

After Recording Return To:
San Juan County Land Bank
350 Court Street #6
Friday Harbor, WA 98250

Auditor File #: 2008 0530002

EASE

Recorded at the request of:

SAN JUAN COUNTY LAND BANK
on 05/30/2008 at 09:59

Total of 3 page(s) Fee: \$ 44.00

SAN JUAN COUNTY, WASHINGTON
F. MILENE HENLEY, AUDITOR

DMT

RECEIVED

JUN 20 2008

RECREATION AND CONSERVATION OFFICE

COPY

DEED OF RIGHT TO USE LAND FOR SALMON RECOVERY

The Grantor, San Juan County, acting through the San Juan County Land Bank, is the fee owner of real property described in Attachment A ("Property"). The Grantor, 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 in Attachment A forever for salmon recovery and conservation purposes.

Those purposes are described in the Project Agreement entered into between the Grantor and the State of Washington through the Salmon Recovery Funding Board, titled Watmough Bay Salmon Habitat Preservation, Project Number 07-1785A, signed by the Grantor on the 23rd day of April, 2008 and by the Recreation and Conservation Office (manager of Salmon Recovery Funding Board funds) on the 12th day of March, 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 Property 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 in the event that inconsistent use is made of the Property.

In the event of a substitution, the substituted salmon recovery and conservation land must be: (1) of at least equal fair market value at the time of change of use; and (2) of as nearly as feasible equivalent qualities, characteristics and location for salmon recovery and conservation purposes for which state assistance was originally granted.

ATTACHMENT A
LEGAL DESCRIPTION

Tax Parcel N. 142113004000

That portion of Government Lot 3, Section 21, Township 34 North, Range 1 West, W.M., in San Juan County, Washington, lying westerly of and northerly of the following described line:

Beginning at the Southwest corner of tract of land as described in Auditor's File No 58869, records of said County; Thence South 70°30' West 350 feet along the North line of that certain easement as described in Auditor's File No. 70689, records of said County; Thence northerly and parallel with the West line of aforesaid tract of land as described under Auditor's File No. 58869, records of said County to the line of ordinary high tide (also being the Northwest corner tract of land described under Auditor's File No. 90972, records of said County) and TRUE POINT OF BEGINNING of said line; Thence Southerly and parallel with West line of aforesaid tract described under Auditor's File No. 58869 to North line of easement described in Auditor's File No. 70689; Thence South 70°30' West along North line of said easement tract to West line of said Government Lot 3 and terminus of said line.

TOGETHER WITH and subject to: An easement for ingress and egress and the conveyance of utilities as granted and established by instrument recorded under Auditor's File No. 70689, records of said County;

EXCEPT that portion thereof lying with County Road as conveyed to San Juan County by deed recorded under Auditor's File No. 75855, records of said County.

Situate in San Juan County, Washington

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

Dated this 13th day of May, 2008

By: Donald D Rose
Title County Administrator

ATTEST:

Kira Sable

STATE OF WASHINGTON)

: SS.

COUNTY OF _____)

THIS IS TO CERTIFY that on this 13th day of May, 2008, before me the undersigned Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared D. Donald Rose. This individual is known to be the Administrator of San Juan County and acknowledged to me that he signed and sealed the same as the free and voluntary act and deed of San Juan County and on oath stated that he was authorized to execute said instrument.

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

Kira Sable

Notary Public in and for the State of Washington, residing in
Friday Harbor, San Juan County.
My commission expires 6/7/08.

