



POLICY OF TITLE INSURANCE

ISSUED BY

Pioneer National Title Insurance Company

a California corporation, herein called the Company, for a valuable consideration, and subject to the conditions and stipulations of this policy, does hereby insure the person or persons named in item 1 of Schedule A, together with the persons and corporations included in the definition of "the insured" as set forth in the conditions and stipulations, against loss or damage sustained by reason of:

- 1. Title to the estate, lien or interest defined in items 3 and 4 of Schedule A being vested, at the date hereof, otherwise than as stated in items 2 of Schedule A; or
- 2. Any defect in, or lien or encumbrance on, said title existing at the date hereof, not shown in Schedule B; or
- 3. Any defect in the execution of any instrument shown in item 3 of Schedule A, or priority, at the date hereof, over any such instrument, of any lien or encumbrance not shown in Schedule B;

provided, however, the Company shall not be liable for any loss, damage or expense resulting from the refusal of any person to enter into, or perform, any contract respecting the estate, lien or interest insured.

The total liability is limited to the amount shown in Schedule A, exclusive of costs incurred by the Company as an incident to defense or settlement of claims hereunder. This policy shall not be valid or binding until countersigned below by a validating officer of the Company.

In Witness Whereof, Pioneer National Title Insurance Company has caused its corporate name and seal to be hereunto affixed by its duly authorized officers as of the date shown in Schedule A, the effective date of this policy.

COPY

Pioneer National Title Insurance Company

by *George B. Garber*
PRESIDENT

Countersigned:

Attest: *Ray E. Sweat*
SECRETARY

By *William P. McQuinn*
Validating Signatory

SCHEDULE A

Policy No. F-162248 Amount \$ 1,375,000.00
Date DECEMBER 11, 1972 AT 2:07 P.M. Premium \$ 2,746.50

1. Insured

SNOHOMISH COUNTY, WASHINGTON.

2. Title to the estate, lien or interest insured by this policy is vested in

THE NAMED INSURED.

3. Estate, lien or interest insured

FEE SIMPLE ESTATE.

4. Description of the Real Estate with respect to which this policy is issued

AS PER ATTACHED SHEET.

No. F-162248

DESCRIPTION.

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON, BEING PORTIONS OF SECTIONS 29, 30, 31, AND 32, TOWNSHIP 31 NORTH, RANGE 4 EAST, W.M., AND PORTIONS OF SECTIONS 25 AND 36, TOWNSHIP 31 NORTH, RANGE 3 EAST, W.M., AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL A:

COMMENCING AT A CONCRETE MONUMENT MARKING THE NORTHWEST CORNER OF SAID SECTION 30; THENCE FROM SAID POINT OF COMMENCEMENT, ALONG THE NORTHERLY LINE OF SAID SECTION 30, SOUTH 89°30'09" EAST, 1844.85 FEET AND AT RIGHT ANGLES SOUTH 0°29'51" WEST 50.00 FEET TO THE TRUE POINT OF BEGINNING OF THE PARCEL TO BE DESCRIBED HEREIN; THENCE FROM SAID TRUE POINT OF BEGINNING ALONG A LINE WHICH IS PARALLEL WITH AND 50.00 FEET SOUTHERLY OF SAID NORTHERLY LINE OF SECTION 30, SOUTH 89°30'09" EAST 610.00 FEET; THENCE LEAVING SAID PARALLEL LINE, TANGENT TO THE PRECEDING COURSE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 550.00 FEET AND A CENTRAL ANGLE OF 51°00'00" AN ARC LENGTH OF 489.56 FEET; THENCE TANGENT TO THE PRECEDING CURVE SOUTH 38°30'09" EAST 420.66 FEET; THENCE SOUTH 01°34'55" WEST 2684.57 FEET; THENCE SOUTH 38°35'41" EAST 595.13 FEET; THENCE SOUTH 66°06'48" EAST 1205.40 FEET; THENCE NORTH 12°21'32" EAST 1010.00 FEET; THENCE SOUTH 89°33'36" EAST 580.00 FEET; THENCE SOUTH 1°08'43" WEST 300.00 FEET; THENCE SOUTH 67°27'52" EAST 366.87 FEET; THENCE NORTH 17°56'15" EAST 575.01 FEET; THENCE FROM A TANGENT THAT BEARS SOUTH 49°03'00" EAST, ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1250.00 FEET AND A CENTRAL ANGLE OF 34°10'55" AN ARC LENGTH OF 745.73 FEET; THENCE SOUTH 0°57'56" WEST 1935.73 FEET; THENCE NORTH 89°47'43" WEST 616.79 FEET; THENCE SOUTH 30°56'15" WEST 1411.26 FEET; THENCE SOUTH 17°02'00" EAST 270.00 FEET; THENCE FROM A TANGENT THAT BEARS SOUTH 72°58'00" WEST, ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1150.00 FEET AND A CENTRAL ANGLE OF 6°28'37", AN ARC LENGTH OF 130.00 FEET; THENCE NORTH 10°33'23" WEST 270.00 FEET; THENCE NORTH 39°40'56" WEST 787.57 FEET; THENCE NORTH 89°00'46" WEST 1250.00 FEET; THENCE SOUTH 23°49'15" WEST 290.00 FEET; THENCE NORTH 66°10'45" WEST 100.00 FEET; THENCE NORTH 23°49'15" EAST 290.00 FEET; THENCE NORTH 39°03'45" WEST 1353.57 FEET; THENCE SOUTH 88°26'15" WEST 1086.89 FEET; THENCE NORTH 49°15'34" EAST 228.88 FEET; THENCE TANGENT TO THE PRECEDING COURSE ALONG THE ARC OF A CURVE TO THE LEFT, THE SWING POINT OF WHICH IS HEREBY CALLED POINT "S" FOR REFERENCE, SAID CURVE HAVING A RADIUS OF 1050.00 FEET AND A CENTRAL ANGLE OF 61°30'00", AN ARC LENGTH OF 1127.05 FEET; THENCE TANGENT TO THE PRECEDING CURVE NORTH 12°14'26" WEST 1045.16 FEET; THENCE TO THE PRECEDING COURSE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 875.00 FEET AND A CENTRAL ANGLE OF 23°03'16" AN ARC LENGTH OF 352.08 FEET; THENCE NORTH 01°56'15" EAST 2285.08 FEET; THENCE

(CONTINUED)

SCHEDULE A (Continued)

No. F-162248

DESCRIPTION CONTINUED

FROM A TANGENT THAT BEARS NORTH 66°08'01" EAST, ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 850.00 FEET AND A CENTRAL ANGLE OF 24°21'50" AN ARC LENGTH OF 361.45 FEET TO THE TRUE POINT OF BEGINNING OF THIS PARCEL.

TOGETHER WITH:

PARCEL B:

BEGINNING AT A CONCRETE MONUMENT MARKING THE NORTHEAST CORNER OF SAID SECTION 36; THENCE FROM SAID POINT OF BEGINNING ALONG THE NORTHERLY LINE OF SAID SECTION 36, NORTH 89°04'26" WEST 538.09 FEET TO A BRASS DISC IN CONCRETE MONUMENT MARKED R. O. C. 28, ON THE SOUTHEASTERLY LINE OF A 60 FOOT WIDE ROAD RIGHT OF WAY; THENCE ALONG SAID SOUTHEASTERLY LINE NORTH 31°51'46" EAST 459.54 FEET TO A BRASS DISC IN CONCRETE MONUMENT MARKED R. O. C. 23 AT A POINT ON THE NORTHERLY LINE OF THE SOUTH 18 ACRES OF GOVERNMENT LOT 4, OF SAID SECTION 25; THENCE LEAVING SAID SOUTHEASTERLY LINE ALONG LAST SAID NORTHERLY LINE SOUTH 89°03'03" EAST 304.66 FEET TO A BRASS DISC IN CONCRETE MONUMENT MARKED R. O. C. 22, ON THE WESTERLY LINE OF GOVERNMENT LOT 4 OF SAID SECTION 30; THENCE ALONG LAST SAID WESTERLY LINE NORTH 01°20'07" EAST 266.51 FEET TO A BRASS DISC IN CONCRETE MONUMENT MARKED R. O. C. 21; THENCE LEAVING SAID WESTERLY LINE SOUTH 89°09'08" EAST, 780.00 FEET; THENCE NORTH 55°56'15" EAST 1246.22 FEET; THENCE FROM A TANGENT THAT BEARS SOUTH 02°29'46" EAST ALONG THE ARC OF A CURVE TO THE RIGHT, THE SWING POINT OF WHICH IS THE PREVIOUSLY REFERRED TO POINT "S", SAID CURVE HAVING A RADIUS OF 950.00 FEET AND A CENTRAL ANGLE OF 51°45'20", AN ARC LENGTH OF 858.14 FEET; THENCE TANGENT TO THE PRECEDING CURVE SOUTH 49°15'34" WEST 372.00 FEET; THENCE TANGENT TO THE PRECEDING COURSE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 750.00 FEET AND A CENTRAL ANGLE OF 48°20'00" AN ARC LENGTH OF 632.68 FEET; THENCE TANGENT TO THE PRECEDING CURVE SOUTH 0°55'34" WEST 345.00 FEET; THENCE TANGENT TO THE PRECEDING COURSE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1325.00 FEET AND A CENTRAL ANGLE OF 39° 39'02" AN ARC LENGTH OF 916.94 FEET; THENCE SOUTH 51°16'32" WEST 326.97 FEET; THENCE SOUTH 01°09'13" WEST 860.00 FEET; THENCE SOUTH 28°44'36" EAST 2221.46 FEET; THENCE SOUTH 89°18'48" EAST 515.00 FEET; THENCE NORTH 00°41'12" EAST 570.00 FEET; THENCE SOUTH 89°18'48" EAST 650.00 FEET; THENCE SOUTH 01°42'47" WEST 1416.93 FEET TO A POINT ON A LINE WHICH IS PARALLEL TO AND 50.00 FEET NORTHERLY OF THE SOUTHERLY LINE OF SAID SECTION 31; THENCE ALONG SAID PARALLEL LINE NORTH 88°17'13" WEST 484.97 FEET AND NORTH 89°18'48" WEST 2105.42 FEET TO THE INTERSECTION THEREOF WITH THE GENERAL EASTERLY LINE OF A 60 FOOT WIDE ROAD RIGHT OF WAY; THENCE ALONG SAID GENERAL EASTERLY LINE THE FOLLOWING COURSES: FROM A TANGENT THAT BEARS NORTH 28°50'27" WEST, ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1402.39 FEET AND A CENTRAL

(CONTINUED)

SCHEDULE A (Continued)

No. F-162248

DESCRIPTION CONTINUED

ANGLE OF 41°01'57" AN ARC LENGTH OF 1004.33 FEET, TANGENT TO THE PRECEDING CURVE NORTH 12°11'30" EAST 243.30 FEET; TANGENT TO THE PRECEDING COURSE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 984.93 FEET AND A CENTRAL ANGLE OF 39°24'21", AN ARC LENGTH OF 677.40 FEET, TANGENT TO THE PRECEDING CURVE NORTH 27°12'51" WEST 858.99 FEET, TO A BRASS DISC IN CONCRETE MONUMENT MARKED R. O. C. 82, NORTH 27°12'51" WEST 1517.18 FEET, TANGENT TO THE PRECEDING COURSE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1115.92 FEET AND A CENTRAL ANGLE OF 54°46'29" AN ARC LENGTH OF 1066.82 FEET TO A POINT THEREON; THENCE LEAVING SAID GENERAL EASTERLY LINE OF A 60 FOOT WIDE ROAD RIGHT OF WAY SOUTH 01°06'06" WEST 24.22 FEET TO A BRASS DISC IN CONCRETE MONUMENT MARKED R. O. C. THENCE SOUTH 89°04'26" EAST 679.38 FEET; THENCE NORTH 01°09'25" EAST 267.74 FEET TO THE POINT OF BEGINNING OF THIS PARCEL.

TOGETHER WITH:

PARCEL C:

BEGINNING AT A POINT WHICH BEARS NORTH 00°57'17" EAST 25.00 FEET AND NORTH 89°02'43" WEST 814.92 FEET FROM A CONCRETE MONUMENT MARKING THE EAST 1/4 CORNER OF SAID SECTION 36, SAID POINT OF BEGINNING BEING ON THE NORTHERLY RIGHT OF WAY LINE OF 148TH ST. N.W., CALLED ROWLAND AVE. ON THE PLAT OF C. D. HILLMAN'S BIRMINGHAM WATERFRONT ADDN. TO THE CITY OF EVERETT DIVISION NO. 2, RECORDED IN VOLUME 8 OF PLATS, PAGES 61 AND 62, RECORDS OF SNOHOMISH COUNTY, WASHINGTON; THENCE FROM SAID POINT OF BEGINNING ALONG SAID NORTHERLY RIGHT OF WAY LINE NORTH 89°02'43" WEST 400.00 FEET; THENCE NORTH 19°31'38" EAST 218.02 FEET; THENCE NORTH 27°15'11" WEST 921.70 FEET; THENCE NORTH 59°15'12" WEST 1106.56 FEET; THENCE NORTH 25°02'37" EAST 1110.38 FEET TO A BRASS DISC IN CONCRETE MONUMENT MARKED R. O. C. 27; THENCE NORTH 25°02'37" EAST 388.54 FEET; THENCE SOUTH 88°35'48" EAST 249.21 FEET TO A BRASS DISC IN CONCRETE MONUMENT MARKED R. O. C. 72; THENCE NORTH 36°49'50" EAST 50.76 FEET TO A BRASS DISC IN CONCRETE MONUMENT MARKED R. O. C. 26 AT A POINT ON THE NORTHERLY LINE OF THE SOUTH 18 ACRES OF GOVERNMENT LOT 4 OF SAID SECTION 25; THENCE ALONG LAST SAID NORTHERLY LINE SOUTH 89°03'03" EAST 1287.94 FEET TO A BRASS DISC IN CONCRETE MONUMENT MARKED R. O. C. 24 AT A POINT ON THE GENERAL WESTERLY LINE OF A 60 FOOT WIDE ROAD RIGHT OF WAY; THENCE ALONG SAID GENERAL WESTERLY LINE SOUTH 31°51'46" WEST 459.58 FEET TO A BRASS DISC IN CONCRETE MONUMENT MARKED R. O. C. 73; THENCE NORTH 89°00'00" WEST 71.59 FEET TO A BRASS DISC IN CONCRETE MONUMENT MARKED R. O. C. 74; THENCE SOUTH 1°06'06" WEST 120.15 FEET TO INTERSECT WITH SAID GENERAL WESTERLY RIGHT OF WAY LINE; THENCE ALONG SAID GENERAL WESTERLY LINE SOUTH 31°51'46" WEST 22.38 FEET, TANGENT TO THE PRECEDING COURSE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A

(CONTINUED)

SCHEDULE A (Continued)

No. F-162248

DESCRIPTION CONTINUED

RADIUS OF 1175.92 FEET AND A CENTRAL ANGLE OF 59°04'37", AN ARC LENGTH OF 1212.48 FEET, TANGENT TO THE PRECEDING CURVE SOUTH 27°12'51" EAST 701.44 FEET TO A POINT THEREON; THENCE LEAVING SAID GENERAL WESTERLY LINE SOUTH 62°47'09" WEST 492.96 FEET; THENCE SOUTH 01°09'25" WEST 432.57 FEET TO THE POINT OF BEGINNING OF THIS PARCEL.

TOGETHER WITH:

TIDE LANDS OF THE SECOND CLASS IN FRONT OF AND ADJACENT TO THE LAST ABOVE DESCRIBED PARCEL.

SCHEDULE B

Policy No. F-162248

DEFECTS, LIENS, ENCUMBRANCES AND OTHER MATTERS AGAINST WHICH THE COMPANY DOES NOT INSURE:

All matters set forth in paragraphs numbered 1 to 4, inclusive, in the inside cover sheet of this policy under the heading Schedule B General Exceptions.

Special Exceptions:

1. EXCEPTIONS AND RESERVATIONS CONTAINED IN DEED FROM THE STATE OF WASHINGTON WHEREBY SAID GRANTOR EXCEPTS AND RESERVES ALL OILS, GASES, COAL, ORES, MINERALS, FOSSILS, ETC., AND THE RIGHT OF ENTRY FOR OPENING, DEVELOPING AND WORKING MINES, ETC., PROVIDED THAT NO RIGHTS SHALL BE EXERCISED UNTIL PROVISION HAS BEEN MADE FOR FULL PAYMENT OF ALL DAMAGES SUSTAINED BY REASON OF SUCH ENTRY.

AUDITOR'S NO.: 141324
SAID RESERVATIONS AFFECT ALL TIDE AND SHORE LANDS OF THE SECOND CLASS SITUATED IN PARCEL (C).

2. EXCEPTIONS AND RESERVATIONS CONTAINED IN DEED FROM THE STATE OF WASHINGTON WHEREBY SAID GRANTOR EXCEPTS AND RESERVES ALL OILS, GASES, COAL, ORES, MINERALS, FOSSILS, ETC., AND THE RIGHT OF ENTRY FOR OPENING, DEVELOPING AND WORKING MINES, ETC., PROVIDED THAT NO RIGHTS SHALL BE EXERCISED UNTIL PROVISION HAS BEEN MADE FOR FULL PAYMENT OF ALL DAMAGES SUSTAINED BY REASON OF SUCH ENTRY.

AUDITOR'S NO.: 157353
SAID RESERVATIONS AFFECT ALL OF THE UPLANDS IN PARCEL (C).

3. RIGHTS OF SNOHOMISH COUNTY, WASHINGTON, IN AND TO COUNTY ROAD OVER AND ACROSS LOT 9, VACATED, BLOCK 72, AND LOT 6, VACATED BLOCK 75, AND DESIGNATED SURVEY NO. 1227, AS GRANTED BY DEED RECORDED OCTOBER 19, 1938, IN VOLUME 284 OF DEEDS, PAGE 329, UNDER AUDITOR'S FILE NO. 635063.
(SAID MATTER AFFECTS PARCEL (B) AND (C)).

4. RESERVATIONS CONTAINED IN DEED EXECUTED BY : J. KENNETH PEARCE AND GLADYS GOSE PEARCE, HIS WIFE RECORDED : JANUARY 3, 1957
AUDITOR'S NO. : 1220646
AS FOLLOWS:

THE GRANTORS RESERVE ALL THE MINERALS, OILS AND OTHER HYDROCARBON SUBSTANCES IN SAID LAND LYING BELOW A PLANE 200 FEET UNDER THE SURFACE THEREOF; PROVIDED, HOWEVER, THAT GRANTOR MAY NOT USE THE SURFACE OR THE UPPER 200 FEET OF SAID LAND TO DRILL, MINE, EXPLORE, DEVELOP OR PRODUCE SAID RESERVED MINERALS, OILS, AND OTHER HYDRO-CARBON SUBSTANCES, OR FOR ANY OTHER PURPOSE IN CONNECTION WITH SAME; AND PROVIDED FURTHER, THAT IN EVENT THERE SHALL NOT BE A DISCOVERY OF SUCH RESERVED MINERALS, OIL AND OTHER HYDROCARBON SUBSTANCES AND

(CONTINUED)

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4. CONTINUED

PRODUCTION THEREOF IN PAYING QUANTITIES TWENTY (20) YEARS FROM THE DATE HEREOF, SAID RESERVATION SHALL IP SO FACTO CEASE AND TERMINATE AND THE SAID RESERVED MINERALS, OIL AND OTHER HYDROCARBON SUBSTANCES SHALL THEREUPON VEST IN THE GRANTEE, ITS SUCCESSORS AND ASSIGNS. CAFFECTS THAT OF PARCEL B, KNOWN AS LOT 2, VACATED BLOCK 79, C. D. HILLMAN'S BIRMINGHAM WATERFRONT ADDITION TO CITY OF EVERETT AT PORT SUSAN ON PUGET SOUND DIVISION NO. 2.)

5. RIGHT OF SNOHOMISH COUNTY, WASHINGTON, IN AND TO THAT CERTAIN COUNTY ROAD DESIGNATED SURVEY NO. 1227 AND GRANTED BY DEED DATED OCTOBER 20, 1938, RECORDED IN VOLUME 285 OF DEEDS, PAGE 42, UNDER AUDITOR'S FILE NO. 635150.

CAFFECTS THAT PORTION OF PARCELS (B) & (C) KNOWN AS LOT 5, VACATED BLOCK 75, C. D. HILLMAN'S BIRMINGHAM WATER FRONT ADDITION TO CITY OF EVERETT AT PORT SUSAN ON PUGET SOUND DIVISION NO. 2.)

6. RELEASE OF DAMAGES EXECUTED BY THE PARTY HEREIN NAMED RELEASING THE CITY/COUNTY HEREIN NAMED FROM ALL FUTURE CLAIMS FOR DAMAGE RESULTING FROM THE ACT HEREIN DESCRIBED.

DATED : AUGUST 19, 1947

RECORDED : OCTOBER 24, 1947

AUDITOR'S NO.: 859706

EXECUTED BY : ROBERT N. KREGER AND VIRGIE M. KREGER, HIS WIFE

CITY/COUNTY : COUNTY OF SNOHOMISH

ACT : THE LAYING OUT AND ESTABLISHING OF A PUBLIC ROAD.

CAFFECTS THAT PORTION OF PARCEL (A) LYING IN THE SOUTHEAST QUARTER OF NORTHWEST QUARTER OF SECTION 30 TOWNSHIP 31 NORTH, RANGE 4 EAST, W.M.)

7. RIGHT OF SNOHOMISH COUNTY, WASHINGTON, IN AND TO COUNTY ROAD OVER THE EAST 30 FEET OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 31 NORTH, RANGE 4 EAST, W.M., AS GRANTED BY DEED RECORDED OCTOBER 24, 1947, IN VOLUME 405 OF DEEDS, PAGE 158, UNDER AUDITOR'S FILE NO. 859706.
(SAID MATTER AFFECTS PARCEL (A).)

8. RIGHTS OF SNOHOMISH COUNTY, WASHINGTON, IN AND TO COUNTY ROAD OVER THE NORTH 30 FEET OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 31 NORTH, RANGE 4 EAST, W.M., AS GRANTED BY DEED RECORDED UNDER AUDITOR'S FILE NO. 859709.
(SAID MATTER AFFECTS A PORTION OF PARCEL (A))

9. RELEASE OF DAMAGES EXECUTED BY THE PARTY HEREIN NAMED RELEASING THE CITY/COUNTY HEREIN NAMED FROM ALL FUTURE CLAIMS FOR DAMAGE RESULTING FROM THE ACT HEREIN DESCRIBED.

DATED : OCTOBER 11, 1947

RECORDED : OCTOBER 24, 1947

AUDITOR'S NO.: 859707

EXECUTED BY : W. A. MC NALL, A BACHELOR

(CONTINUED)

SCHEDULE B (Continued)

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9. CONTINUED

CITY/COUNTY : SNOHOMISH COUNTY
 ACT : THE LAYING OUT AND ESTABLISHING OF A PUBLIC ROAD.
 CAFFECTS THAT PORTION OF PARCEL (A) LYING WITHIN THE NORTHEAST
 QUARTER OF NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 31 NORTH,
 RANGE 4 EAST, W.M.)

10. RIGHTS OF SNOHOMISH COUNTY, WASHINGTON, IN AND TO COUNTY ROAD
 OVER THE EAST 30 FEET OF THE NORTHEAST QUARTER OF THE NORTHWEST
 QUARTER OF SECTION 30, TOWNSHIP 31 NORTH, RANGE 4 EAST, W.M., AS
 GRANTED BY DEED RECORDED OCTOBER 24, 1947, IN VOLUME 405 OF DEEDS,
 PAGE 160, UNDER AUDITOR'S FILE NO. 859707.
 (SAID MATTER AFFECTS A PORTION OF PARCEL (A).)

11. RIGHTS OF SNOHOMISH COUNTY, WASHINGTON, IN AND TO THAT CERTAIN
 COUNTY ROAD DESIGNATED SURVEY NO. 2226 AND CONVEYED BY DEED RECORDED
 OCTOBER 24, 1947, IN VOLUME 405 OF DEEDS, PAGE 162, UNDER AUDITOR'S
 FILE NO. 859708.
 (SAID MATTER AFFECTS THAT PORTION OF PARCEL (A) LYING WITHIN THE PLAT
 OF PORT SUSAN TRACTS.)

12. RELEASE OF DAMAGES EXECUTED BY THE PARTY HEREIN NAMED RELEASING
 THE CITY/COUNTY HEREIN NAMED FROM ALL FUTURE CLAIMS FOR DAMAGE
 RESULTING FROM THE ACT HEREIN DESCRIBED.

DATED : AUGUST 13, 1947
 RECORDED : OCTOBER 24, 1947
 AUDITOR'S NO.: 859708
 EXECUTED BY : S. J. MC GARRY
 CITY/COUNTY : SNOHOMISH COUNTY
 ACT : THE LAYING OUT AND ESTABLISHING OF A PUBLIC ROAD.
 (SAID MATTER AFFECTS THAT PORTION OF PARCEL (A) LYING WITHIN THE PLAT
 OF PORT SUSAN TRACTS.)

13. RIGHTS GRANTED SNOHOMISH COUNTY, WASHINGTON, IN AND TO ROAD
 OVER AND ACROSS THE SOUTH 20 FEET OF GOVERNMENT LOT 4, SECTION 30,
 TOWNSHIP 31 NORTH, RANGE 4 EAST, W.M., BY DEED DATED APRIL 7, 1925,
 AND RECORDED APRIL 7, 1925, UNDER AUDITOR'S FILE NO. 354430.
 (SAID MATTER AFFECTS A PORTION OF PARCEL (B).)

14. RIGHT OF SNOHOMISH COUNTY IN AND TO COUNTY ROAD AS GRANTED BY
 QUIT CLAIM DEED DATED JANUARY 9, 1930, EXECUTED BY JOHN SNIDARICH
 AND MARY SNIDARICH, HIS WIFE, RECORDED UNDER AUDITOR'S FILE
 NO. 469789.
 (AFFECTS THAT PORTION OF PARCELS (B) AND (C) LYING WITHIN THE SOUTH
 18 ACRES OF GOVERNMENT LOT 4, SECTION 25, TOWNSHIP 31 NORTH, RANGE 3
 EAST, W.M.)

(CONTINUED)

No. F-162248

15. AN EASEMENT AFFECTING THE PORTION OF SAID PREMISES AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES.
 FOR : ELECTRIC TRANSMISSION LINE
 RECORDED : JUNE 23, 1931
 AUDITOR'S NO.: 502207
 AFFECTS : AN UNDISCLOSED PORTION OF PARCEL (C) LYING WITHIN LOT 3, VACATED BLOCK 72, C. D. HILLMAN'S BIRMINGHAM WATERFRONT ADDITION TO CITY OF EVERETT AT PORT SUSAN ON PUGET SOUND DIVISION NO. 2. IN FAVOR OF : PUGET SOUND POWER & LIGHT COMPANY.
16. RIGHTS OF SNOHOMISH COUNTY, WASHINGTON, IN AND TO COUNTY ROAD AND TURNOUTS AS GRANTED BY INSTRUMENTS RECORDED UNDER AUDITOR'S FILE NOS. 471103, AS TO LOT 2; 635130, AS TO LOT 7; 635131, AS TO LOTS 6 AND 8; 691146, AS TO LOT 1; 691147, AS TO LOT 2; 690922, AS TO LOTS 3, 4 AND 5; AND 635129, AS TO LOTS 3, 4 AND 5, ALL IN VACATED BLOCK 72, C. D. HILLMAN'S BIRMINGHAM WATER FRONT ADDITION TO CITY OF EVERETT AT PORT SUSAN ON PUGET SOUND DIVISION NO. 2, ALL BEING A PORTION OF PARCEL (C).
17. RIGHTS OF SNOHOMISH COUNTY, WASHINGTON, IN AND TO COUNTY ROAD DESIGNATED SURVEY NO. 1227, AS GRANTED BY DEED RECORDED OCTOBER 19, 1938, IN VOLUME 284 OF DEEDS, PAGE 326, UNDER AUDITOR'S FILE NO. 635059.
 CAFFECTS THAT PORTION OF PARCEL (B) KNOWN AS LOT 8, VACATED BLOCK 79, C. D. HILLMAN'S BIRMINGHAM WATER FRONT ADDITION TO CITY OF EVERETT, AT PORT SUSAN ON PUGET SOUND DIVISION NO. 2.)
18. AN EASEMENT AFFECTING THE PORTION OF SAID PREMISES AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES.
 FOR : ELECTRIC TRANSMISSION LINE
 RECORDED : NOVEMBER 15, 1939
 AUDITOR'S NO.: 660657
 AFFECTS : AN UNDISCLOSED PORTION OF PARCEL (B) LYING WITHIN LOT 4, VACATED BLOCK 80, C. D. HILLMAN'S BIRMINGHAM WATER FRONT ADDITION TO CITY OF EVERETT AT PORT SUSAN ON PUGET SOUND DIVISION NO. 2. IN FAVOR OF : PUGET SOUND POWER & LIGHT COMPANY, A WASHINGTON CORPORATION.
19. RESERVATIONS CONTAINED IN DEED EXECUTED BY : EVERGREEN DEVELOPMENT CO., A WASHINGTON CORPORATION
 RECORDED : OCTOBER 13, 1960
 AUDITOR'S NO. : 1424531
 AS FOLLOWS:
 GRANTORS HEREIN RESERVE AN EASEMENT FOR INGRESS AND EGRESS OVER AND ACROSS SAID PRIVATE ROAD WITH PROVISION, HOWEVER, THAT IF AT SOME FUTURE DATE THE GRANTEEES OR SUCCESSORS AND ASSIGNS, WISH TO RELOCATE SAID ROAD, SAME SHALL BE DONE AT PURCHASER'S EXPENSE AND IN A MANNER AND CONDITION THAT IS EQUAL OR BETTER THAN PRESENT ROAD. GRANTORS SHALL ASSUME NO LIABILITY AS TO ACCEPTANCE

(CONTINUED)

SCHEDULE B (Continued)

No. F-162248

19. CONTINUED

OR REJECTION BY OWNERS TO THE WEST PRESENTLY USING SAID ROAD. (AFFECTS THAT PORTION OF PARCEL (B) WITHIN LOT 4, VACATED BLOCK 80, C. D. HILLMAN'S BIRMINGHAM WATER FRONT ADDITION TO CITY OF EVERETT AT PORT SUSAN ON PUGET SOUND DIVISION NO. 2.)

20. RIGHT OF WAY GRANTED BY DEED DATED JANUARY 2, 1942, EXECUTED BY WM. M. MC KEE AND FRANCES M. MC KEE, HIS WIFE, TO FRED SCHLAFLI, RECORDED JANUARY 15, 1942, UNDER AUDITOR'S FILE NO. 720182. SAID DEED DESCRIBED THE FOLLOWING DESCRIBED PROPERTY:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 11, BLOCK 73, C. D. HILLMAN'S WATER FRONT ADD. TO THE CITY OF EVERETT, DIVISION NO. 2; THENCE NORTH 252 FEET ALONG THE WEST BOUNDARY OF FIRST STREET TO AN IRON STAKE DRIVEN INTO THE GROUND; THENCE WEST 350 FEET; THENCE SOUTH 252 FEET, TO THE SOUTH LINE OF SAID LOT 11; THENCE EAST 350 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING, ALL IN LOTS 10 AND 11, BLOCK 73, C. D. HILLMAN'S WATER FRONT ADD. TO THE CITY OF EVERETT, DIVISION NO. 2.

A RIGHT OF WAY IN COMMON WITH THE SAID PARTIES OF THE FIRST PART, THEIR HEIRS AND ASSIGNS, FOR THE PURPOSE OF DRIVING TO THE HEREIN-BEFORE DESCRIBED PREMISES AND TO THE BEACH FRONTING UPON OTHER PROPERTY OWNED BY THE PARTIES OF THE FIRST PART AT ALL TIMES AND FOR ALL PURPOSES WITH OR WITHOUT VEHICLES AND ANIMALS, TO AND FROM THE SAID PREMISES HEREBY CONVEYED AND SAID BEACH OR THE COUNTY HIGHWAY BUT THE PARTY OF THE SECOND PART ACCEPTS SUCH USE SUBJECT TO WEATHER CONDITIONS AND CONDITIONS OF ANY NATURE WHATSOEVER AFFECTING SAID ROAD. ALSO, THE RIGHT WHERE NECESSARY TO CROSS OVER AND BE UPON THE LAND OF THE PARTIES OF THE FIRST PART FOR THE PURPOSE OF MAKING A CONNECTION WITH THE ELECTRIC POWER LINE WHERE THE SAME NOW IS UPON THE PREMISES OF THE PARTIES OF THE FIRST PART, TOGETHER WITH THE RIGHT TO CONNECT TO AND TAKE POWER FROM SAID ELECTRIC POWER LINE. ALSO, THE RIGHT TO CONNECT TO AND TAKE WATER FROM SAID ELECTRIC POWER LINE. ALSO, THE RIGHT TO TAKE WATER FROM DOMESTIC HOUSEHOLD PURPOSES ONLY FROM A CERTAIN SPRING LOCATED UPON THE LAND OF THE PARTIES OF THE FIRST PART, TOGETHER WITH THE RIGHT OF ENTERING UPON THE LANDS OF SAID PARTIES OF THE FIRST PART FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING A RESERVOIR AND A PIPELINE FOR CONDUCTING THE WATER FROM SAID SPRING TO THE DWELLING HOUSE AND OTHER BUILDINGS OF THE PARTY OF THE SECOND PART LOCATED UPON THE HEREINABOVE DESCRIBED PREMISES.

(AFFECTS THAT PORTION OF PARCEL (B) LYING WITHIN LOT 4, VACATED BLOCK 80, C. D. HILLMAN'S BIRMINGHAM WATER FRONT ADDITION TO CITY OF EVERETT AT PORT SUSAN ON PUGET SOUND DIVISION NO. 2.)

21. RESTRICTIONS AS HEREAFTER SET FORTH, CONTAINED IN CONTRACT OF SALE DATED JULY 1, 1953, EXECUTED BY WILLIAM M. MC KEE, WHO IS ALSO KNOWN AS W. M. MC KEE AND WILLIAM MC KEE, AND FRANCES M. MC KEE, WHO IS ALSO KNOWN AS FRANCES MC KEE, HIS WIFE, AS VENDORS,

(CONTINUED)

SCHEDULE B (Continued)

No. F-162248

24. CONTINUED

ALL IN BLOCK 80 (VACATED) C. D. HILLMAN'S BIRMINGHAM WATER FRONT ADDITION TO CITY OF EVERETT AT PORT SUSAN ON PUGET SOUND DIVISION NO. 2, ALL BEING A PORTION OF PARCEL (B).

25. RELEASE OF DAMAGES EXECUTED BY THE PARTY HEREIN NAMED RELEASING THE CITY/COUNTY HEREIN NAMED FROM ALL FUTURE CLAIMS FOR DAMAGE RESULTING FROM THE ACT HEREIN DESCRIBED.

DATED : JULY 8, 1938 AND JUNE 1, 1938

RECORDED : OCTOBER 19, 1938

AUDITOR'S NO.: 635057 AND 635059

EXECUTED BY : JOHN HEWITT AND AUGUSTA HEWITT, HIS WIFE AND HILLMAN INVESTMENT COMPANY, A CORPORATION

CITY/COUNTY : SNOHOMISH COUNTY

ACT : THE LAYING OUT AND ESTABLISHING OF A PUBLIC ROAD.

CAFFECTS LOTS 1 AND 6, BLOCK 80 (VACATED) C. D. HILLMAN'S BIRMINGHAM WATER FRONT ADDITION TO CITY OF EVERETT AT PORT SUSAN ON PUGET SOUND DIVISION NO. 2, ALL BEING A PORTION OF PARCEL (B).

26. PERMISSION IS ALSO GRANTED TO EXTEND THE TOE OF SLOPES IN EITHER CUTS OR FILLS ON TO THE ADJOINING PROPERTY AND TO EXTEND THE ENDS OF CULVERTS OR TO PROVIDE INLET OR OUTLET DITCHES FOR CULVERTS WHEREVER NECESSARY IN THE ORIGINAL GRADING OF THE ROADS AS PROVIDED BY INSTRUMENT RECORDED UNDER AUDITOR'S FILE NO. 635057. CAFFECTS LOT 1, VACATED BLOCK 80, C. D. HILLMAN'S BIRMINGHAM WATER FRONT ADDITION TO CITY OF EVERETT AT PORT SUSAN ON PUGET SOUND DIVISION 2, BEING A PORTION OF PARCEL (B).

27. RIGHTS OF SNOHOMISH COUNTY IN AND TO COUNTY ROADS AS GRANTED BY DEEDS RECORDED UNDER AUDITOR'S FILE NOS. 635057 AND 635059. CAFFECTS THAT PORTION OF PARCEL (B) LYING WITHIN LOTS 1, 2, 3, 5, 6, 7, AND LOTS 10 THROUGH 16, INCLUSIVE, VACATED BLOCK 80, C. D. HILLMAN'S BIRMINGHAM WATER FRONT ADDITION TO CITY OF EVERETT AT PORT SUSAN ON PUGET SOUND DIVISION NO. 2.)

28. PERMISSION GRANTED TO EXTEND THE TOE OF SLOPES IN EITHER CUTS OR FILLS ON THE ADJOINING PROPERTY AND TO EXTEND THE ENDS OF CULVERTS OR TO PROVIDE INLET OR OUTLET DITCHES FOR CULVERTS WHEREVER NECESSARY IN THE ORIGINAL GRADING OF THE ROAD AS GRANTED TO SNOHOMISH COUNTY BY INSTRUMENTS RECORDED MARCH 9, 1942 UNDER AUDITOR'S FILE NO. 723245 AND 723246, RESPECTIVELY.

CAFFECTS THAT PORTION OF PARCEL (B) LYING WITHIN LOT 9 VACATED BLOCK 81 AND LOT 8, VACATED BLOCK 86, C. D. HILLMAN'S BIRMINGHAM WATER FRONT ADDITION TO CITY OF EVERETT AT PORT SUSAN ON PUGET SOUND DIVISION NO. 2.)

29. RESERVATIONS CONTAINED IN DEED, AS HERETO ATTACHED.
 EXECUTED BY : SNOHOMISH COUNTY TREASURER
 RECORDED : NOVEMBER 19, 1956

(CONTINUED)

No. F-162248

29. CONTINUED.

AUDITOR'S NO. : 1215653

CAFFECTS THAT PORTION OF PARCEL (A) LYING WITHIN LOT 10, VACATED BLOCK 91, C. D. HILLMAN'S WATER FRONT ADDITION TO CITY OF EVERETT AT PORT SUSAN ON PUGET SOUND DIVISION NO. 2.)

30. RELEASE OF DAMAGES EXECUTED BY THE PARTY HEREIN NAMED RELEASING THE CITY/COUNTY HEREIN NAMED FROM ALL FUTURE CLAIMS FOR DAMAGE RESULTING FROM THE ACT HEREIN DESCRIBED.

DATED : NOVEMBER 15, 1941

RECORDED : MARCH 9, 1942

AUDITOR'S NO. : 723245 AND 723246 RESPECTIVELY.

EXECUTED BY : GUNARD CARLSON AND HILDAR CARLSON, HUSBAND AND WIFE

CITY/COUNTY : SNOHOMISH COUNTY

ACT : THE LAYING OUT AND ESTABLISHING A PUBLIC ROAD.

CAFFECTS THAT PORTION OF PARCEL (B) LYING WITHIN LOT 9, VACATED BLOCK 81 AND LOT 8, VACATED BLOCK 86, C. D. HILLMAN'S BIRMINGHAM WATER FRONT ADDITION TO CITY OF EVERETT AT PORT SUSAN ON PUGET SOUND DIVISION NO. 2.)

31. RELEASE OF DAMAGES EXECUTED BY THE PARTY HEREIN NAMED RELEASING THE CITY/COUNTY HEREIN NAMED FROM ALL FUTURE CLAIMS FOR DAMAGE RESULTING FROM THE ACT HEREIN DESCRIBED.

DATED : MARCH 10, 1969

RECORDED : MARCH 20, 1969

AUDITOR'S NO. : 2083295

EXECUTED BY : ATLANTIC-RICHFIELD COMPANY

CITY/COUNTY : SNOHOMISH COUNTY

ACT : LAYING OUT AND ESTABLISHING A PUBLIC ROAD.

CAFFECTS THAT PORTION OF PARCEL (B) LYING WITHIN LOT 8 VACATED BLOCK 81, LOT 9, VACATED BLOCK 80 AND VACATED ROAD RIGHT-OF-WAY BETWEEN VACATED BLOCKS 80 AND 81, C. D. HILLMAN'S BIRMINGHAM WATER FRONT ADDITION TO CITY OF EVERETT AT PORT SUSAN ON PUGET SOUND DIVISION NO. 2.)

32. RIGHT TO MAKE NECESSARY SLOPES FOR CUTS OR FILLS UPON SAID PREMISES IN CONFORMITY WITH STANDARD PLANS AND SPECIFICATIONS FOR HIGHWAY PURPOSES, AND TO THE SAME EXTENT AS IF THE RIGHTS GRANTED HAD BEEN ACQUIRED BY CONDEMNATION PROCEEDINGS UNDER STATUTE OF THE STATE OF WASHINGTON, AS GRANTED BY DEED.

AUDITOR'S NO. : 2083295

GRANTED TO : SNOHOMISH COUNTY.

CAFFECTS THAT PORTION OF PARCEL (B) LYING WITHIN LOT 8, VACATED BLOCK 81 LOT 9, VACATED BLOCK 80, AND VACATED ROAD RIGHT-OF-WAY BETWEEN BLOCKS 80 AND 81; C. D. HILLMAN'S BIRMINGHAM WATER FRONT ADDITION TO CITY OF EVERETT AT PORT SUSAN ON PUGET SOUND DIVISION NO. 2.)

(CONTINUED)

SCHEDULE B (Continued)

No. F-162248

33. SAID LAND OR A PORTION THEREOF MAY LIE BENEATH NAVIGABLE WATERS. ANY PORTION OF SAID LAND WHICH LIES OR WHICH MAY IN THE FUTURE LIE BENEATH NAVIGABLE WATERS IS SUBJECT TO RIGHTS OF NAVIGATION, TOGETHER WITH INCIDENTAL RIGHTS OF FISHING, BOATING, SWIMMING, WATER-SKIING AND OTHER RELATED RECREATIONAL PURPOSES GENERALLY REGARDED AS COROLLARY TO THE RIGHT OF NAVIGATION AND THE USE OF PUBLIC WATERS.

34. ANY QUESTION OF THE LOCATION OF THE LATERAL BOUNDARIES OF THE SECOND CLASS TIDE LANDS DESCRIBED IN THE CAPTION HEREOF AND WHICH MAY BE ASSERTED BY THE OWNERS OF THE ADJOINING SECOND CLASS TIDE LANDS.

35. AN EASEMENT AFFECTING THE PORTION OF SAID PREMISES AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES.

FOR : SANITARY SEWER
RESERVED BY INSTRUMENT RECORDED: DECEMBER 11, 1972
UNDER AUDITOR'S FILE NO. : 2274390
AFFECTS : STRIPS OF LAND 40 FEET IN WIDTH

THE EXACT LOCATION OF WHICH IS DESCRIBED IN EXHIBIT "C" OF SAID INSTRUMENT.
IN FAVOR OF : ATLANTIC RICHFIELD COMPANY.

36. AN EASEMENT AFFECTING THE PORTION OF SAID PREMISES AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES.

FOR : STORM DRAINAGE
RESERVED BY INSTRUMENT RECORDED: DECEMBER 11, 1972
UNDER AUDITOR'S FILE NO. : 2274390
AFFECTS : STRIPS OF LAND 100 FEET IN WIDTH

OVER VARIOUS PORTIONS OF SAID PREMISES THE EXACT LOCATION OF WHICH IS DESCRIBED IN EXHIBIT "E" OF SAID INSTRUMENT.
IN FAVOR OF : ATLANTIC RICHFIELD COMPANY.

"END OF SCHEDULE B"

RESERVATIONS IN COUNTY TREASURERS DEED

Shoshone County the party of the first part hereby expressly saves, excepts, and reserves out of the grant hereby made unto itself, its successors and assigns, forever all oil, gases, coals, 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 oils, 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 exploring, developing and working mines thereon and taking out and recovering therefrom all such oils, gases, coals, 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 it or its agents, servants and attorneys at all times to erect, construct, maintain and use all such buildings, machinery, roads and railroads, sink shafts, remove such oil, to remain on said lands or any part thereof for the business of mining and to occupy as much of said lands 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 the rights, hereby expressly reserved. No rights shall be exercised under the foregoing reservation by the county, its successors or assigns, until provision has been made by the county, its successors or assigns, to pay to the owner of the land upon which the rights herein reserved to the county, its successors or assigns, are sought to be exercised full payment for all damages sustained by said owner, by reason of entering upon said land; PROVIDED, That if said owner from any cause whatever refuses or neglects to settle said damages, then the county, its successors or assigns, or any applicant for a lease or contract from the county for the purpose of prospecting for or mining valuable minerals or operating petroleum or natural gas, mining coal, or lease for extracting petroleum or natural gas, shall have the right to institute such legal proceedings in the Superior Court of the County wherein the land is situated as may be necessary to determine the damages which said owner of said lands may suffer.

