

**SUBDIVISION**

Guarantee/Certificate Number:

Issued By:



CHICAGO TITLE INSURANCE COMPANY

**245383648**

**CHICAGO TITLE INSURANCE COMPANY**  
a corporation, herein called the Company

**GUARANTEES**

Razorhone, LLC, a Washington limited liability company and Rimland Pacific, Inc.

herein called the Assured, against actual loss not exceeding the liability amount stated in Schedule A which the Assured shall sustain by reason of any incorrectness in the assurances set forth in Schedule A.

**LIABILITY EXCLUSIONS AND LIMITATIONS**

1. No guarantee is given nor liability assumed with respect to the identity of any party named or referred to in Schedule A or with respect to the validity, legal effect or priority of any matter shown therein.
2. The Company's liability hereunder shall be limited to the amount of actual loss sustained by the Assured because of reliance upon the assurance herein set forth, but in no event shall the Company's liability exceed the liability amount set forth in Schedule A.

Please note carefully the liability exclusions and limitations and the specific assurances afforded by this guarantee. If you wish additional liability, or assurances other than as contained herein, please contact the Company for further information as to the availability and cost.

**Chicago Title Company of Washington**  
1835 Barkley Boulevard, Suite 105  
Bellingham, WA 98225

Countersigned By:

*Adeline A. Brown*

Authorized Officer or Agent



**Chicago Title Insurance Company**

By:

*[Signature]*

President

Attest:

*[Signature]*

Secretary

ISSUING OFFICE:		
Title Officer: Eric Cuello Chicago Title Company of Washington 1835 Barkley Boulevard, Suite 105 Bellingham, WA 98225 Phone: 360-752-6528 Fax: 866-465-1972 Main Phone: (360)734-7000 Email: Eric.Cuello@titlegroup.fntg.com		

**SCHEDULE A**

Liability	Premium	Tax
\$1,000.00	\$250.00	\$21.75

Effective Date: June 16, 2016 at 08:00 AM

The assurances referred to on the face page are:

That, according to those public records which, under the recording laws, impart constructive notice of matter relative to the following described property:

That portion of Government Lot 2 of Section 10, Township 40 North, Range 1 West of W.M., lying Westerly of Semiahmoo Parkway and Southerly of Semiahmoo Drive;

Except Semiahmoo Firehall Short Plat, recorded under Auditor's File No. 910605122.

Situate in Whatcom County, Washington

Title to said real property is vested in:

Razorhone, LLC, a Washington limited liability company

subject to the matters shown below under Exceptions, which Exceptions are not necessarily shown in the order of their priority.

**END OF SCHEDULE A**

**SCHEDULE B**

**SCHEDULE B**

(continued)

## SPECIAL EXCEPTIONS

1. 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.
2. Unpatented mining claims; reservations or exceptions in the United States Patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
3. Title to any property beyond the lines of the real property expressly described herein, or title to streets, roads, avenues, lanes, ways or waterways on which such real property abuts, or the right to maintain therein vaults, tunnels, ramps, or any other structure or improvement; or any rights or easements therein unless such property, rights or easements are expressly and specifically set forth in said description.
4. Right of way contract, including the terms and provisions thereof, for the right to select the route for and construct, maintain, inspect, operate, protect, repair, replace, alter or remove a pipeline or pipelines for the transportation of oil, gas, and the products thereof, on, over and through a portion of the property under examination, together with the right of ingress and egress to and from said line or lines, or any of them, for the purpose aforesaid;  
 Granted To: Cascade Natural Gas Corporation  
 Recorded: June 16, 1988  
 Recording No.: 1605271  
 Affects: Portion of Parcel A and other property
5. Annexation of the Semiahmoo Resort Community to the City of Blaine, pursuant to Ordinance No. 1398;  
 Dated: October 7, 1974  
 Recorded: October 12, 1977  
 Recording No.: 1267388  
 Between: Alaska Packers Association and the City of Blaine  
 Affects: Said premises and other property
6. Covenants, conditions, restrictions, assessments and easements, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons, in Declaration of Restrictions;  
 Executed by: Semiahmoo Company, A Washington General Partnership  
 Recorded: October 19, 1984  
 Recording No.: 1492055

Said covenants added to, modified or amended by instruments recorded under Recording Numbers 1514067, 1540989, 1579951, 1579952, 1579953, 1598287, 1623307, 1640527, 891012023, 891019079, 900611085, 900622001, 901206029, 901211073, 910329007, 910516003, 920731204, 921030001, 940302001, 940310080, 940428002, 950117238, 951113014, 951113015, 951116029, 960726199, 970131257, 1970603076, 1991103139, 2040102687, 2031104689, 2091000856, 2110902378, 20160200577, 20160300544.

**Note: This Exception is deleted from this Title Report and Plat Certificate for brevity. A copy will be provided if requested.**

**SCHEDULE B**

(continued)

7. Liability for future dues, charges and assessments by the Semiahmoo Resort Association, Inc., pursuant to Article IX of that certain covenant;  
Recorded: October 19, 1984  
Recording No.: 1492055  
Records of: Whatcom County, Washington  
Executed by: Semiahmoo Company
8. Reservations contained in instrument;  
Recorded: April 16, 1980  
Recording No: 1354771  
From: Calpak Properties, Inc., a California corporation  
Affects: Portion of said premises and other property  
As Follows: Except all oil, gas and other hydrocarbons, geothermal resources as defined in Section 79.76.03 Revised Code of Washington, and all other minerals, whether similar to those herein specified or not, within or that may be produced from the real property hereby conveyed.
9. The search did not disclose any open mortgages or deeds of trust of record, therefore the Company reserves the right to require further evidence to confirm that the property is unencumbered, and further reserves the right to make additional requirements or add additional items or exceptions upon receipt of the requested evidence.

**END OF EXCEPTIONS****NOTES**

The following matters will not be listed as Special Exceptions in Schedule B of the policy. There will be no coverage for loss arising by reason of the matters listed below because these matters are either excepted or excluded from coverage or are not matters covered under the insuring provisions of the policy.

Note A: Note: FOR INFORMATIONAL PURPOSES ONLY:

The following may be used as an abbreviated legal description on the documents to be recorded, per Amended RCW 65.04.045. Said abbreviated legal description is not a substitute for a complete legal description within the body of the document:

Ptn of GL2, Section 10, T 40 N, R 1 W.W.M.

Unit(S): Tax/Map ID(s):  
Tax Account No.: 148399 and 405110 510169 0000

**END OF NOTES****END OF SCHEDULE B**

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14. 40-170  
19. 11, 2  
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CITY: Blaine  
STATE: Washington  
COUNTY: Whatcom  
E. R. NO. 1070-099-33211

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RIGHT OF WAY CONTRACT

For and in consideration of the sum of Ten Dollars (\$10.00) cash, the receipt of which is hereby acknowledged, SEMIAHMOO COMPANY, a general partnership herein-after referred to as Grantor, does hereby grant and convey unto CASCADE NATURAL GAS CORPORATION, its successors and assigns, hereinafter referred to as Grantee, the non-exclusive right to construct, maintain, inspect, operate, protect, repair, replace, alter and remove a pipeline or pipelines and necessary appurtenances thereto for the transportation of oil, gas and the products thereof, on, over and through the following described land, of which Grantors warrant that they are the owners in fee simple, situated in the County of Whatcom, State of Washington, to-wit:

Property Description (Parcel 1):

The East 660 feet of the East half of the Northeast quarter of Section 23, Township 40 North, Range 1 West of S.M., lying North of Semiahmoo Parkway.

Also, the West 660 feet of the East half of the Northeast quarter of Section 23, Township 40 North, Range 1 West of W.M., lying North of Semiahmoo Parkway.

Easement Location:

The North 20 feet of the above described property.

Property Description (Parcel 2):

Tracts 25, 31, and 32, "Butler and Moore's Five Acre Tracts", according to the plat thereof, recorded in volume 2 of Plats, page 45, records of Whatcom County, Washington. Together with vacated streets which would attach by operation of law.

Easement Location:

(X) That portion of the South Half of the Southeast Quarter of Section 14, Township 40 North, Range 1 West of W.M., lying between the Northeasterly Right-of-Way line of Semiahmoo Parkway, as conveyed by deed recorded under Auditor's File #1491713, and a line 5 feet Northeasterly of the following described line:

Commencing at the Southeast corner of said Section 14:

Thence North 86°44'40" West, along the South line of said Section 14, for a distance of 761.70 feet to the Point of Beginning of herein described line:

Thence North 72°35'28" West 218.48 feet;

Thence North 69°28'34" West 541.81 feet to the terminus of herein described line.

Property Description (Parcel 3):

Government Lots 1 and 2 in Section 10, Township 40 North, Range 1 West W.M. AND Government Lots 1, 2 and 3 and the Southwest quarter of the Southwest quarter in Section 11, Township 40 North, Range 1 West of W.M. AND the Southeast quarter, the Southwest quarter of the Northeast quarter, the





**When recorded return to:**  
Razorhone, LLC  
501 Fern Road  
Bellingham, WA 98225

Filed for record at the request of:



**CHICAGO TITLE**  
COMPANY OF WASHINGTON

1835 Barkley Boulevard, Suite 105  
Bellingham, WA 98226

Escrow No.: 245379013

### STATUTORY WARRANTY DEED

THE GRANTOR(S) Walter R. Wright, an unmarried individual

for and in consideration of Ten And No/100 Dollars (\$10.00) and other good and valuable consideration

in hand paid, conveys, and warrants to Razorhone, LLC, a Washington limited liability company

the following described real estate, situated in the County of Whatcom, State of Washington:

That portion of Government Lot 2 of Section 10, Township 40 North, Range 1 West of W.M., lying Westerly of Semiahmoo Parkway and Southerly of Semiahmoo Drive;

Except Semiahmoo Firehall Short Plat, recorded under Auditor's File No. 910605122.

Situate in Whatcom County, Washington

Abbreviated Legal: (Required if full legal not inserted above.)

Tax Parcel Number(s): 148399, 405110 510169 0000,

Subject to:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

**STATUTORY WARRANTY DEED**  
(continued)

Dated: February 4, 2016

Walter R. Wright  
Walter R. Wright

State of WASHINGTON  
County of WHATCOM

I certify that I know or have satisfactory evidence that Walter R. Wright is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in this instrument.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Name: \_\_\_\_\_  
Notary Public in and for the State of \_\_\_\_\_  
Residing at: \_\_\_\_\_  
My appointment expires: \_\_\_\_\_

*See attached*

**EXHIBIT "A"**  
Exceptions

1. Right of way contract, including the terms and provisions thereof, for the right to select the route for and construct, maintain, inspect, operate, protect, repair, replace, alter or remove a pipeline or pipelines for the transportation of oil, gas, and the products thereof, on, over and through a portion of the property under examination, together with the right of ingress and egress to and from said line or lines, or any of them, for the purpose aforesaid;  
Granted To: Cascade Natural Gas Corporation  
Recorded: June 16, 1988  
Recording No.: 1605271  
Affects: Portion of Parcel A and other property
  
2. Annexation of the Semiahmoo Resort Community to the City of Blaine, pursuant to Ordinance No. 1398;  
Dated: October 7, 1974  
Recorded: October 12, 1977  
Recording No.: 1267388  
Between: Alaska Packers Association and the City of Blaine  
Affects: Said premises and other property
  
3. Covenants, conditions, restrictions, assessments and easements, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons, in Declaration of Restrictions;  
Executed by: Semiahmoo Company, A Washington General Partnership  
Recorded: October 19, 1984  
Recording No.: 1492055  
  
Said covenants added to, modified or amended by instruments recorded under Recording Numbers 1514067, 1540989, 1579951, 1579952, 1579953, 1598287, 1623307, 1640527, 891012023, 891019079, 900611085, 900622001, 901206029, 901211073, 910329007, 910516003, 920731204, 921030001, 940302001, 940310080, 940428002, 950117238, 951113014, 951113015, 951116029, 960726199, 970131257, 1970603076, 1991103139, 2040102687, 2031104689, 2091000856, and 2110902378.
  
4. Liability for future dues, charges and assessments by the Semiahmoo Resort Association, Inc., pursuant to Article IX of that certain covenant;  
Recorded: October 19, 1984  
Recording No.: 1492055  
Records of: Whatcom County, Washington  
Executed by: Semiahmoo Company
  
5. Reservations contained in instrument;  
Recorded: April 16, 1980  
Recording No: 1354771

**EXHIBIT "A"**

**Exceptions  
(continued)**

**From:** Calpak Properties, Inc., a California corporation  
**Affects:** Portion of said premises and other property  
**As Follows:** Except all oil, gas and other hydrocarbons, geothermal resources as defined in Section 79.76.03 Revised Code of Washington, and all other minerals, whether similar to those herein specified or not, within or that may be produced from the real property hereby conveyed.

**ACKNOWLEDGMENT**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of MARIN

On 2-5-16 before me, DENA WALLS, Notary Public  
(insert name and title of the officer)

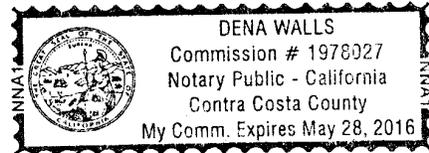
personally appeared Walter R Wright  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Dena Walls

(Seal)



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the Northwest quarter of Section 14, Township 40 North, Range 1 West. Except that portion conveyed to the Whatcom County Park Department under Auditor File No. 1376264.

Easement Locations:

- (B) That portion of the Southwest Quarter of the Southeast Quarter of Section 14, Township 40 North, Range 1 West of W.M. described as follows:

A strip of land 7.50 feet in width adjacent to the Southwesterly Right-of-Way line of Semiahmoo Parkway, as conveyed by deed recorded under Auditor's File #1491713, from Centerline Station 50+60.00 to Centerline Station 51+25.00 (which bears North 59°53'29" West 2486.52 feet from the Southeast corner of said Section 14). The Centerline Station of the True Point of Beginning of said Semiahmoo Parkway conveyance being 33+15.18.

- (C) That portion of the West Half of the Southeast Quarter of Section 14, Township 40 North, Range 1 West of W.M. described as follows:

A strip of land 6.00 feet in width adjacent to the Westerly Right-of-Way line of Semiahmoo Parkway, as conveyed by deed recorded under Auditor's File #1491713, from Centerline Station 53+70.00 to Centerline Station 55+10.00 (which bears North 52°09'12" West 2651.72 feet from the Southeast corner of said Section 14). The Centerline Station of the True Point of Beginning of said Semiahmoo Parkway conveyance being 33+15.18.

- (D) That portion of the Northwest Quarter of the Southeast Quarter of Section 14, Township 40 North, Range 1 West of W.M. described as follows:

A strip of land 7.50 feet in width adjacent to the Westerly Right-of-Way line of Semiahmoo Parkway, as conveyed by deed recorded under Auditor's File #1491713, from Centerline Station 61+60.00 to Centerline Station 62+50.00 (which bears North 41°29'31" West 3144.98 feet from the Southeast corner of said Section 14). The Centerline Station of the True Point of Beginning of said Semiahmoo Parkway conveyance being 33+15.18.

- (E) That portion of the Southwest Quarter of the Northwest Quarter of Section 14, Township 40 North, Range 1 West of W.M. described as follows:

A strip of land 7.00 feet in width adjacent to the Southwesterly Right-of-Way line of Semiahmoo Parkway, as conveyed by deed recorded under Auditor's File #1491713, from Centerline Station 87+50.00 to Centerline Station 88+85.00 (which bears North 51°23'56" West 5495.43 feet from the Southeast corner of said Section 14). The Centerline Station of the True Point of Beginning of said Semiahmoo Parkway conveyance being 33+15.18.

- (F) That portion of the Northwest Quarter of the Northwest Quarter of Section 14, Township 40 North, Range 1 West of W.M. described as follows:

A strip of land 10.00 feet in width adjacent to the Westerly Right-of-Way line of Semiahmoo Parkway, as conveyed by deed recorded under Auditor's File #1491713, from Centerline Station 100+16.24 to Centerline Station 101+30.00 (which bears North 44°56'55" West 6469.10 feet from the Southeast corner of said Section 14). The Centerline Station of the True Point of Beginning of said Semiahmoo Parkway conveyance being 33+15.18.

- (G) A triangular portion of the Southwest Quarter of the Southwest Quarter of Section 11, Township 40 North, Range 1 West of W.M., bounded by the Northeasterly Right-of-Way line of Semiahmoo Parkway, as conveyed by deed recorded under Auditor's File #1491713, the Northerly Right-of-Way line of Bald Eagle Drive (Tract A) in the plat of St. Andrews Green as per the map thereof recorded under Auditor's File #1511298, Records of

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Whatcom County, Washington, and a line 5 feet Northeasterly of the following described line:

Commencing at the Southwest corner of said Section 11;

Thence North 68°10'57" East, 808.05 feet to the Point of Beginning of herein described line;

Thence South 57°27'11" East 39.33 feet to the terminus of herein described line.

- (H) That portion of the Northeast Quarter of the Southeast Quarter of Section 10, Township 40 North, Range 1 West of W.M., lying between the Southwesterly Right-of-Way line of Semiahmoo Parkway, as conveyed by deed recorded under Auditor's File #1491713, and the following described line:

Commencing at the East Quarter corner of said Section 10;

Thence South 02°26'34" West, along the East line of said Section 10, for a distance of 574.01 feet to a point on the centerline of said Semiahmoo Parkway (being centerline station 133+83.11);

Thence North 15°30'00" West 302.89 feet;

Thence South 74°30'00" West 58.00 feet to the point of beginning of herein described line;

Thence North 15°30'00" West 200.56 feet to the beginning of a curve to the right, having a radius of 1158.00 feet;

Thence Northwesterly along said curve to the right to the Southerly Right-of-Way line of the Birch Point Road and the terminus of herein described line.

- (I) That portion of the Southeast Quarter of the Northeast Quarter of Section 10, Township 40 North, Range 1 West of W.M., lying between the Southwesterly Right-of-Way line of Semiahmoo Parkway, as conveyed by deed recorded under Auditor's File #1491713, and the following described line:

Commencing at the East Quarter corner of said Section 10;

Thence South 02°26'34" West, along the East line of said Section 10, for a distance of 574.01 feet to a point on the centerline of said Semiahmoo Parkway (being centerline station 133+83.11);

Thence North 15°30'00" West 502.45 feet to the beginning of a curve to the right having a radius of 1100 feet;

Thence Northwesterly, along said curve to the right, through a central angle of 16°30'00" for an arc distance of 316.78 feet;

Thence North 01°00'00" East 17.66 feet to centerline station 142+20;

Thence North 89°00'00" West 46.00 feet to the Point of Beginning of herein described line;

Thence North 01°00'00" East 216.13 feet to the beginning of a curve to the right, having a radius of 1146.00 feet;

Thence Northeasterly, along said curve to the right, for an arc distance of 5 feet, more or less, to the Southerly Right-of-Way line of Shearwater Road in the Plat of Boundary Ridge, as per the map thereof recorded under Auditor's File #1492041, records of Whatcom County, Washington, and the terminus of herein described line.

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- (J) TOGETHER with an easement 10 feet in width being 5 feet on each side of the following described centerline:

Beginning at a concrete monument marking the West 1/4 Corner of said Section 11, having Lambert Ground coordinates of North 725,693.879 and 1,529,889.741; thence North 15°52'28" West for a distance of 550.96 feet to the TRUE POINT OF BEGINNING, said Point being on the Easterly margin of Semiahmoo Parkway as described in Statutory Warranty Deed recorded under Whatcom County Auditor's File No. 1491713 and being on the arc of a curve having a radius of 1060.00 feet, the center of which bears South 85°02'45" East from said Point; thence North 17°19'31" East for a distance of 211.73 feet; thence North 27°43'15" East for a distance of 160.38 feet; thence North 31°17'06" East for a distance of 51.64 feet; thence North 17°01'07" East for a distance of 39.57 feet; thence North 22°52'56" East for a distance of 102.29 feet; thence North 60°12'18" West for a distance of 33.62 feet; to a point on the aforementioned Easterly line of Semiahmoo Parkway and the terminus of this line description.

- (K) ALSO TOGETHER with an easement 10 feet in width being 5 feet on each side of the following described centerline:

Beginning at a concrete monument marking the West 1/4 Corner of said Section 11, having Lambert Ground coordinates of North 725,693.879 and 1,529,889.741; thence North 02°26'34" East for a distance of 1,414.53 feet to an existing iron pipe on the Northerly line of said tract of land, said iron pipe having Lambert ground coordinates of North 727,107.123 and East 1,529,950.031; thence South 80°16'54" East along said Northerly line for a distance of 158.73 feet to the TRUE POINT OF BEGINNING; Thence South 04°02'04" East for a distance of 32.26 feet; thence South 70°54'13" West for a distance of 57.86 feet to the Easterly margin of Semiahmoo Parkway as described in Statutory Warranty Deed recorded under Whatcom County Auditor's File No. 1491713 and the terminus of this center line description.

Property Description (Parcel 4):

Tract A

A tract of land situated in Government Lots 1 and 2, Section 2, Township 40 North, Range 1 West, W.M, City of Blaine, Whatcom County, Washington, described as follows:

Commencing at "Control Point 1" a concrete monument with brass cap having Lambert ground coordinates of North 731,747.645 and East 1,534,579.231; thence South 37°37'39" East, 226.59 feet to the True Point of Beginning; thence continuing South 37°37'39" East, 55.40 feet; thence South 43°59'19" East, 144.48 feet; thence South 32°32'32" West, 123.07 feet; thence South 45°32'32" West, 105.00 feet; thence North 44°27'28" West, 75.50 feet; thence South 45°32'32" West, 82.50 feet; thence South 44°27'28" East, 75.50 feet; thence South 45°32'32" West, 56.63 feet; thence South 44°27'28" East to the line of ordinary high tide of Drayton Harbor; thence following the line of ordinary high tide of Drayton Harbor Southwesterly 2,100 feet more or less to a point of the Easterly boundary line of the Whatcom County Parks Department property recorded under Auditor's File No. 1376264; thence along said Easterly boundary North 37°54'30" West, 410 feet more or less to the line of ordinary high tide of Semiahmoo Bay; thence Northeasterly along the line of ordinary high tide 900 feet more or less to a point which bears North 41°27'28" West from a point on the spit having Lambert ground coordinates North 730,854.472 and East 1,533,436.949; thence South 41°27'28" East, 320 feet more or less to said point with Lambert ground coordinates North 730,854.472 and East 1,533,436.949; thence North 48°32'32" East, 310.00 feet; thence South 41°27'28" East, 96.55 feet to a point on the arc of a curve having a radius of 420.47 feet, the center of which bears South 52°53'44" East from said point; thence Northeasterly along the arc of said curve to the right through a central angle of 11°26'16" an arc distance of 83.94 feet to a point of tangency; thence North 48°32'32" East, 299.7 feet; thence North 46°53'20" East, 335.82 feet to a point of curvature; thence along the arc of

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a curve to the left having a radius of 15 feet through a central angle of 64°56'33" an arc distance of 17.0 feet to a point of reverse curvature; thence along the arc of a second curve to the right having a radius of 70 feet through a central angle of 129°53'06" an arc distance of 158.68 feet to a point of reverse curvature; thence along the arc of a second curve to the left having a radius of 15 feet through a central angle of 64°56'33" an arc distance of 17.0 feet; thence North 46°53'20" East, 232.82 feet; thence North 45°52'40" East, 215.79 feet; thence South 44°07'20" East, 21.00 feet; thence South 45°52'40" West, 184.74 feet to said "Control Point 1;" thence South 37°37'39" East, 29.19 feet; thence South 45°52'40" West, 28.19 feet; thence South 46°53'20" West, 246.55 feet to a point on the arc of a curve with a radius of 70 feet the center of which bears South 84°25'12" West; thence along the arc of said curve to the right through a central angle of 6°31'42" an arc distance of 7.98 feet; thence South 43°06'40" East, 188.94 feet; thence North 46°53'20" East, 259.69 feet to the True Point of Beginning.

TRACT B

A tract of land situated in Government Lot 1, Section 2, Township 40 North, Range 1 West, W.M., City of Blaine, Whatcom County, Washington, together with tidelands of the second class to the line of extreme low tide, described as follows:

Beginning at the West quarter of Section 11, Township 40 North, Range 1 West, W.M., and having Lambert ground coordinates of North 725,693.879 and East 1,529,889.741; thence North 37°45'46.1" East, 7,657.642 feet to the True Point of Beginning of this tract, having Lambert ground coordinates of North 731,747.649 and East 1,534,579.235, said point being a concrete monument marked "Control Point 1" and bearing South 45°52'40" West, 300.00 feet from a concrete monument marked "Control Point 2"; thence South 37°37'39" East, 281.99 feet; thence South 43°59'19" East, 183.73 feet to a point located approximately on the line of ordinary high tide of Drayton Harbor; thence North 37°17'06" East, 158.15 feet; thence North 39°17'36" East, 194.75 feet to a point located approximately on the line of ordinary high tide of Drayton Harbor; thence continuing North 39°17'16" East, across tidelands 200 feet more or less to a point on the line of extreme low tide of Drayton Harbor; thence continuing Northerly and Westerly along said line of extreme low tide of Drayton Harbor and the line of extreme low tide of Semiahmoo Bay to a point which bears North 44° West from a point on the spit having Lambert ground coordinates of North 731,636.411 and East 1,534,145.473; thence South 44° East across the tidelands to a point on the line of ordinary high tide; thence continuing South 44° East, 325 feet more or less to said point having Lambert ground coordinates of North 731,636.411 and East 1,534,145.473; thence South 46° West, 310.00 feet; thence South 44° East, 190.00 feet; thence North 46°53'20" East, 281.45 feet to a point of curvature; thence along the arc of a curve to the left having a radius of 15 feet through a central angle of 64°56'33" an arc distance of 17.0 feet to a point of reverse curvature; thence along the arc of a second curve to the right having a radius of 70 feet through a central angle of 129°53'06" an arc distance of 158.68 feet to a point of reverse curvature; thence along the arc of a second curve to the left having a radius of 15 feet through a central angle of 64°56'33" an arc distance of 17.00 feet; thence North 46°53'20" East, 232.82 feet; thence North 45°52'40" East, 215.79 feet; thence South 44°07'20" East, 21.00 feet; thence South 45°52'40" West, 184.74 feet to the True Point of Beginning.

TRACT C

A tract of land in Government Lot 1, Section 2, Township 40 North, Range 1 West, W.M., described as follows:

Commencing at "Control Point 1", a concrete monument with brass cap having Lambert ground coordinates of North 731,747.645 and East 1,534,579.231, thence South 37°37'39" East, 29.19 feet to the True Point of Beginning; thence continuing South 37°37'39" East, 197.40 feet; thence South 46°53'20" West, 259.69 feet; thence North 43°06'40" West, 188.94 feet to a point on the arc of a curve having a radius of 70 feet, the center of which bears South

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77°53'30" West from said point; thence Northwesterly along the arc of said curve to the left through a central angle of 6°31'42" an arc distance of 7.98 feet; thence North 46°53'20" East, 246.55 feet; thence North 45°52'40" East, 28.19 feet to the True Point of Beginning.

Easement Location:

- (L) An easement 10 feet in width being 5 feet on each side of the following described centerline:

BEGINNING at Control Point 3, a concrete Monument with brass disc having Lambert ground coordinates of North 731,033.078 and East 1,533,804.066; thence South 51°03'23" West for a distance of 1,308.76 feet to a point on the boundary line between "Tract 1" and the Whatcom County Park as depicted on "Semiahmoo Spit - Boundary Line Adjustments" map recorded under Whatcom County Auditor's File No. 1524229, said point bears North 37°54'30" West 16.80 feet from the intersection of said boundary line with the center line of Semiahmoo Parkway, as depicted on said "Semiahmoo Spit - Boundary Line Adjustments" map, said point being THE TRUE POINT OF BEGINNING;

Thence North 73°52'40" East parallel to and 15.6 feet Northwesterly of said center line of Semiahmoo Parkway for a distance of 149.96 feet to a point of curvature; thence continuing parallel to said center line along the arc of a curve to the left having a radius of 2,152.16 feet through a central angle of 10°00'29" for an arc distance of 375.93 feet to a point of compound curvature; thence continuing parallel to said centerline along the arc of a curve to the left having a radius of 739.15 feet through a central angle of 43°21'15" for an arc distance of 559.29 feet to an angle point; thence North 21°59'31" East for a distance of 124.55 feet; thence South 73°16'29" East for a distance of 27.49 feet; thence North 47°07'39" East for a distance of 816.87 feet; thence North 49°20'49" East for a distance of 73.65 feet; thence North 19°24'45" East for a distance of 41.48 feet; thence North 46°05'35" East for a distance of 466.47 feet; thence North 44°20'56" West for a distance of 255.63 feet; thence South 45°39'04" West for a distance of 18.50 feet; thence North 44°20'56" West for a distance of 4.60 feet to the terminus of this line description.

The exterior boundaries of all easements being either lengthened or shortened accordingly to intersect the exterior boundaries of the preceding courses and the terminal boundary.

Together with the right of ingress and egress to and from said line or lines, or any of them, for the purposes aforesaid and the right during temporary periods Grantee may use such portions of said property along and adjacent to said right of way as may be reasonably necessary in connection with construction of its facilities.

Grantors shall have the right to use and enjoy the above described premises, except as to the rights herein granted; and Grantors agree not to build, create or construct or to permit to be built, created or constructed any obstruction, building, engineering works, or other structures over or that would interfere with said pipeline or lines or Grantee's rights hereunder. Grantee hereby agrees to pay any damages which may arise to fences, buildings, sidewalks, parking lots or landscaping of said Grantors from the exercise of the rights herein granted.

The Grantee shall have the right to assign this grant in whole or in part including, without limitation, the right of assignment under any presently out-

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standing or future mortgage or mortgages given to secure any bonds or other bona fide indebtedness of the Grantee.

It is agreed that this grant covers all the agreements between the parties hereto and that no representations or statements, verbal or written, have been made, modifying or adding to or changing the terms of this agreement.

The terms, conditions and provisions of this contract shall extend to and be binding upon the heirs, executors, administrators, personal representatives, successors and assigns of the parties hereto.

TO HAVE AND TO HOLD said right-of-way and easement unto said Grantee, its successors and assigns until such first pipeline be constructed and so long thereafter as a pipeline is maintained thereon.

IN WITNESS whereof the Grantors herein have executed this conveyance this 26<sup>th</sup> day of May, 1988.

SEMIAMMO COMPANY,  
a general partnership

By CRECO, INC.,  
Its Managing Partner

Robert L. Shinn  
Robert L. Shinn, President

NOTARIAL PUBLIC  
S. FORSLÖF, JUDITOR  
WHATCOM COUNTY DEPUTY  
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STATE OF WASHINGTON )  
                                  ) ss.  
COUNTY OF WHATCOM )

THIS IS TO CERTIFY that on this 26<sup>th</sup> day of May, 1988, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared ROBERT L. SHINN, to me known to be the President of CRECO, INC., the corporation that executed the within and foregoing instrument as the managing partner of SEMIAMMO COMPANY, a general partnership, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, 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.

Sharon M. S. Bryant  
Notary Public in and for the  
State of Washington, residing at  
Blaine



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ORDINANCE NO. 1398

23490

000

AN ORDINANCE OF THE CITY OF BLAINE  
PROVIDING FOR THE ANNEXATION OF  
PROPERTY TO THE CITY OF BLAINE

WHEREAS, pursuant to RCW 35.13.125 and 35.13.130, et seq., a petition for annexation of real property to the City of Blaine was filed with the City Council by Alaska Packers Association, Inc.; and

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WHEREAS, said petition complied with the requirements of RCW 35.13.130; and

WHEREAS, the said City Council did entertain the said petition, fixed dates for public hearings thereon, and caused notices of the public hearings to be published; and

WHEREAS, public hearings thereon were had on July 15, 1974 and August 19, 1974; and

WHEREAS, a review board was convened in accordance with RCW 35.13.171, et seq., and did determine that the said real property is of such a character that such annexation would be in the public interest and welfare and in the best interests of the City of Blaine, the County of Whatcom and other subdivisions affected; and

WHEREAS, following said hearings the said City Council indicated their approval of said annexation,

Now, therefore, be it ordained by the Mayor and City Council of the City of Blaine as follows:

Section 1. The real property described on Exhibit "A" attached hereto and incorporated herein by reference, being all of the property described in said petition, is hereby annexed to the City of Blaine, County of Whatcom, State of Washington.

Section 2. Said annexed real property shall become a part of the City of Blaine and shall be subject to any part of the comprehensive plan of said city hereafter to be adopted with reference to said property, and shall be therein designated as

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R-1 single-family residential for land use purposes, until otherwise classified.

The City Council hereby recognizes that a portion of the annexed property is now being devoted to marine uses, the said portion being described on Exhibit "B" attached hereto and incorporated herein by reference. The City Council hereby states its intention hereafter to reclassify said portion of the annexed property to Zone M - Marine Land Use Zone.

Section 3. All property within the territory annexed shall be assessed and taxed at the same rate and on the same basis as the property of the City of Blaine is assessed and taxed to pay for any now outstanding indebtedness of the city.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. If any section, subsection, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 6. This ordinance shall take effect and be enforced from and after its passage by the City Council and approval by the Mayor if approved otherwise as provided by law and five days after the date of publication.

Section 7. Passed by the City Council of the City of Blaine, Washington, on the 7<sup>th</sup> day of October, 1974, and approved by the Mayor on the same day.

H.A. Bladiv.  
MAYOR

ATTEST:

Laura Amundson  
City Clerk

Approved As To Form:

James A. Dell  
City Attorney

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PARCEL I: Government Lots 1, 2, 3, and 4, Section 11, Township 40 North, Range 1 West of W.M., EXCEPTING that portion of Government Lot 3 included in the "Plat of Eldridge and McCarty's First Addition to Drayton, Wash.," Whatcom County, Washington, as per the map thereof, recorded in Book 3 of Plats, page 2, in the Auditor's office of said county and state, ALSO 2nd class tidelands abutting said property and 2nd class tidelands lying between the line of mean low tide and the line of extreme low tide in front of said lands.

PARCEL I: The following tracts of Tidelands of the Second Class being situated in Whatcom County, Washington, and hereinafter designated as Tracts 1 and 2 respectively, to-wit:

TRACT 1: Beginning at the Meander corner of Sections 11 and 14 in Township 40 North, Range 1 West of W.M., thence North 28° 10' East, 30.12 chains; thence North 82° 39' East, 12 chains; thence South 22° 50' East 47.07 chains; thence North 63° West 21.49 Chains; thence West 15.36 chains; thence North 1.50 chains; thence North 75° 45' West, 3.35 chains; thence North 62.30' West, 4 chains; thence North 54° 45' West, 1.31 chains; thence North 62° West, 1.24 chains; thence West .93 chains to the point of beginning.

TRACT 2: Beginning at the meander corner to Sections 11 and 14, Township 40 North, Range 1 West of W.M., thence North 0.34 chains; thence North 48-1/2° West, 1.25 chains; thence North 56° West 1.70 chains; thence North 57° 45' West, 4.45 chains; thence North 68° 45' West, 0.81 chains; thence North 71° West 1.45 chains; thence North 67° West, 2.29 chains; thence North 61° West, 1.12 chains; thence North 70° West, 2.71 chains; thence North 72° 30' West, 3.78 chains; thence North 58° 30' West, 3.38 chains; thence North 52° 30' West, 2.26 chains; thence North 52° West, 3.92 chains; thence North 57° West, 5.00 chains; thence North 61° West, 1.85 chains; thence North 52° West, 2.41 chains; thence North 57° 30' West, 2.12 chains; thence North 40° East, 14.62 chains; thence North 85° 04' East, 26.06 chains; thence South 7° 21' East, 9.09 chains; thence North 82° 39' East 12.54 chains; thence South 28° 10' West, 30.12 chains to place of beginning.

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Page 8 B

AN.

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PARCEL A: All of the plat of "Bay View Addition to Drayton, Whatcom Co., Washington," as per the map thereof, recorded in Book 2 of Plats, page 79, in the Auditor's office of said county and state.

PARCEL B: Lot 1 and Lots 4 to 35, inclusive, "Butler and Moore's Five Acre Tracts," Whatcom County, Washington, as per the map thereof, recorded in Book 2 of Plats, page 45, in the Auditor's office of said county and state.

PARCEL C: All of Blocks 1 and 2, "Baker and Loring's First Addition to Drayton," Whatcom County, Washington, as per the map thereof, recorded in Book 2 of Plats, page 84, in the Auditor's office of said county and state.

PARCEL D: All of the "Plat of Eldridge and McCarty's First Addition to Drayton, Wash.," Whatcom County, Washington, as per the map thereof, recorded in Book 3 of Plats, page 2, in the Auditor's office of said county and state.

PARCEL E: All of the plat of "Amended Plat of Drayton, Washington, 1890," Whatcom County, Washington, as per the map thereof, recorded in Book 2 of Plats, page 93, in the Auditor's office of said county and state.

40w) PARCEL F: The East half of the Northwest quarter of Section 14, Township 40 North, Range 1 West of W.M.

40w) PARCEL G: All of Government Lots 1, 2 and 3, Section 2, Township 40 North, Range 1 West of W.M., including the vacated plats of Semiahmoo City and R. S. Clarks Addition, ALSO 2nd class tidelands abutting and 2nd class tidelands lying between mean low tide and extreme low tide in front of said lots, and extending northeasterly to the Blaine City Limits.

40w) PARCEL H: All of Government Lots 1 and 2, Section 10, Township 40 North, Range 1 West of W.M., ALSO, 2nd class tidelands abutting thereon, and ALSO 2nd class tidelands between the line of mean low tide and extreme low tide in front of the Northerly 20.70 chains of the meander line of said Government Lot 1.

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Marine Zone

That portion of Semiahmoo spit located in Section 2, T. 40 N., R. 1 W., W.M. lying northeasterly of a line where said spit is 450 feet in width, measured from the line of mean high water, said line being approximately at the northeasterly edge of Blocks 31 and 38 of the vacated plat of Semiahmoo City, Whatcom County, Washington.

Also, those tidelands lying northeasterly and southeasterly of the northerly 1700 feet of the above described parcel, said 1700 feet measured in a south-westerly direction from the northeasterly point of mean high water on said spit, at right angles to above described line where said spit is 450 feet in width.

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STATUTORY WARRANTY DEED

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Grantor, CALPAK PROPERTIES, INC., a California corporation, for and in consideration of Ten Dollars and other valuable consideration, in hand paid, conveys and warrants to THE TRILLIUM CORPORATION and DAVID R. SYRE and KAY E. SYRE, his wife, as nominees, Grantees, the following described real estate, situated in the County of Whatcom, State of Washington:

PARCEL A

Government Lots 1, 2, and 3, in Section 2, Township 40 North, Range 1 West of W.M., including the vacated plats of Semiahmoo City and R. S. Clark's addition, ALSO 2nd class tidelands abutting extended to the line of extreme low tide, EXCEPTING from said tidelands, lighthouse reserve as recorded in Volume 65 of deeds, page 384 and described in Decree recorded April 15, 1904 under Whatcom County Auditor's File No. 79338 as follows:

BEGINNING at a point at extreme low water mark on Semiahmoo Bay, Washington, said point being 4493 feet more or less North and 1506 feet more or less East of the meander corner to fractional sections 2 and 11 in Township 40 North of Range 1 East of W.M., said corner being located on the West side of Semiahmoo Spit; thence South 485 feet to a point; thence West 1315 feet more or less to extreme low water mark; thence Northerly and Easterly along said extreme low water mark to the point of beginning, situated in Whatcom County, Washington.

ALSO EXCEPT THEREFROM the following described tract:

A tract of land situated in Government Lot 1, Section 2, Township 40 North, Range 1 West, W.M., City of Blaine, Whatcom County, Washington, together with Tidelands of the Second Class to the Line of Extreme Low Tide, described as follows:

BEGINNING at the West quarter corner of Section 11, Township 40 North, Range 1 West of W.M., and having Lambert Ground Coordinates of North 725, 693.879 and East 1,529,889.741; thence North 37°45'46.1" East, 7657.642 feet to the TRUE POINT OF BEGINNING of this tract, having Lambert Ground Coordinates of North 731,747.649 and East 1,534,579.235, said point being a concrete monument marked "Control Point 1" and bearing South 45°52'40" West, 300.00 feet from a concrete monument marked "Control Point 2"; thence South

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STATUTORY WARRANTY DEED

07495

Grantor, CALPAK PROPERTIES, INC., a California corporation, for and in consideration of Ten Dollars and other valuable consideration, in hand paid, conveys and warrants to THE TRILLIUM CORPORATION and DAVID R. SYRE and KAY E. SYRE, his wife, as nominees, Grantees, the following described real estate, situated in the County of Whatcom, State of Washington:

PARCEL A

Government Lots 1, 2, and 3, in Section 2, Township 40 North, Range 1 West of W.M., including the vacated plats of Semiahmoo City and R. S. Clark's addition, ALSO 2nd class tidelands abutting extended to the line of extreme low tide, EXCEPTING from said tidelands, lighthouse reserve as recorded in Volume 65 of deeds, page 384 and described in Decree recorded April 15, 1904 under Whatcom County Auditor's File No. 79338 as follows:

BEGINNING at a point at extreme low water mark on Semiahmoo Bay, Washington, said point being 4493 feet more or less North and 1506 feet more or less East of the meander corner to fractional sections 2 and 11 in Township 40 North of Range 1 East of W.M., said corner being located on the West side of Semiahmoo Spit; thence South 485 feet to a point; thence West 1315 feet more or less to extreme low water mark; thence Northerly and Easterly along said extreme low water mark to the point of beginning, situated in Whatcom County, Washington.

ALSO EXCEPT THEREFROM the following described tract:

A tract of land situated in Government Lot 1, Section 2, Township 40 North, Range 1 West, W.M., City of Blaine, Whatcom County, Washington, together with Tidelands of the Second Class to the Line of Extreme Low Tide, described as follows:

BEGINNING at the West quarter corner of Section 11, Township 40 North, Range 1 West of W.M., and having Lambert Ground Coordinates of North 725, 693.879 and East 1,529,889.741; thence North 37°45'46.1" East, 7657.642 feet to the TRUE POINT OF BEGINNING of this tract, having Lambert Ground Coordinates of North 731,747.649 and East 1,534,579.235, said point being a concrete monument marked "Control Point 1" and bearing South 45°52'40" West, 300.00 feet from a concrete monument marked "Control Point 2"; thence South

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37°37'39" East, 281.99 feet; thence South 43°59'19" East, 183.73 feet to a point located approximately on the Line of Ordinary High Tide of Drayton Harbor; thence North 37°17'06" East, 158.15 feet; thence North 39°17'36" East, 194.75 feet to a point located approximately on the Line of Ordinary High Tide of Drayton Harbor; thence continuing North 39°17'36" East, across tidelands 200 feet more or less to a point on the Line of Extreme Low Tide of Drayton Harbor; thence continuing Northerly and Westerly along said Line of Extreme Low Tide to a point which bears North 45°52'40" East from the TRUE POINT OF BEGINNING; thence leaving said Line of Extreme Low Tide, South 45°52'40" West, across tidelands 200 feet more or less to a point located on the Line of Ordinary High Tide of Drayton Harbor; thence South 45°52'40" West, 381 feet more or less to the TRUE POINT OF BEGINNING.

PARCEL B

All of Government Lots 1 and 2, Section 10, Township 40 North, Range 1 West of W.M., ALSO, 2nd class tidelands abutting extended to the line of extreme low tide EXCEPT portion conveyed to Whatcom County for road purposes by Quit Claim Deed recorded under Auditor's File No. 408570 and EXCEPT "Blaine Sewage Treatment Plant Site Short Plat", as recorded June 21, 1978, in Book 3 of Short Plats, page 45, records of Whatcom County, Washington, under Auditor's File No. 1292594, situate in Whatcom County, Washington.

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PARCEL C

All of the "Plat of Eldridge and McCarty's First Addition to Drayton, Washington," Whatcom County, Washington, as per the map thereof, recorded in Book 3 of Plats, page 2, in the Auditor's office of said county and state. TOGETHER WITH the vacated streets within said plat. EXCEPTING Block 40.

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PARCEL D

All of the Plat of "Amended Plat of Drayton," Whatcom County, Washington, as per the map thereof, recorded in Book 2 of Plats, page 93, in the Auditor's office of said county and state, TOGETHER WITH the vacated streets within said plat.

D

PARCEL E

The East half of the Northwest quarter of Section 14, Township 40 North, Range 1 West, of W.M., situate in Whatcom County, Washington.

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PARCEL F

Government Lots 1, 2, 3, and 4, Section 11, Township 40 North, Range 1 West of W.M., EXCEPTING that portion of Government Lot 3 included in the "Plat of Eldridge &

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McCarty's First Addition to Drayton, Wash.," Whatcom County, Washington, as per the map thereof, recorded in Book 3 of Plats, page 2, in the Auditor's office of said county and state, ALSO 2nd class tidelands abutting Government Lots 1, 2, 3 and 4 of said Section 11 extended to the line of extreme low tide. EXCEPT County Road No. 37 (Drayton Harbor Road).

PARCEL G

The following tracts of tidelands of the second class suitable for the cultivation of oysters and being situate in Whatcom County, Washington, and hereinafter designated as Tracts 1 and 2 respectively, to-wit:

TRACT 1

BEGINNING at the meander corner of Sections 11 and 14 in Township 40 North of Range 1 West of W.M., thence North 28°10' East 30.12 chains; thence North 82°39' East 12 chains; thence South 22°50' East 47.07 chains; thence North 63° West 21.49 chains; thence West 15.36 chains; thence North 1.50 chains; thence North 75°45' West 3.35 chains; thence North 62.30' West 4 chains; thence North 54°45' West 1.31 chains; thence North 62° West 1.24 chains; thence West .93 chains to the point of beginning.

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TRACT 2

BEGINNING at the meander corner to Sections 11 and 14, Township 40 North, Range 1 West of W.M., thence North 0.34 chains; thence North 48 1/2° West 1.25 chains; thence North 56° West 1.70 chains; thence North 57°45' West 4.45 chains; thence North 68°45' West 0.81 chains; thence North 71° West 1.45 chains; thence North 67° West 2.29 chains; thence North 61° West 1.12 chains; thence North 70° West 2.71 chains; thence North 72°30' West 3.78 chains; thence North 58°30' West 3.38 chains; thence North 52°30' West 2.26 chains; thence North 52° West 3.92 chains; thence North 57° West 5.00 chains; thence North 61° West 1.85 chains; thence North 52° West 2.41 chains; thence North 57°30' West 2.12 chains; thence North 40° East 14.62 chains; thence North 85°04' East 26.06 chains; thence South 7°21' East 9.09 chains; thence North 82°39' East 12.54 chains; thence South 28°10' West 30.12 chains to the place of beginning.

PARCEL H

Lot 1 and Lots 4 to 35, inclusive, "Butler and Moore's Five Acre Tracts," Whatcom County, Washington, as per the map thereof, recorded in Book 2 of Plats, page 45, in the Auditor's office of said county and state. TOGETHER WITH the vacated streets within said plat.

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PARCEL I

All of "Baker and Loring's First Addition to Drayton," according to the plat thereof, recorded in Volume 2 of Plats, page 84, records of Whatcom County, Washington, EXCEPTING THEREFROM, Lots 1 and 2, and Lots 7 and 8, in Block 1 of said Baker and Loring's First Addition to Drayton; TOGETHER WITH that portion of vacated streets and alleys as vacated under Decree entered in Whatcom County Civil Cause No. 39862. B

PARCEL J

All of the Plat of "Bayview Addition to Drayton, Whatcom County, Washington," according to the plat thereof, recorded in Volume 2 of Plats, page 79, records of Whatcom County, Washington. TOGETHER WITH vacated streets and alleys as vacated under Final Decree entered in Whatcom County Civil Cause No. 39862. B

PARCEL L

Lots 1, 2, 7 and 8, Block 1, "Baker and Loring's First Addition to Drayton," Whatcom County, Washington, as per the map thereof, recorded in Book 2 of Plats, page 84, in the Auditor's office of said county and state. B

Excepting and excluding from said real property the following described exclusions:

1. Mineral Rights, etc.

All oil, gas and other hydrocarbons, geothermal resources as defined in Section 79.76.030, Revised Code of Washington, and all other minerals, whether similar to those herein specified or not, within or that may be produced from the real property hereby conveyed; provided this reservation shall not be construed to mean that Grantor reserves any interest in the sand and gravel deposits on or about said real property and provided further that Grantor shall give Grantee 90 days prior written notice of any action which may in any way interfere with Grantee's use of said real property. Grantor shall have no right reserved to interfere with existing improvements or improvements which may be constructed in the future on the property.

2. APA Boat Facility Easement

Grantor excepts and reserves for the benefit of the APA Boat Facility property (as hereafter described) a perpetual non-exclusive easement for ingress, egress and utilities to said APA Boat Facility property over and upon a 30 foot strip, the center line of which is described as follows:

Beginning at a concrete monument marked "Control Point 1" having Lambert Ground Coordinates of North 731,747.649 and East 1,534,579.235, which bears North 37°45'46.1" East 7657.642 feet from

*GRANTOR*  
*AM*  
*AM*

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the West quarter corner of Section 11, Township 40 North, Range 1 West, W.M., having Lambert Ground Coordinates of North 725,693.879 and East 1,529,889.741;

thence South 45°52'40" East, 31.24 feet;  
thence South 46°53'20" West, 723.13 feet;  
thence South 48°32'32" West, 747.43 feet;  
thence South 57°15'17" West, 675.00 feet;  
thence South 62°27'04" West, 363.89 feet;  
thence South 47°28'48" West, 600.00 feet;  
thence South 52°19'16" West, 1084.36 feet;  
thence South 37°34'31" West, 501.58 feet;  
thence South 43°20'10" West, 271.03 feet;  
thence South 47°16'23" West, 415.48 feet;  
thence South 33°48'18" West, 272.42 feet;  
thence South 19°21'16" West, 382.32 feet;  
thence South 14°53'49" West, 217.78 feet;  
thence South 10°10'54" West, 208.98 feet;  
thence South 7°33'56" East, 270.07 feet;  
thence South 24°15'47" East, 380.46 feet;  
thence South 29°27'47" East, 475 feet more or less to the center line of Drayton Harbor Road and the terminus of said line. EXCEPT THEREFROM Drayton Harbor Road;

provided that Grantee may at any time relocate said road and appurtenant easement at Grantee's sole expense as may be reasonably necessary due to location of improvements or Grantee's proposed usage of the property. The APA Boat Facility property is described as:

A tract of land situated in Government Lot 1, Section 2, T. 40 N., R. 1 West, W.M., City of Blaine, Whatcom County, Washington, together with Tidelands of the Second Class to the Line of Extreme Low Tide, described as follows:

Beginning at the West 1/4 corner of Section 11, T. 40 N., R. 1 W., W.M., and having Lambert Ground Coordinates of N. 725, 693.879 and E. 1,529,889.741; thence N. 37°45'46.1" E., 7657.642 feet to the TRUE POINT OF BEGINNING of this tract, having Lambert Ground Coordinates of N. 731,747.649 and E. 1,534,579.235, said point being a concrete monument marked "Control Point 1" and bearing S. 45°52'40" W., 300.00 feet from a concrete monument marked "Control Point 2"; thence S. 37°37'39" E., 281.99 feet; thence S. 43°59'19" E., 183.73 feet to a point located approximately on the Line of Ordinary High Tide of Drayton Harbor; thence N. 37°17'06" E., 158.15 feet; thence N. 39°17'36" E., 194.75 feet to a point located approximately on the Line of Ordinary High Tide of Drayton Harbor; thence continuing N. 39°17'36" E., across tidelands 200 feet more or less to a point on the Line of Extreme Low Tide of Drayton Harbor; thence continuing Northerly and Westerly along said Line of Extreme Low Tide to a point which bears N. 45°52'40" E. from the TRUE POINT OF BEGINNING; thence leaving said Line of Extreme Low Tide, S. 45°52'40" W., across tidelands 200 feet more or

*See  
P. 2  
JRM*

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less to a point located on the Line of Ordinary High Tide of Drayton Harbor; thence S. 45°52'40" W., 381 feet more or less to the TRUE POINT OF BEGINNING.

3. APA Equipment, etc.

Certain equipment and improvements as Grantor and Grantee have separately agreed.

The conveyance herein made is subject to all of the following matters (hereinafter called "Qualifications"):

1. Federal, state and local laws, ordinances, and regulations pertaining to environmental matters and land and water use regulations including without limitation zoning laws, the Washington State Environmental Protection Act, Washington Shoreline Management Act, Federal Rivers and Harbors Act of March 3, 1899, and Federal Water Pollution Control Act.

2. Defects which would be disclosed by an inspection or by a survey of the land hereby conveyed.

3. Rights and easements of the United States of America over and across lands lying beneath navigable water, including tidelands, necessary to its jurisdiction over commerce, navigation and fisheries.

4. Exceptions and reservations of minerals, etc., as contained in two deeds from the State of Washington, to Alaska Packers Association, a corporation, <sup>ALL of the 1911</sup> both dated June 6, 1911, <sup>AND JANUARY 27, 1912, BY THE STATE</sup> recorded October 4, 1912 and December 12, 1912, under Whatcom County Auditor's File Nos. 161293, ~~and~~ 162793A respectively, provided that no right shall be exercised under this reservation by the State, its successors or assigns until provision has been made by the State, its successors or assigns, to pay 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.

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5. Exceptions and reservations of minerals, etc., as contained in three deeds from the State of Washington, two of which are to Alaska Packers Association, a corporation, and the third to John J. Pinckney, dated February 3, 1916, February 25, 1918, and July 30, 1917, recorded February 29, 1916, March 11, 1918, and August 2, 1917, under Whatcom County Auditor's File Nos. 190309, 207440, and 202407, respectively provided that no right shall be exercised under this reservation by the State, its successors or assigns until provision has been made by the State, its successors or assigns, to pay 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.

6. Exceptions and reservations of minerals, etc., as contained in four deeds from the State of Washington, two of which are to Alaska Packers Association, a corporation, one to Drayton Harbor Land & Improvement Co., a corporation, and one to W. A. Hawkins, dated June 6, 1911, February 25, 1918, June 6, 1911, and ~~January 22, 1916~~ <sup>JANUARY 22, 1916</sup> ~~November 9, 1914~~, recorded October 19, 1911, March 11, 1918, ~~January 11, 1912~~, and ~~November 27, 1914~~ <sup>JANUARY 29, 1916</sup>, under Whatcom County Auditor's File Nos. 152611, 207440, 154415, and ~~180037~~ <sup>189726</sup>, provided that no right shall be exercised under this reservation by the State, its successors or assigns until provision has been made by the State, its successors or assigns, to pay the owner of the land upon which the rights herein reserved to the State, its successors and assigns, or sought to be exercised, full payment for all damages sustained by said owner by reason of entering upon said land.

7. Title to Parcel G of the land hereby conveyed is a qualified fee under the provisions of an Act of the Legislature commonly known as the Bush Act and is subject to conditions,

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reservations and exceptions as set forth in deeds from the State of Washington and as set forth in said Bush Act.

8. Easement affecting a portion of said premises and for the purposes hereinafter stated, as granted by instrument recorded on September 12, 1974, in the office of the recording officer of Whatcom County, Washington, under recording number 1171208,

In favor of: WHATCOM COUNTY WATER DISTRICT NO. 8, a municipal corporation of Whatcom County, Washington

For: A perpetual right-of-way or easement, including the terms and conditions thereof, for water mains with the necessary appurtenances through, over and across a portion of the property

Affects: The South 15 feet of the West 30 feet of Lot 35 of Butler and Moore's 5 Acre Tracts situated in Whatcom County, Washington

9. Easement affecting a portion of said premises and for the purposes hereinafter stated, as granted by instrument recorded on September 12, 1979, in the office of the recording officer of Whatcom County, Washington, under recording number 1335645,

In favor of: CITY OF BLAINE, a municipal corporation

For: Underground utilities, upon, under and around a portion of said premises

Said Easement was ALSO RECORDED May 2, 1979 under Whatcom County Auditor's File No. 1322312.

Said Easement is a MODIFICATION of Easement recorded September 8, 1978, under Auditor's File No. 1300878.

10. Easement affecting a portion of said premises and for the purposes hereinafter stated, as granted by instrument recorded on May 3, 1979, in the office of the recording officer of Whatcom County, Washington, under recording number 1322484,

In favor of: CONTINENTAL TELEPHONE CO. OF THE NORTHWEST

For: Underground telephone, telegraph and communication structures

11. Right in the general public to the unrestricted use of all the waters of a navigable body of water not only for the primary purpose of navigation, but also for corollary purposes;

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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.

12. Oil and Gas Lease affecting the premises hereinafter stated upon and subject to all the provisions therein contained.

Lessor:	STATE OF WASHINGTON
Lessee:	JAMES H. RALEY
Dated:	July 24, 1957
Recorded:	June 2, 1958
Recording No.:	856500
For a term of:	20 years
Affects:	Tidelands abutting Lot 2, Section 11, Township 40 North, Range 1 West of W.M.

ASSIGNED to Beverly S. Raley, by instrument dated February 20, 1958, recorded July 21, 1958, under Whatcom County Auditor's File No. 859104.

13. Right of City of Blaine for ingress and egress to and from the following described property:

Blaine Sewage Treatment Plant Site Short Plat, as recorded June 21, 1978, in Book 3 of Short Plats, page 45, records of Whatcom County, Washington, under Auditor's File No. 1292594, being a portion of Government Lot 1, Section 10, Township 40 North, Range 1 West of W.M.

14. Right of user of vacated streets in the plat of "Eldridge and McCarty's First Addition to Drayton," as per the map thereof, recorded in Volume 3 of Plats, page 2, records of Whatcom County, Washington. As vacated in Final Decree entered in Whatcom County Civil Cause No. 39862, for access in favor of ownership of Block 40 of said subdivision.

15. Right of user of vacated streets and alleys of "Baker and Loring's First Addition to Drayton," according to the plat thereof, recorded in Volume 2 of Plats, page 84, records of Whatcom County Civil Cause No. 39862; for access in favor of ownership to Lots 1, 2, 7 and 8, Block 1.

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16. Oil and gas lease dated November 1, 1962 by the State of Washington, Lessor to Far West Oil and Exploration Company, Lessee for a term of 5 years to 20 years with the right to renew said lease after 20 years. Recorded January 11, 1963, under Whatcom County Auditor's File No. 942257.

17. Reservations contained in deed from State of Washington, recorded May 3, 1900, under Auditor's File No. 52873 as follows:

Municipal corporation shall have the right to extend their streets over intervening tidelands to and across the area reserved as therein provided.

18. Any question of the location of lateral boundaries of the second class tidelands described herein which may be asserted by the owners of the adjoining second class tidelands.

19. All matters appearing of record in the office of the Auditor of Whatcom County, Washington and in all other public records.

This deed hereby references the following two permits and the terms and conditions thereof:

- a. Department of the Army Permit dated 6 March, 1978 issued to Calpak Properties, Inc., No. 071-OYB-003717, a copy of which is recorded contemporaneously herewith and to which reference is hereby made.
- b. Department of the Army Permit dated December 22, 1977 issued to Alaska Packers Association, Inc., No. 071-OYB-1-004310, a copy of which is recorded contemporaneously herewith and to which reference is hereby made.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed by its proper officers and its corporate seal to be hereunto affixed this 15 day of APRIL, 1980.

CALPAK PROPERTIES, INC.

BY John R. Malone  
President

BY Robert K. Spicker  
Vice President

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STATE OF WASHINGTON )  
COUNTY OF WHATCOM ) ss.

On this 15 day of APRIL, 1980, before me the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared JOHN R. MALONE and ROBERT K. SPICKER, to me known to be the President and VICE PRESIDENT, respectively of CALPAK PROPERTIES, INC., the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute the said instrument and that the seal affixed is the corporate seal of said corporation.

WITNESS MY HAND AND OFFICIAL SEAL hereto affixed the day and year first above written.

*Gary F. Linder*  
Notary Public in and for the State of Washington, residing at *Medina*

RECORDED  
SAFECO TITLE INS. CO.  
8:30 A. M.

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REQUEST OF JOAN GOEN, ADDRESSEE  
WHATCOM COUNTY, WASH.  
DEPUTY



005592  
STATE OF Washington  
DEPT. OF APR 16 '80 REVENUE  
Conveyance Tax  
938.00  
PB. 11259

005593  
STATE OF Washington  
DEPT. OF APR 16 '80 REVENUE  
Conveyance Tax  
938.00  
PB. 11259

005594  
STATE OF Washington  
DEPT. OF APR 16 '80 REVENUE  
Conveyance Tax  
938.00  
PB. 11259

005596  
STATE OF Washington  
DEPT. OF APR 16 '80 REVENUE  
Conveyance Tax  
938.00  
PB. 11259

005595  
STATE OF Washington  
DEPT. OF APR 16 '80 REVENUE  
Conveyance Tax  
938.00  
PB. 11259

005597  
STATE OF Washington  
DEPT. OF APR 16 '80 REVENUE  
Conveyance Tax  
938.00  
PB. 11259

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