

PROJECT LEGAL DESCRIPTION

PARCEL A

ALL THAT PORTION OF GOVERNMENT LOT 3, LYING WESTERLY OF THE WESTERLY RIGHT OF WAY MARGIN OF THAT CERTAIN STRIP OF LAND CONVEYED TO SEATTLE AND MONTANA RAILWAY COMPANY (NOW KNOWN AS BURLINGTON NORTHERN, INC., A DELAWARE CORPORATION) BY DEED RECORDED UNDER AUDITOR'S FILE NUMBER 6220 AND OF TIDE LAND LOT 3, ACCORDING TO THE MAP OF FILE IN OLYMPIA, WASHINGTON, ENTITLED "PLAT OF TIDE LANDS OF THE FIRST CLASS AT THE TOWN OF EDMONDS," SECTION 35, TOWNSHIP 27 NORTH, RANGE 3 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON, LYING NORTHERLY OF A LINE DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE WESTERLY LINE OF THAT CERTAIN STRIP OF LAND CONVEYED TO SEATTLE AND MONTANA RAILWAY COMPANY NOW KNOWN AS BURLINGTON NORTHERN, INC., A DELAWARE CORPORATION BY DEED RECORDED UNDER AUDITOR'S FILE NUMBER 6220, A DISTANCE OF 1708.20 FEET NORTH OF THE SOUTH BOUNDARY OF SAID SECTION 35 AS PRODUCED FROM THE SOUTHEAST CORNER OF SAID SECTION THROUGH THE SOUTH QUARTER CORNER OF THE SOUTH LINE OF SAID SECTION;
THENCE SOUTH 22°54'45" WEST ALONG THE WESTERLY LINE OF SAID RIGHT OF WAY A DISTANCE OF 272.27 FEET TO THE TRUE POINT OF BEGINNING OF THE LINE HEREIN DESCRIBED;
THENCE NORTH 76°34'18" WEST 657.50 FEET;
THENCE SOUTH 00°12'17" WEST, 193.15 FEET;
THENCE NORTH 87°02'52" WEST, 381.34 FEET;
THENCE NORTH 75°41'33" WEST TO WEST LINE OF SAID TIDELAND LOT 3 AND THE TERMINUS OF THE LINE HEREIN DESCRIBED.

PARCEL D

THAT CERTAIN PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND OF GOVERNMENT LOTS 3 AND 4, SECTION 35, TOWNSHIP 27 NORTH, RANGE 3 EAST, W.M., AND OF LOTS 3 AND 4, EDMONDS TIDE LANDS, ACCORDING TO THE MAP ON FILE IN OLYMPIA, WASHINGTON ENTITLED "PLAT OF TIDE LANDS OF THE FIRST CLASS AT THE TOWN OF EDMONDS", DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF THAT CERTAIN STRIP OF LAND CONVEYED TO SEATTLE AND MONTANA RAILWAY COMPANY NOW KNOWN AS BURLINGTON NORTHERN, INC., A DELAWARE CORPORATION BY DEED RECORDED UNDER AUDITOR'S FILE NUMBER 5277 WHICH IS 748 FEET NORTH OF SOUTH LINE OF SAID SECTION, SAID POINT HAVING BEEN LOCATED BY GARDNER, GARDNER AND FISCHER, INC., CIVIL ENGINEERS, AS BEARING NORTH 0°02'39" EAST ALONG THE NORTH AND SOUTH QUARTER SECTION LINE, 748.00 FEET AND NORTH 89°30'46" WEST, PARALLEL WITH THE SOUTH LINE OF SAID SECTION 1381.93 FEET FROM THE QUARTER SECTION CORNER IN THE SOUTH LINE OF SAID SECTION;
THENCE SOUTHERLY ALONG SAID WESTERLY LINE OF SAID BURLINGTON NORTHERN RAILWAY RIGHT OF WAY 200 FEET, TO A POINT WHICH IS 560.46 FEET NORTH AND 1393.68 FEET WEST OF SAID QUARTER SECTION CORNER;
THENCE NORTH 89°30'46" WEST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 695.97 FEET TO THE GOVERNMENT MEANDER LINE OF PUGET SOUND, SAID MEANDER LINE BEING THE EASTERLY LINE OF SAID LOT 4 SAID EDMONDS TIDE LANDS;
THENCE NORTH 46°58'20" WEST ALONG SAID MEANDER LINE 147.44 FEET;
THENCE NORTH 89°30'46" WEST 163.21 FEET TO THE WESTERLY LINE OF SAID LOT 4, EDMONDS TIDE LANDS;
THENCE NORTH 41°17'17" WEST ALONG SAID WESTERLY LINE, 86.16 FEET TO AN ANGLE POINT IN SAID LINE;

THENCE NORTH 11°48'43" EAST ALONG SAID WESTERLY LINE OF LOT 4, AND ALONG THE WESTERLY LINE OF LOT 3 OF SAID EDMONDS TIDE LANDS, 990.54 FEET TO AN ANGLE POINT IN SAID LINE;

THENCE NORTHEASTERLY ALONG THE SAID WESTERLY LINE OF SAID LOT 3, EDMONDS TIDE LANDS, 359.62 FEET, MORE OR LESS, TO THE MOST WESTERLY CORNER OF THE J.C. VAN ECK TRACT, AS ESTABLISHED BY DECREE ENTERED IN SNOHOMISH COUNTY TITLE REGISTRATION CAUSE NO. 5, ENTITLED J.C. VAN ECK, PLAINTIFF VS. DANIEL HINES (ET AL) DEFENDANTS;

THENCE SOUTH 67°05'15" EAST ALONG THE SOUTHWESTERLY LINE OF THE SAID VAN ECK TRACT, AS ESTABLISHED IN SAID CAUSE NO. 5, 986.73 FEET, TO A POINT IN THE SAID WESTERLY LINE OF SAID SEATTLE AND MONTANA RAILWAY COMPANY'S RIGHT OF WAY;

THENCE SOUTHWESTERLY ALONG THE SAID WESTERLY RIGHT OF WAY LINE TO THE POINT OF BEGINNING;

TOGETHER WITH TIDELANDS OF THE SECOND CLASS SITUATE IN FRONT OF, ADJACENT TO, OR ABUTTING UPON THE ABOVE DESCRIBED PORTION OF GOVERNMENT LOT 4, AS CONVEYED BY THE STATE OF WASHINGTON BY DEED RECORDED UNDER AUDITOR'S FILE NUMBER 758480.

EXCEPT THAT PORTION OF GOVERNMENT LOT 3 AND THE SAID TIDE LAND LOT 3, LYING NORTHERLY OF A LINE DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE WESTERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN RAILROAD DISTANT 1708.2 FEET NORTH OF THE SOUTH BOUNDARY OF SAID SECTION 35 AS PRODUCED FROM THE SOUTHEAST CORNER OF SAID SECTION THROUGH THE SOUTH QUARTER CORNER ON THE SOUTH LINE OF SAID SECTION;

THENCE SOUTH 22°54'45" WEST ALONG THE WESTERLY RIGHT OF WAY LINE 272.27 FEET TO THE TRUE POINT OF BEGINNING OF THE LINE HEREIN DESCRIBED;

THENCE NORTH 76°34'18" WEST 657.50 FEET;

THENCE SOUTH 0°12'17" WEST, 193.15 FEET;

THENCE NORTH 87°02'52" WEST, 381.34 FEET;

THENCE NORTH 75°41'33" WEST TO WEST LINE OF SAID TIDELAND LOT 3 AND THE TERMINUS OF THE LINE HEREIN DESCRIBED.

PARCEL E

PARCEL 2 OF SNOHOMISH COUNTY BOUNDARY LINE ADJUSTMENT RECORDED UNDER AUDITOR'S FILE NUMBER 200405180215, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND OF GOVERNMENT LOT 4 AND OF VACATED HEBERLEIN ROAD, ACCORDING TO VOLUME 44 OF COMMISSIONER'S RECORDS, PAGE 44 AND OF A PORTION OF LOT 4, EDMONDS TIDE LANDS, ACCORDING TO THE MAP ON FILE IN OLYMPIA, WASHINGTON ENTITLED "PLAT OF TIDE LANDS OF THE FIRST CLASS AT THE TOWN OF EDMONDS", ALL IN SECTION 35, TOWNSHIP 27 NORTH, RANGE 3 EAST, W.M., SAID PARCEL MORE PARTICULARLY DESCRIBED AS FOLLOWS: (THE BEARINGS OF THIS PARCEL DESCRIPTION ARE BASED ON THE WASHINGTON COORDINATE SYSTEM, NORTH ZONE, NAD 83-91)

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 35;

THENCE NORTH 01°11'56" EAST ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION A DISTANCE OF 991.97 FEET (60 RODS BY DEED);

THENCE NORTH 88°33'35" WEST A DISTANCE OF 943.19 FEET TO THE POINT OF BEGINNING OF THIS PARCEL DESCRIPTION;

THENCE SOUTH 01°11'56" WEST A DISTANCE OF 455.24 FEET;

THENCE SOUTH 88°33'35" EAST A DISTANCE OF 422.92 FEET;

THENCE SOUTH 01°11'56" WEST A DISTANCE OF 20.00 FEET;

THENCE SOUTH 88°33'35" EAST A DISTANCE OF 490.27 FEET TO THE WEST MARGIN OF 116TH AVENUE SW;
THENCE SOUTH 01°11'56" WEST ALONG SAID MARGIN A DISTANCE OF 34.70 FEET;
THENCE NORTH 88°33'35" WEST A DISTANCE OF 616.67 FEET;
THENCE NORTH 01°11'56" EAST A DISTANCE OF 34.70 FEET;
THENCE NORTH 88°33'35" WEST A DISTANCE OF 453.60 FEET;
THENCE SOUTH 01°11'56" WEST A DISTANCE OF 259.23 FEET;
THENCE NORTH 88°33'35" WEST A DISTANCE OF 153.56 FEET, MORE OR LESS, TO THE EASTERLY RIGHT OF WAY LINE OF THE SEATTLE AND MONTANA RAILWAY COMPANY, NOW KNOWN AS THE BURLINGTON NORTHERN SANTA FE RAILWAY AND A POINT HEREINAFTER KNOWN AS POINT "A";
THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE THE FOLLOWING COURSES AND DISTANCES: NORTH 05°29'24" WEST A DISTANCE OF 153.31 FEET;
THENCE NORTH 01°36'06" WEST A DISTANCE OF 65.00 FEET TO THE BEGINNING OF A 1382.70 FOOT RADIUS TANGENT CURVE TO THE RIGHT;
THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 21°46'17" AN ARC DISTANCE OF 525.40 FEET;
THENCE NORTH 88°33'35" WEST A DISTANCE OF 1.50 FEET;
THENCE NORTH 24°02'46" EAST A DISTANCE OF 265.00 FEET;
THENCE SOUTH 31°23'34" EAST A DISTANCE OF 291.15 FEET TO THE POINT OF BEGINNING;

TOGETHER WITH A PARCEL LYING WESTERLY OF SAID RAILWAY AND COMMENCING AT AFORESAID POINT "A";
THENCE NORTH 88°33'35" WEST A DISTANCE OF 107.79 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF SAID RAILWAY AND THE POINT OF BEGINNING;
THENCE CONTINUING NORTH 88°33'35" WEST A DISTANCE OF 414.54 FEET, MORE OR LESS, TO THE GOVERNMENT MEANDER LINE;
THENCE SOUTH 45°57'35" EAST ALONG SAID LINE A DISTANCE OF 14.77 FEET;
THENCE NORTH 88°33'35" WEST A DISTANCE OF 240.88 FEET TO THE WESTERLY LINE OF SAID LOT 4 OF EDMONDS TIDE LANDS;
THENCE NORTH 40°07'35" WEST ALONG SAID LINE A DISTANCE OF 551.68 FEET;
THENCE SOUTH 88°33'35" EAST A DISTANCE OF 158.05 FEET TO SAID MEANDER LINE;
THENCE SOUTH 45°57'35" EAST ALONG SAID LINE A DISTANCE OF 147.44 FEET;
THENCE SOUTH 88°33'35" EAST A DISTANCE OF 710.85 FEET, MORE OR LESS, TO SAID WESTERLY RIGHT OF WAY LINE AND THE BEGINNING OF A 1004.93 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT;
THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04°52'56" AN ARC DISTANCE OF 85.63 FEET;
THENCE SOUTH 05°29'24" EAST A DISTANCE OF 219.22 FEET TO SAID POINT "A" AND THE POINT OF BEGINNING.

EXCEPT THAT PORTION OF SAID PARCEL E LYING WITHIN THE TOWN OF WOODWAY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 35,
THENCE NORTH 01°11'56" EAST ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION A DISTANCE OF 482.03 FEET;
THENCE NORTH 88°33'35" WEST A DISTANCE OF 30.00 FEET TO THE EAST MARGIN OF 116TH STREET S.W., AND THE TRUE POINT OF BEGINNING;
THENCE CONTINUING NORTH 88°33'35" WEST A DISTANCE OF 616.67 FEET;
THENCE NORTH 01°11'56" EAST A DISTANCE OF 34.70 FEET;
THENCE NORTH 88°33'35" WEST A DISTANCE OF 453.60 FEET TO A POINT ON THE TOWN LIMIT LINE OF THE TOWN OF WOODWAY, SAID POINT TO BE HEREINAFTER REFERRED TO AS POINT "B";
THENCE NORTH 01°11'56" EAST ALONG SAID TOWN LIMITS A DISTANCE OF 20.00 FEET; THENCE SOUTH 88°33'35" EAST ALONG SAID TOWN LIMIT LINE A DISTANCE OF 580.00 FEET;
THENCE SOUTH 01°11'56" WEST A DISTANCE OF 20.00 FEET;

THENCE SOUTH 88°33'35" EAST A DISTANCE OF 490.27 FEET TO A POINT ON THE WEST MARGIN OF SAID 116TH STREET S.W.;
THENCE SOUTH 01°11'56" WEST ALONG SAID WEST MARGIN A DISTANCE OF 34.70 FEET TO THE POINT OF BEGINNING.

AND EXCEPT WITH THAT PORTION OF SAID PARCEL E LYING WITHIN THE TOWN OF WOODWAY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE HEREINBEFORE REFERENCED POINT "B";
THENCE SOUTH 01°11'56" WEST ALONG SAID TOWN LIMIT LINE A DISTANCE OF 234.23 FEET TO THE TRUE POINT OF BEGINNING;
THENCE CONTINUING SOUTH 01°11'56" WEST A DISTANCE OF 25.00 FEET;
THENCE NORTH 88°33'35" WEST A DISTANCE OF 83.56 FEET TO A POINT ON THE TOWN LIMIT LINE OF THE TOWN OF WOODWAY;
THENCE NORTH 05°29'24" WEST ALONG SAID TOWN LIMITS A DISTANCE OF 25.18 FEET; THENCE SOUTH 88°33'35" EAST ALONG SAID TOWN LIMIT LINE A DISTANCE OF 86.49 FEET TO THE POINT OF BEGINNING.

PARCEL F

ALL THAT PORTION OF GOVERNMENT LOT 4, SECTION 35, TOWNSHIP 27 NORTH, RANGE 3 EAST, W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION 35;
THENCE NORTH 0°21'27" EAST, 247.50 FEET;
THENCE NORTH 89°00' WEST ALONG THE NORTH LINE OF PROPERTY CONVEYED TO ELIZABETH JANE SPENCER BY DEED RECORDED IN VOLUME 5 OF DEEDS, PAGE 264, 1100.27 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION;
THENCE NORTH 10 FEET TO A POINT ON THE SOUTH LINE OF PROPERTY CONVEYED TO NORTH AMERICAN TERRA COTTA TILE BY DEED RECORDED UNDER AUDITOR'S FILE NUMBER 81850;
THENCE NORTH 89°00' WEST ALONG THE SOUTH LINE OF SAID NORTH AMERICAN TERRA COTTA TILE PARCEL TO THE MEANDER LINE OF SAID SECTION 35;
THENCE SOUTH 44°57'35" EAST, ALONG THE SAID MEANDER LINE 14.77 FEET TO A POINT WHICH IS 10 FEET SOUTH OF AND PARALLEL TO THE LINE LAST ABOVE DESCRIBED;
THENCE SOUTH 89°00' EAST TO THE POINT OF BEGINNING;

EXCEPT THAT PORTION OF SAID PREMISES LYING EASTERLY OF THE WESTERLY LINE OF THE SEATTLE AND MONTANA RAILWAY COMPANY'S RIGHT OF WAY, NOW KNOWN AS BURLINGTON NORTHERN, INC., A DELAWARE CORPORATION, AS CONVEYED BY DEEDS RECORDED UNDER AUDITOR'S FILE NUMBERS 5277 AND 120070;

TOGETHER WITH TIDELANDS OF THE SECOND CLASS SITUATE IN FRONT OF, ADJACENT TO, OR ABUTTING UPON THE ABOVE DESCRIBED PARCEL F, AS CONVEYED BY THE STATE OF WASHINGTON RECORDED UNDER AUDITOR'S FILE NUMBER 758480.

PARCEL G

ALL THAT PORTION OF GOVERNMENT LOT 4, SECTION 35, TOWNSHIP 27 NORTH, RANGE 3 EAST, W.M., AND OF LOT 4 EDMONDS TIDE LANDS ACCORDING TO THE MAP ON FILE IN OLYMPIA, WASHINGTON ENTITLED "PLAT OF TIDE LANDS OF THE FIRST CLASS AT THE TOWN OF EDMONDS" LYING WESTERLY OF THAT CERTAIN STRIP OF LAND CONVEYED TO SEATTLE AND MONTANA RAILWAY COMPANY, NOW KNOWN AS BURLINGTON NORTHERN INC., A DELAWARE CORPORATION BY DEED RECORDED UNDER AUDITOR'S FILE NUMBER 5662 AND SOUTH OF A LINE WHICH IS PARALLEL TO AND DISTANT 247.5 FEET NORTH OF THE SOUTH LINE OF SECTION 35 AS PRODUCED FROM THE SOUTHEAST CORNER OF SECTION 35 THROUGH THE QUARTER CORNER ON THE SOUTH LINE OF SAID SECTION;

EXCEPT THAT PORTION CONTAINED IN ORDER ADJUDICATING PUBLIC USE AND NECESSITY UNDER SNOHOMISH COUNTY SUPERIOR COURT CAUSE NO. 05-2-13678-1, AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 35;
THENCE ALONG THE SOUTH LINE OF SAID SECTION, NORTH 88°33'35" WEST 1306.22 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILWAY AND THE TRUE POINT OF BEGINNING;
THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, NORTH 05°28'24" WEST 221.33 FEET;
THENCE NORTH 88°33'35" WEST 64.24 FEET;
THENCE SOUTH 83°44'46" WEST 150.85 FEET;
THENCE SOUTH 55°49'35" WEST 62.29 FEET;
THENCE SOUTH 40°13'07" EAST 218.50 FEET TO SAID SOUTH LINE;
THENCE ALONG SAID SOUTH LINE, SOUTH 88°33'35" EAST 145.84 FEET TO THE TRUE POINT OF BEGINNING.

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