

**RESOLUTION NO. 3688**

**A RESOLUTION** of the Port Commission of the Port of Seattle declaring certain real property located in Snohomish County (portions of the Woodinville Subdivision) and any improvements located thereon, including the Snohomish River Bridge, surplus and no longer needed for Port purposes, authorizing its transfer to Snohomish County and authorizing the Chief Executive Officer to execute all documents related to such transfer.

**WHEREAS**, the voters of King County, pursuant to the provisions of enabling legislation adopted by the Legislature of the State of Washington, Chapter 92, Laws of 1911, RCW 53.04.010, authorized and approved at a special election held in King County on the 5th day of September 1911, the formation of a port district coextensive with King County to be known as the Port of Seattle; and

**WHEREAS**, the Port of Seattle was thereupon established as a port district and has since been and now is a duly authorized and acting port district of the State of Washington; and

**WHEREAS**, the Port owns the real property described on attached Exhibit A (the “Property”) and all improvements thereon, consisting primarily of railroad tracks and ties (the “Improvements”); and

**WHEREAS**, on November 5, 2009, the Port entered into a Memorandum of Understanding (the “MOU”) with King County, Sound Transit, Cascade Water Alliance, Puget Sound Energy and the City of Redmond setting forth the mutual understanding of the parties for the completion of future transactions where the Regional Partners would purchase from the Port interests in the Woodinville Subdivision and thus share in the cost of acquiring it; and

**WHEREAS**, on June 30, 2010, the City of Redmond acquired the portion of the Woodinville Subdivision located in the City of Redmond; and

**WHEREAS**, on December 20, 2010, Puget Sound Energy acquired an easement over both the freight and railbanked portions of the Woodinville Subdivision; and

**WHEREAS**, on April 11, 2012, Sound Transit acquired (i) a portion of the Woodinville Subdivision located within the City of Bellevue and (ii) a permanent high capacity transportation easement over the railbanked portion of the Woodinville Subdivision; and

**WHEREAS**, on April 13, 2012, the City of Kirkland acquired (i) the portion of the Woodinville Subdivision located in the City of Kirkland and (ii) a portion of the Woodinville Subdivision located within the City of Bellevue; and

**WHEREAS**, on February 12, 2013, King County acquired (i) a portion of the Woodinville Subdivision located between the City of Woodinville and the City of Renton and between the City of Woodinville and the City of Redmond and (ii) a permanent easement over the freight portion of the Woodinville Subdivision for recreational trail uses; and

**WHEREAS**, pursuant to Chapter 39.33 of the Revised Code of Washington (Intergovernmental Disposition of Property Act) the Port may sell, transfer, exchange, lease or otherwise dispose of real and personal property to the state, any municipality or any political subdivision thereof on such terms and conditions as may be mutually agreed upon by the governing authorities of the participating entities; and

**WHEREAS**, the maps and other data regarding the Property proposed for transfer to King County are on file at the offices of the Port's Real Estate Division; and

**WHEREAS**, the Port of Seattle Commission has heard from all persons desiring to speak at the public hearing regarding the proposed property transfer; and

**WHEREAS**, the members of the Port of Seattle Commission have considered the proposed property sale and any comments by members of the public attending the public hearing.

**NOW, THEREFORE, BE IT RESOLVED** by the Port Commission of the Port of Seattle that:

Section 1. The Property, described on Exhibit A attached to this Resolution, and Improvements thereon, including the Snohomish River Bridge, are no longer needed for Port purposes and are declared surplus to Port needs.

Section 2. The Chief Executive Officer is authorized to take all steps and execute all documents necessary to sell the Property and Improvements to Snohomish County for a purchase price of Five Million Dollars (\$5,000,000).

**ADOPTED** by the Port Commission of the Port of Seattle at a duly noticed meeting thereof, held this \_\_\_\_ day of \_\_\_\_\_, 2014, and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof and the seal of the Commission.

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Port Commissioners

**EXHIBIT A  
TO  
RESOLUTION NO. 3688**

All that portion of BNSF Railway Company's (formerly Northern Pacific Railway Company) City of Snohomish (*MP 38.3*) to (*MP 26.384*), Washington Branch Line right of way, varying in width on each side of said Railway Company's Main Track centerline, as now located and constructed upon, over and across Snohomish County, Washington, more particularly described as follows, to-wit

That portion of that certain 60.0 foot wide Branch Line right of way being 30 0 feet on each side of said Main Track centerline, as originally located and constructed, upon, over and across State Street, as said street is shown on plat of Snohomish City Eastern Part, recorded as Instrument No. 187204125001 in Book 1, Page 7, records of the Snohomish County, Washington Auditor, lying southerly of the Easterly prolongation of the centerline of vacated Commercial Street, as said Commercial Street is shown on said plat; also

That portion of the Southerly half of vacated Commercial Street as said street is shown on the plat of Snohomish City Eastern Part, recorded as Instrument No 187204125001 in Book 1, Page 7, records of the Snohomish County, Washington Auditor, vacated by ordinance No. 354 of the City of Snohomish, State of Washington, passed May 16, 1911, described as follows:

Beginning at the northeast corner of Lot 5, Block 2 of said plat of Snohomish City Eastern Part, thence Westerly, along the northerly line of said Lot 5, a distance of 20 feet, more or less, to a point 50 feet distant westerly, when measured at right angles from the centerline of State Street, as said State Street is shown on said plat. thence Northerly, along a line 50 feet westerly from the center line of said State Street, 30 feet, more or less to the centerline of said Commercial Street, thence Easterly, along said centerline of Commercial Street, 20 feet, more or less to the northerly prolongation of the east line of said Lot 5, thence Southerly, along said northerly prolongation, 30 feet, more or less, to Point of Beginning, also,

Lots 4 and 5, of Block 2 as shown on plat of Snohomish City Eastern Part, recorded as Instrument No 187204125001 in Book 1, Page 7, records of the Snohomish County, Washington Auditor, also,

That portion of that certain 50.0 foot wide Branch Line right of way being 25.0 feet on each side of said Main Track centerline, as originally located and constructed, upon, over and across Government Lot 4, Section 18, Township 28 North, Range 6 East, W M, bounded Northeasterly by the Southwesterly Bank of the Snohomish River, and bounded Southwesterly by a line parallel with and distant 50 0 feet Northeasterly from, measured at right angles to said Railway Company's (formerly Great Northern Railway Company) Everett to Spokane Main Track centerline as originally located and constructed, together with all right, title and interest if any, to accommodate said railway company's facilities and operations over and across the Snohomish River, also

That portion of that certain 50.0 foot wide Branch Line right of way being 25.0 feet on each side of said Main Track centerline, as originally located and constructed, upon, over and across Government Lot 4, Section 18, Township 28 North, Range 6 East, W M, bounded Northeasterly by a line parallel with and distant 150.0 feet Southwesterly from, measured at right angles to said Railway Company's (formerly

Great Northern Railway Company) Everett to Spokane Main Track centerline as originally located and constructed, and bounded Southerly by the Southerly line of said Government Lot 4, also

A triangular shaped tract of land being that portion of Government Lot 4, Section 18, Township 28 North, Range 6 East, W M., bounded Northeasterly by a line parallel with and distant 150 0 feet Southwesterly from, measured at right angles to said Railway Company's (formerly Great Northern Railway Company) Everett to Spokane Main Track centerline as originally located and constructed, bounded Northwesterly by a line parallel with and distant 25 feet Easterly from, measured at right angles to said Railway Company's Branch Line right of way Main Track centerline as originally located and constructed and bounded Southerly by the Southerly line of said Government Lot 4, also

That certain 0.11 acre strip of land described in deed dated September 9, 1903 from J H Shadinger and Hattie E Shadinger to Northern Pacific Railway Company recorded September 19 in Book 80, Page 296, records of Snohomish County, Washington, said 0.11 acre strip of land being described in said deed for reference as follows:

“A strip of land eighty (80) feet in width across that certain thirty-three (33) foot strip of land in Lot four (4), Section eighteen (18), Township twenty-eight (28) north, Range six (6) east, W.M, which lies immediately south of, parallel with and contiguous to the right of way of the Great Northern Railway Company across said subdivision, said eighty (80) foot strip of land having for its east and west boundaries two lines that are parallel with and respectively distant twenty-six (26) feet on the northeasterly side and fifty-four (54) feet on the southwesterly side of the center line of the proposed track which is to connect the Great Northern Railway with the Northern Pacific Railway as the same is located, staked and constructed over and across said subdivision, containing 0.11 acres, more or less”, also,

That certain 1.94 acre strip of land described in deed dated September 9, 1903 from Kate G Ford, D. A. Ford, Ruth S. Ford and D. A. Ford as sole executor to Northern Pacific Railway Company recorded September 19 in Book 80, Page 298, records of Snohomish County, Washington, said 1.94 acre strip of land being described in said deed for reference as follows:

“All that portion of Lot four (4), Section eighteen (18) and of Lot one (I) (or the northwest quarter of the northwest quarter) of Section nineteen (19), Township twenty-eight (28) north, Range six (6) east, W M, lying westerly of the Northern Pacific Railway Company's right of way and southerly of a line drawn parallel with and thirty-three (33) feet distant southerly from the south line of the Great Northern Railway Company's right of way and between lines drawn parallel with and respectively distant twenty-six (26) feet easterly from and fifty-four (54) feet westerly from the centerline of the proposed track which is to connect the Northern Pacific Railway with the Great Northern Railway as the same is now located, staked out and to be constructed over and across said premises, said strip of land containing 1.94 acres, more or less”, also,

That certain 0.08 acre strip of land described in deed dated April 25, 1908 from Robert Henry and Margaret R Henry to Northern Pacific Railway Company recorded June 1, 1908 in Book 110 of Deeds, Page 509, records of the County Auditor, Snohomish County, Washington, said 0.08 acre strip of land being described in said deed for reference as follows:

“A strip of land thirty (30) feet wide described as follows Beginning at a point on the section line between Sections 18 and 19, Township 28 North, Range 6 East, Willamette Meridian, fifty-five (55) feet distant measured at right angles from the center line of the main track of the said Railway Company as the same is now located, constructed, maintained and operated through said sections; thence northeasterly on a line parallel with and fifty-five (55) feet distant from said center line one hundred ten (110) feet, more

or less, to the south line of the Tacoma Power Company's right of way, thence southeasterly along the south line of said Tacoma Power Company's right of way thirty (30) feet to the westerly line of the present right of way of said Northern Pacific Railway Company, which line at that point is twenty-five (25) feet from the center line of the main track of said Railway Company, thence southwesterly along said westerly line of the right of way one hundred ten (110) feet, more or less, to the point where said right of way widens to fifty (50) feet on each side of said center line; thence westerly twenty-five (25) feet to point of intersection with the above described section line, thence west along said section line five (5) feet, more or less, to place of beginning, said strip being situated in Lot four (4) Section eighteen (18) and Lot one (1) Section nineteen (19) all in Township twenty-eight (28) North, Range six (6) East, Willamette Meridian and containing eight hundredths (0.08) of an acre, more or less.", also,

That portion of said Railway Company's property in Government Lot 4, Section 18, Township 28 North, Range 6 East, W M, Snohomish County, Washington, bounded Northeasterly and Southwesterly by two lines drawn parallel with and distant Southwesterly 150.0 feet and 183.0 feet, respectively, from, measured at right angles to said Railway Company's (formerly Great Northern Railway Company) Everett to Spokane Main Track centerline as originally located and constructed and bounded Southeasterly and Northwesterly by two lines drawn parallel with and distant Northwesterly 25.0 feet and 50.0 feet, respectively, from, measured at right angles to said Railway Company's Branch Line Main Track centerline as now located and constructed; also,

That portion of that certain 100.0 foot wide Branch Line right of way, in the Town of Bromart, Snohomish County, Washington, being 50.0 feet on each side of said Main Track centerline, as originally located and constructed, upon, over and across Lots 1 and 2, Section 19, Township 28 North, Range 6 East, W M, Snohomish County, Washington, bounded Northerly by the North line of said Section 19, and bounded Westerly by the West line of said Section 19, also,

That portion of said Railway Company's property in Lots 1 and 2, Section 19, Township 28 North, Range 6 East, W M, Snohomish County, Washington, bounded as follows Westerly by a line parallel with and distant 50.0 feet Easterly from, measured at right angles to said Railway Company's Branch Line Main Track centerline as now located and constructed; Northerly by the North line of said Section 19 and Easterly by the following described line:

Beginning at a point on a line parallel with and distant 50.0 feet Southerly from, measured at right angles to said Railway Company's (formerly Great Northern Railway Company) Everett to Spokane Main Track centerline, as originally located and constructed, opposite Station 512+68.45, said point of beginning being the point of a curve to the left having a radius of 621.20 feet, thence westerly, along the arc of said curve to the left and consuming a central angle of  $90^{\circ}57'06''$ , an arc distance of 986.10 feet to the point of tangency of said curve, said point of tangency being 125 feet easterly, when measured at right angles from Station 1963+97.51 on said Railway Company's Branch Line Main Track centerline; thence southerly, along a line drawn parallel and/or concentric with and 125 feet easterly, when measured at right angles and/or radially, from said Branch Line Main Track centerline, to a point opposite Station 1956+00 on said Railway Company's Branch Line Main Track centerline, thence westerly, along a line drawn radially with the centerline of said Railway Company's Branch Line Main Track centerline, a distance of 25 feet, thence southerly, along a line drawn concentric with and 100 feet easterly, when measured radially, from the centerline of said Railway Company's Branch Line Main Track centerline, to a point opposite Station 1953+00 on the centerline of said Railway Company's Branch Line Main Track centerline, thence westerly along a line drawn radially with the centerline of said Railway Company's Branch Line Main Track centerline, a distance of 25 feet, thence southerly, along a line drawn concentric with and 75 feet easterly, when measured radially from said Railway Company's Branch Line Main Track centerline to the west line of said Section 19, also being the terminus of the herein described line

**EXCEPTING THEREFROM**, a strip of land 30 feet wide, the center line of which is 435 feet north from and parallel with the East and West centerline of said Section 19, extending from the west line of said Section 19 to the East boundary of said hereinabove described tract; **ALSO EXCEPTING THEREFROM**, that portion of said hereinabove described tract lying northerly of a line parallel with and distant 150.0 feet Southerly from, measured at right angles to said Railway Company's (formerly Great Northern Railway Company) Everett to Spokane Main Track centerline, as originally located and constructed; also,

That portion of that certain 100.0 foot wide Branch Line right of way, in the Town of Bromart, Snohomish County, Washington, being 50.0 feet on each side of said Main Track centerline, as originally located and constructed, upon, over and across the E1/2, E1/2, Section 24, the E1/2, NE1/4, Section 25, all in Township 28 North, Range 5 East, W. M., bounded Northerly by the East line of said E1/2, E1/2, Section 24, and bounded Southerly by the East line of said E1/2, NE1/4, Section 25, also,

That portion of that certain 100.0 foot wide Branch Line right of way, being 50.0 feet on each side of said Main Track centerline, as originally located and constructed, upon, over and across Government Lots 1, 2, 3, 5, 6, of Section 30, Township 28 North, Range 6 East, W M., bounded Westerly by the West lines of said Lots 1 and 2 and bounded Southerly by the South line of said Lot 5, also,

That portion of that certain 110.0 foot wide Branch Line right of way, being 60.0 feet Westerly and 50.0 feet Easterly of said Main Track centerline, as originally located and constructed, upon, over and across Government Lot 8 of Section 31, Township 28 North, Range 6 East, W M, bounded Northerly and Southerly by the North and South lines of said Lot 8, also,

That portion of that certain 200.0 foot wide Branch Line right of way, being 100.0 feet on each side of said Main Track centerline, as originally located and constructed, upon, over and across Government Lot 3, the NE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> and the SE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>, Section 31, Township 28 North, Range 6 East, W M, bounded Northerly by the North line of said SE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> Section 31, and bounded Southerly by the South line of said Government Lot 3 and its easterly prolongation, also,

That certain 2.0 acre tract of land described in deed dated April 13, 1918 from John S. Eby to the Northern Pacific Railway Company, recorded April 20, 1918 in Volume 180 of Deeds, Page 451, records of Snohomish County, Washington, said tract being described in said deed for reference as follows:

“That property of the grantor (being the north nine hundred forty-five and five tenths (945.5) feet, more or less, of the south eleven hundred forty-three and five tenths (1143.5) feet of the north-half of the southwest quarter (N <sup>1</sup>/<sub>2</sub> of SW <sup>1</sup>/<sub>4</sub>) of section thirty-one (31) in Township twenty-eight (28) North, Range six (6) East of the Willamette Meridian, west of the present right of way of said Railway Company lying between lines parallel with and distant respectively one hundred (100) and one hundred fifty (150) feet westerly from the center line of the present main track of said Railway Company, as the same is now constructed and operated over and across said section, also that portion of said N <sup>1</sup>/<sub>2</sub> of SW <sup>1</sup>/<sub>4</sub> lying between lines parallel with and distant respectively one hundred fifty (150) and two hundred (200) feet westerly from said above named main track center line and between a line parallel with and distant one hundred ninety-eight (198) feet northerly from the south line of said government subdivision and a line drawn at right angles to said main track center line at a point distant twenty-one hundred thirty-four and eight tenths (2134.8) feet northerly from its point intersection with the south line of said section 31, containing in all two (2) acres, more or less”, also,



That certain 0.35 acre tract of land described in deed dated March 25, 1918 from John Grinier and Alice Grinier to the Northern Pacific Railway Company, recorded April 10, 1918 in Volume 180 of Deeds, Page 401, records of Snohomish County, Washington, said tract being described in said deed for reference as follows:

“A strip of land of the Westerly side of and adjacent to the present two hundred (200) foot right of way of said Railway Company in the south six (6) acres (or the south one hundred ninety-eight (198) feet more or less, of the north-half of the southwest quarter (N $\frac{1}{2}$  of SW $\frac{1}{4}$ ) of section thirty-one (31) in Township twenty-eight (28) North, Range six (6) East of the Willamette Meridian, said strip of land being more particularly described as follows:

“Beginning at a point on the south line of said N  $\frac{1}{2}$  of SW  $\frac{1}{4}$ , one hundred (100) feet distant westerly, measured at right angles, from the present main track of said Railway Company, as the same is now, constructed and operated over and across said section, thence northerly on a line parallel with and one hundred (100) feet distant westerly from said center line to the north line of the property of said grantors (being the north line of the south 198 feet, more or less of the above named government subdivision), thence west along said north line to a point two hundred (200) feet distant westerly, measured at right angles, from said main track center line, thence southeasterly in a straight line to a point on the south line of said above named government subdivision fifty-five (55) feet west of the point of beginning, thence east to the point of beginning, containing thirty-five hundredths (35/100) acres, more or less”, also,

That certain tract of land described in deed dated December 15, 1937 from Ella L Moulton to the Northern Pacific Railway Company recorded February 19, 1938 in Volume 238 of Deeds, Page 102, records of Snohomish County, Washington, said tract of land being described in said deed for reference as follows:

“That portion of Tract No 139 as shown on the official plat of CATHCART on file and of record in the office of the Auditor of said County situate within the south half of southwest quarter (S $\frac{1}{2}$  of SW $\frac{1}{4}$ ) of Section thirty-one (31) in Township twenty-eight (28) North, Range six (6) East of the Willamette Meridian, lying easterly of a line parallel with and distant fifty (50) feet westerly measured at right angles, from the center line of the present main track of the Northern Pacific Railway Company as the same is now constructed and operated over and across said section thirty-one”, also,

That portion of that certain 100.0 foot wide Branch Line right of way, being 50.0 feet on each side of said Main Track centerline, as originally located and constructed, upon, over and across Government Lot 4 in Section 31, Township 28 North, Range 6 East, W M, Government Lots 4, 5, 6 and 7 in Section 6, Government Lots 1, 2, 3, 4 and the SE $\frac{1}{4}$ , SW $\frac{1}{4}$  Section 7, Government Lots 2, 3, 4 and the E $\frac{1}{2}$ , NW $\frac{1}{4}$  Section 18, Government Lots I and 2 Section 19, all in Township 27 North, Range 6 East, W. M , the E $\frac{1}{2}$ , E $\frac{1}{2}$ , NE $\frac{1}{4}$  Section 12, and the SE $\frac{1}{4}$ , NE $\frac{1}{4}$  and the NE $\frac{1}{4}$ , SE $\frac{1}{4}$  Section 24, all in Township 27 North, Range 5 East, W. M., bounded Northerly by the North line of said Government Lot 4 in Section 31, and bounded Southerly the West line of said NE $\frac{1}{4}$ , SE $\frac{1}{4}$  Section 24, also

That portion of that certain 200.0 foot wide Maltby Station Ground property, being 100.0 feet on each side of said Main Track centerline, as originally located and constructed, upon, over and across the W $\frac{1}{2}$ SE $\frac{1}{4}$  Section 24, Township 27 North, Range 5 East, W M, bounded Easterly and Westerly by the East and West lines of said W $\frac{1}{2}$ , SE $\frac{1}{4}$  Section 24, **EXCEPTING THEREFROM**, that portion of said 200.0 foot wide Station Ground property lying Northwesterly of a line concentric with and distant 25.0 feet Northwesterly from, measured radially to said Railway Company’s Main Track centerline as now located and constructed, also

That portion of that certain 100.0 foot wide Maltby Station Ground property, being 50.0 feet on each side of said Main Track centerline, as originally located and constructed, upon, over and across the E $\frac{1}{2}$ SW $\frac{1}{4}$  Section 24, Township 27 North, Range 5 East, W. M, bounded Northerly by the East line of said SW $\frac{1}{4}$  Section 24 and bounded Southerly by the South Line of said SW $\frac{1}{4}$  Section 24, **EXCEPTING THEREFROM**, that portion lying Northwesterly of a line concentric with and distant 25.0 feet Northwesterly from, measured radially to said Railway Company's Main Track centerline as originally located and constructed, bounded Northeasterly by the East line of said SW $\frac{1}{4}$  Section 24, and bounded Southwesterly by the Easterly edge of the travelway of the Street connecting 91<sup>st</sup> Avenue SE with Yew Way in the City of Maltby, Washington, as now located and constructed in a generally Southerly direction from 91<sup>st</sup> Avenue SE, and about 100 feet Southwesterly of the North-South quarter line of said Section 24, as measured along said Main Track centerline, also,

That portion of that certain 200.0 foot wide Maltby Station Ground property, being 100.0 feet on each side of said Main Track centerline, as originally located and constructed, upon, over and across the NW $\frac{1}{4}$  Section 25, Township 27 North, Range 5 East, W M, bounded Northerly and

Southerly by the North and South lines of said NW $\frac{1}{4}$  Section 25, also

That portion of that certain 100.0 foot wide Branch Line right of way, being 50.0 feet on each side of said Main Track centerline, as originally located and constructed, upon, over and across the NW $\frac{1}{4}$ , NE $\frac{1}{4}$ , SW $\frac{1}{4}$  Section 25, Township 27 North, Range 5 East, W M, bounded Northerly and Westerly by the North and West lines of said NW $\frac{1}{4}$ , NE $\frac{1}{4}$ , SW $\frac{1}{4}$  Section 25, also,

That portion of that certain 200.0 foot wide Branch Line right of way, being 100.0 feet on each side of said Main Track centerline, as originally located and constructed, upon, over and across the NW $\frac{1}{4}$ SW $\frac{1}{4}$  Section 25, the NE $\frac{1}{4}$ , SE $\frac{1}{4}$  and the NE  $\frac{1}{4}$  Section 26, all in Township 27 North, Range 5 East, WM,, bounded on the East by the East line of said NW $\frac{1}{4}$ , SW $\frac{1}{4}$  Section 25, and bounded on the West by the West line of said NE $\frac{1}{4}$  Section 26, also

That portion of that certain 100.0 foot wide Branch Line right of way, being 50.0 feet on each side of said Main Track centerline, as originally located and constructed, upon, over and across the SE $\frac{1}{4}$ , NW $\frac{1}{4}$  and the NE $\frac{1}{4}$ , SW $\frac{1}{4}$  Section 26, Township 27 North, Range 5 East, W. M, bounded Easterly by the East line of said SE $\frac{1}{4}$ , NW $\frac{1}{4}$  Section 26, and bounded Westerly by the South line of said SE $\frac{1}{4}$ , NW $\frac{1}{4}$  Section 26, and bounded by the West Line of said NE  $\frac{1}{4}$ , SW  $\frac{1}{4}$  Section 26, also

That portion of that certain 200.0 foot wide Branch Line right of way, being 100.0 feet on each side of said Main Track centerline, as originally located and constructed, upon, over and across the W $\frac{1}{2}$ , SW $\frac{1}{4}$  Section 26, and the NW $\frac{1}{4}$ NW $\frac{1}{4}$  Section 35, all in Township 27 North, Range 5 East, W.M.; bounded on the East by the East line of said W $\frac{1}{2}$ , SW $\frac{1}{4}$  Section 26, and bounded on the South by the South line of said NW $\frac{1}{4}$ , NW $\frac{1}{4}$  Section 35; **EXCEPTING THEREFROM**, that portion lying Westerly of a line parallel and/or concentric with and distant 50.0 feet Westerly from, measured at right angles and/or radially to said Railway Company's Main Track centerline as originally located and constructed, bounded on the North by the North line of said Section 35, and bounded on the South by a line radial to said Main Track centerline at a point 530.0 feet South of the North line of said Section 35, as measured along said Main Track centerline, also,

That portion of that certain 100.0 foot wide Branch Line right of way, being 50.0 feet on each side of said Main Track centerline, as originally located and constructed, upon, over and across the SW<sup>1</sup>/<sub>4</sub>, NW<sup>1</sup>/<sub>4</sub> Section 35, the SE<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub>, NE<sup>1</sup>/<sub>4</sub> and the NE<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub> Section 34, all in Township 27 North, Range 5 East, W.M., bounded on the North by the North line of said SW<sup>1</sup>/<sub>4</sub>, NW<sup>1</sup>/<sub>4</sub> Section 35, and bounded on the South by the South line of said NE<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub> Section 34, also,

That portion of that certain 50.0 foot wide Branch Line right of way being 25.0 feet on each side of said Main Track centerline, as originally located and constructed, upon, over and across the SE<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub> Section 34, Township 27 North, Range 5 East, W.M., bounded on the North by the North line of said SE<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub> Section 34, and bounded on the South by a line radial to said Railway Company's Main Track centerline, as originally located and constructed, at a point distant 600 feet Southwesterly of said North line of said SE<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub> Section 34, as measured along said Main Track centerline, also,

That portion of that certain 100.0 foot wide Branch Line right of way, being 50.0 feet on each side of said Main Track centerline as originally located and constructed, upon, over and across the S<sup>1</sup>/<sub>2</sub>, SE<sup>1</sup>/<sub>4</sub> and the SE<sup>1</sup>/<sub>4</sub>, SW<sup>1</sup>/<sub>4</sub> Section 34, Township 27 North, Range 5 East, W.M., bounded on the North by a line radial to said Railway Company's Main Track centerline, as originally located and constructed, at a point distant 600 feet Southwesterly of said North line of said SE<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub> Section 34, as measured along said Main Track centerline, and bounded on the South by the South line of said Section 34, said line also being the South line of Snohomish County Washington.

