGINNING AT A POINT 1564 FT EAST OF THE SOUTHWEST CORNER OF GOVERNMENT LOT 4, SECTION 17, OF THE NORTHWEST 1/4 OF SECTION 17, THE RIGHT-OF-WAY AFFECTS A PORTION OF LOT 1, PLAT OF DUGGALA BAY HEIGHTS, DIV. NO. 1 AND ISLAND COUNTY PARCEL NUMBER 125371-358-1052.



NOTES

1. BASIS OF BEARING: WASHINGTON COORDINATE SYSTEM, NAD83/97 NORTH ZONE BASED ON USDELS STATIONS TOWNSHIP AND TOWN.

DUGGALA
E. 12/15/1932
CORK (DESTROYED)
E. 12/17/1934
E. 12/17/1934

2. PRODUCE A REPLY, REFERENCE SECTION 18, SUBDIVISION COUNTY, JULY 1974.
3. COUNTY PUBLIC WORKS FIELD SURVEY.



SURVEYOR'S CERTIFICATE:

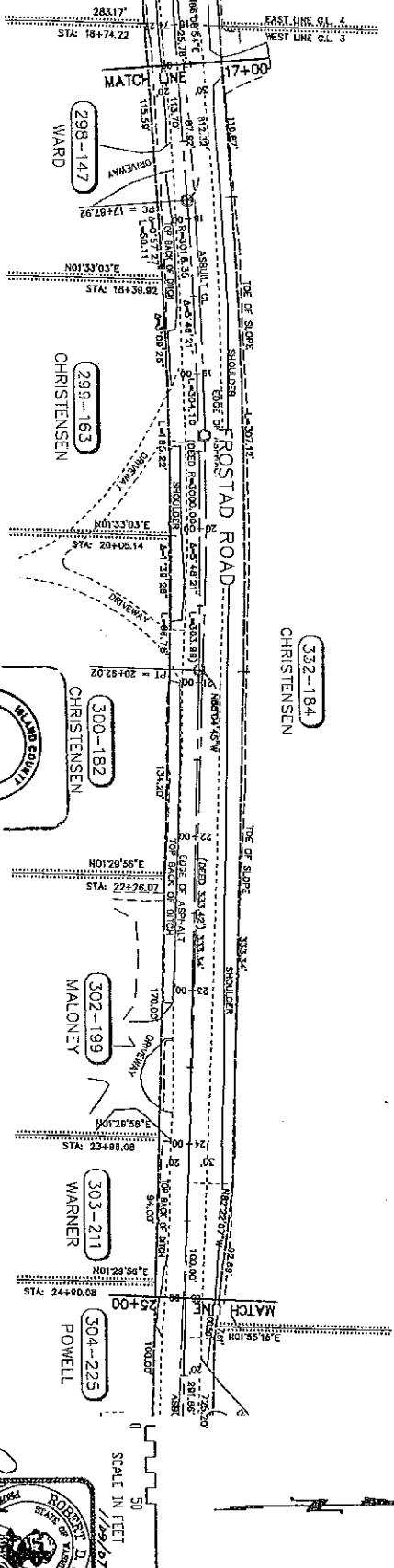
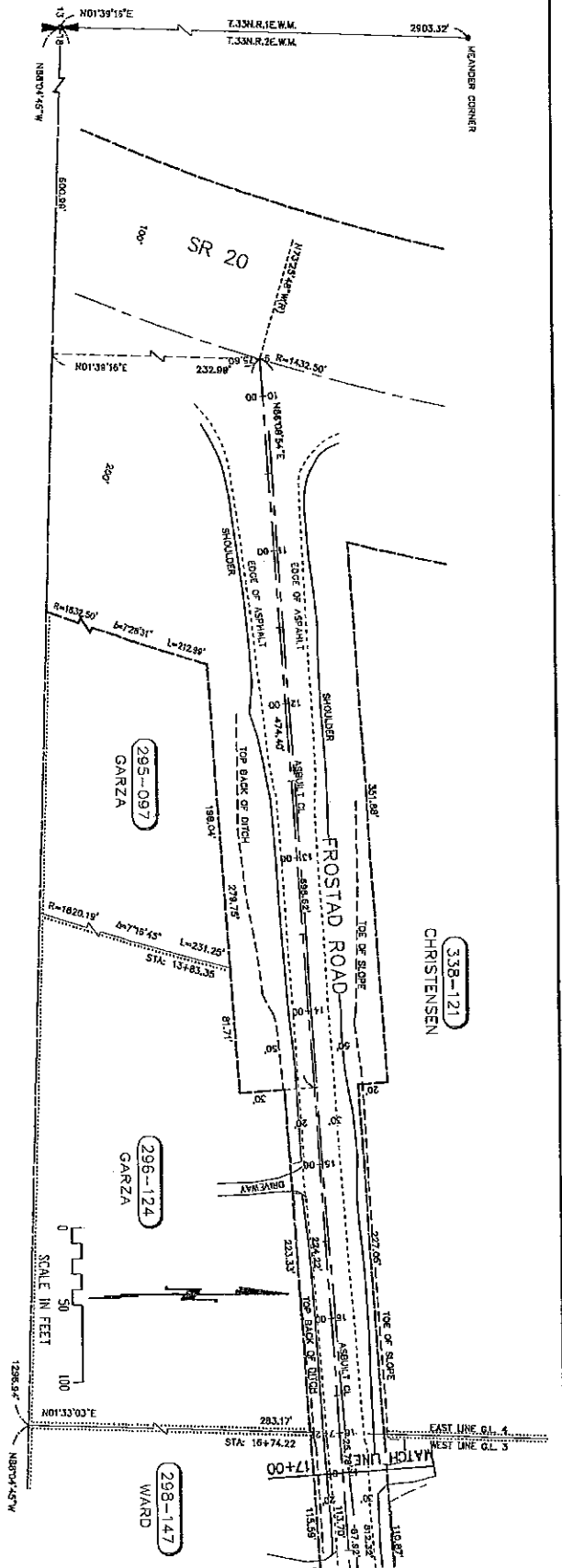
THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF FANGKEMA & KINGMA COUNTY PUBLIC WORKS
1/09/07

AUDITOR'S CERTIFICATE:

FILED FOR RECORD THIS 11 DAY OF JAN. AT 2:34 P.M. IN BOOK 11 OF SURVEYS AT PAGE 207-212 AT THE REQUEST OF FANGKEMA & KINGMA INC. UNDER AUDITOR'S FILE NO. 1191507
1/09/07
County Auditor

RECORD OF SURVEY MAP OF A PORTION OF SEC 17 & 18, TWP 33 N, R 2 E, W.M. FOR ISLAND COUNTY PUBLIC WORKS

DATE: JULY 1974
BY: BAKERIE AND KINGMA, INC.
CONSULTING ENGINEERING & LAND SURVEYING
12/27/06
NO SCALE
PAGE 4455



SURVEYOR'S CERTIFICATE:

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF ISLAND COUNTY PUBLIC WORKS.

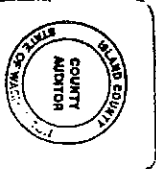
1/29/07

Robert B. Day
CERTIFICATE NO. 11947

AUDITOR'S CERTIFICATE:

FILED FOR RECORD THIS 11 DAY OF January, 2007 AT 1:35 PM BOOK 12 OF SURVEYS AT PAGE 228 AT THE REQUEST OF FARRERA & KINGMA INC. UNDER AUDITOR FILE NO. 419/507

Robert B. Day
COUNTY AUDITOR

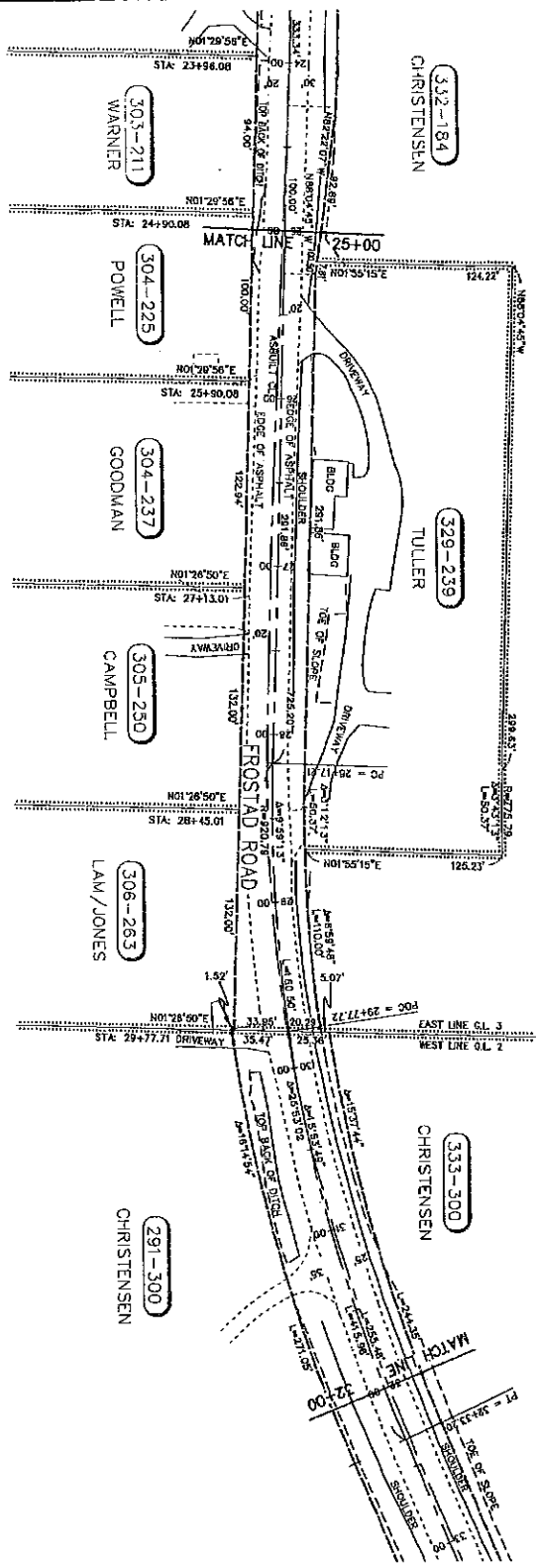


RECORD OF SURVEY MAP OF

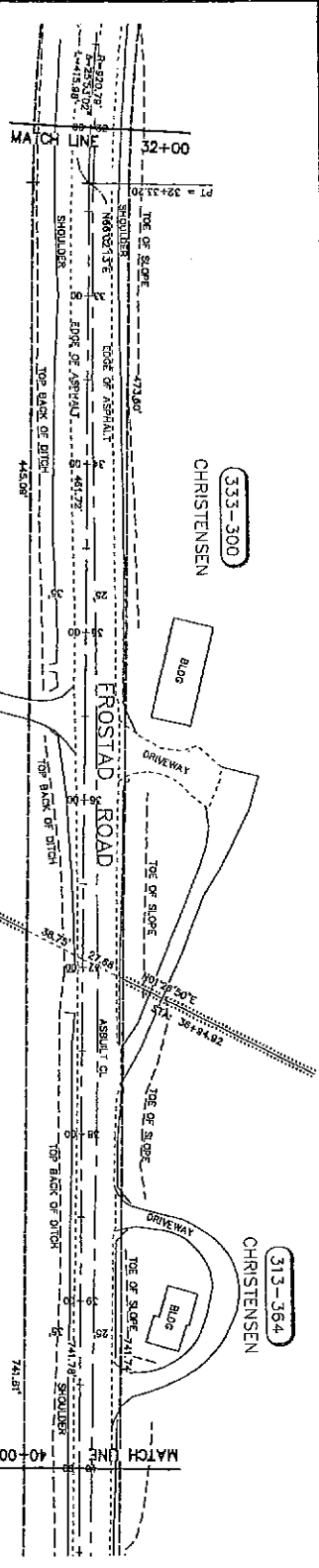
A PORTION OF SEC 17 & 18, TWP 33 N, R 2 E, W.M.
ISLAND COUNTY
FOR ISLAND COUNTY PUBLIC WORKS

DATE: JULY, 1874
SERVED BY: ECH
RC/RNF: 12/27/08
FARRERA and KINGMA, Inc.
CONSULTING ENGINEERING & LAND SURVEYING
1455
WASHINGTON





SCALE IN FEET
0 50 100



SCALE IN FEET
0 50 100

SURVEYOR'S CERTIFICATE:

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF ISLAND COUNTY PUBLIC WORKS.

11/09/97

CERTIFICATE NO. 11961

AUDITOR'S CERTIFICATE:

FILED FOR RECORD THIS DAY OF AT IN BOOK OF SURVEYS AT PAGE AT THE REQUEST OF FAKKEMA & KINGMA, INC. UNDER AUDITOR'S FILE NO. 1191507

COUNTY AUDITOR

RECORD OF SURVEY MAP OF A PORTION OF SEC 17 & 18, TWP 33 N, R 2 E, W.M. FOR ISLAND COUNTY PUBLIC WORKS

ISLAND COUNTY

APPROVED BY ECH JULY 1974

RC/RWF 12/27/06



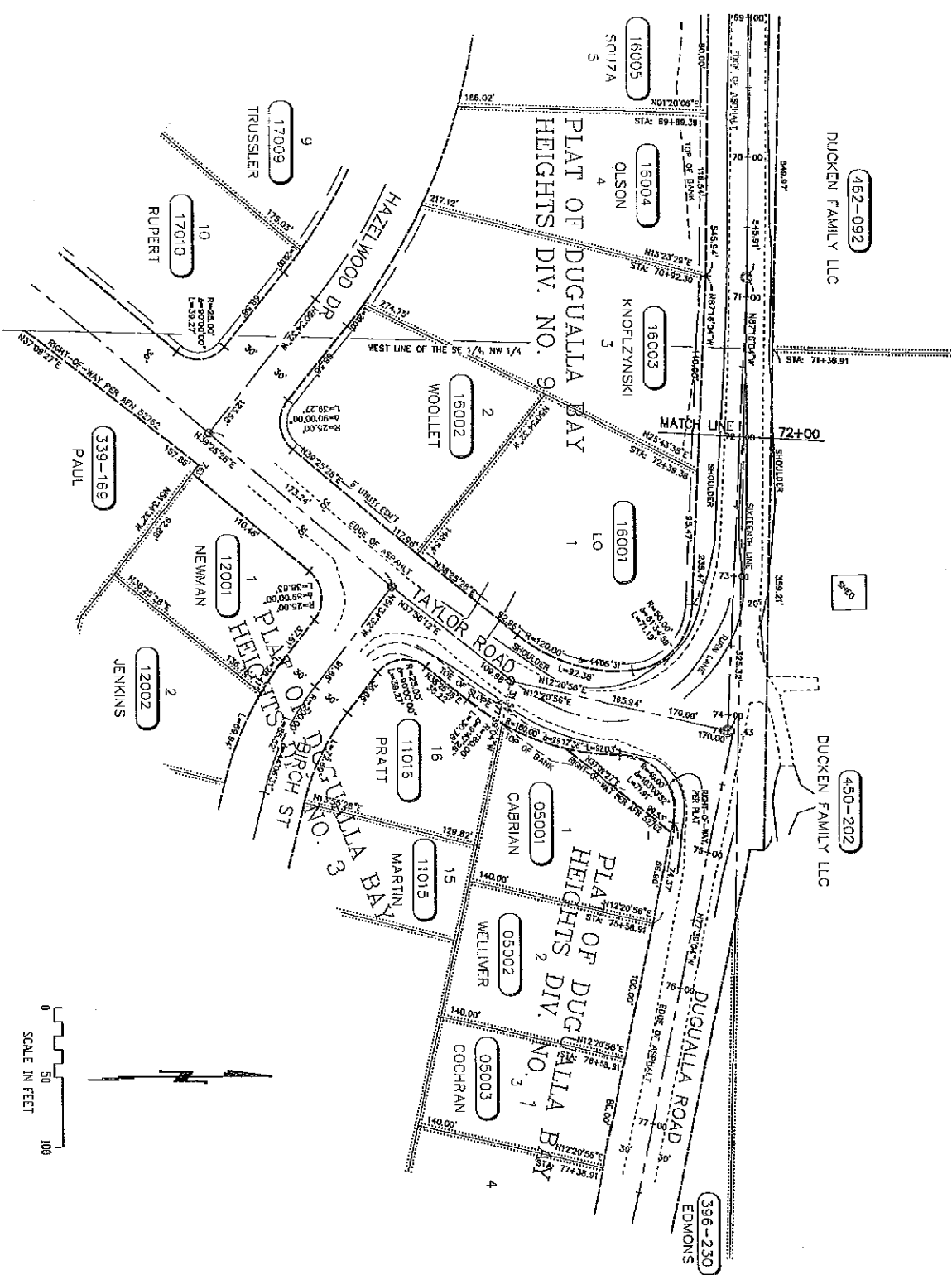
Fakkeima and Kingma, Inc. CONSULTING ENGINEERS 1007 10TH AVE SE SUITE 200 SEASIDE WA 98138-2000

SCALE 1"=50' OF SURVEY MAP

WASHINGTON

SHEET NO. 3 OF 7





SURVEYOR'S CERTIFICATE:

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF ISLAND COUNTY PUBLIC WORKS

1/09/07

CERTIFICATE NO. 11941

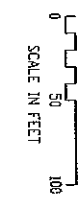
AUDITOR'S CERTIFICATE:

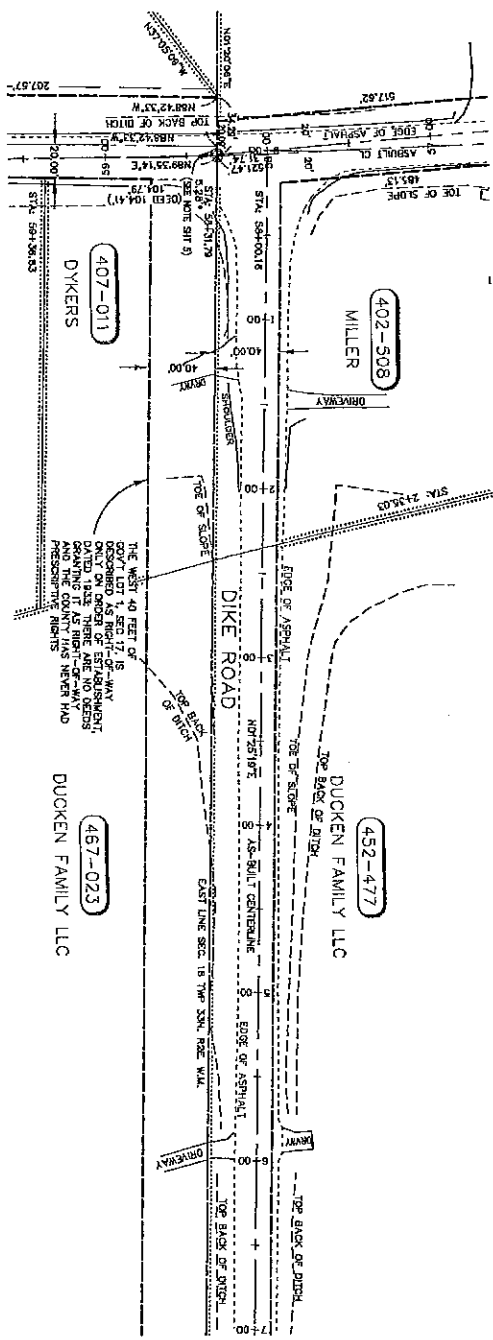
FILED FOR RECORD THIS DAY OF AT IN BOOK OF SURVEYS AT PAGE THE REQUEST OF PAKKEMA & KINGMA INC. UNDER AUDITOR'S FILE NO. 4191507

COUNTY AUDITOR

RECORD OF SURVEY MAP OF A PORTION OF SEC 17 & 18, TWP 33 N, R 2 E, W.M. FOR ISLAND COUNTY PUBLIC WORKS WASHINGTON

ISLAND COUNTY PUBLIC WORKS
PAKEMA AND KINGMA, INC.
CONSULTING ENGINEERING & LAND SURVEYING
12/27/06
1"=50' 11/09/07 4455





SCALE IN FEET
0 50 100

SURVEYOR'S CERTIFICATE:

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF ISLAND COUNTY PUBLIC WORKS

1/09/07

CERTIFICATE NO. 1194

AUDITOR'S CERTIFICATE:

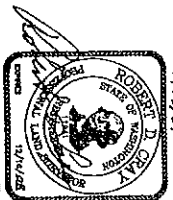
FILED FOR RECORD THIS DAY OF AT IN BOOK OF SURVEYS AT PAGE AT THE REQUEST OF FAKKEMA & KINQUA INC. UNDER AUDITOR'S FILE NO. 4191507

COUNTY AUDITOR

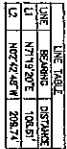
RECORD OF SURVEY MAP OF A PORTION OF SEC 17 & 18, TWP 33 N, R 2 E, W.M. FOR ISLAND COUNTY PUBLIC WORKS

WASHINGTON

DATE 12/27/06
BY ESH
FOR ISLAND COUNTY PUBLIC WORKS
FAKKEMA AND KINQUA, INC.
CONSULTING ENGINEERING & SURVEYING
14500 145TH AVE. SE, SUITE 100, BELLEVUE, WA 98007 (206) 275-9770



1/09/07



BOUNDARY LINE ADJUSTMENT RECORDED UNDER AF44264326

- LEGEND**
- SET 1/2" X 2 1/2" REBAR AND YELLOW PLASTIC CAP STAMPED "32412"
 - M = MEASUREMENT
 - GLO = GOVERNMENT LAND OFFICE BEARING AND OR DISTANCE
 - D = BEARING OR DISTANCE PER LEGAL DESCRIPTION

SET 1/2" X 24" REBAR AND YELLOW PLASTIC CAP STAMPED "32432"

SET 1/2" X 24" REBAR AND YELLOW PLASTIC CAP STAMPED "32432"

GLO = GOVERNMENT LAND OFFICE BEARING AND OR DISTANCE
D = BEARING OR DISTANCE PER LEGAL DESCRIPTION

OF GOVERNMENT

A.S.E. & T., INC.
LAND SURVEYING

LAND SURVEYING

P.O. BOX 1136
CHILTON WA 98236

PHONE (360) 221-5531

24

LOS NO: 490

DAY OF December 2008

AT 11:52 AM IN BOOK _____ OF SURVEYS AT PAGE _____

W. J. G. G. G. G.
COUNTY AUDITOR

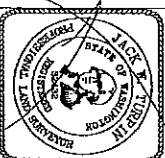
SURVEYOR'S CERTIFICATE

REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION

IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF WAIBEY CANYON LAND TRUST IN NOVEMBER 2009.

JACK H. T

CERTIFICATE NO. 32432



RECORD OF SURVEY

FOR

WIDBEE CANAL LAND TRUST

LAND SURVEYING

P.O. BOX 1136
CHILTON WA 98236

PHONE (360) 221-5531

24

LOS NO: 490