



200208190136

Skagit County Auditor

8/19/2002 Page 1 of 3 12:57PM

AFTER RECORDING MAIL TO:

Donald R. Poli
1218 H Street S.E.
Auburn, WA 98002

Filed for Record at Request of
Land Title Company of Skagit County
Escrow Number: P-102055-E

LAND TITLE COMPANY OF SKAGIT COUNTY

Statutory Warranty Deed

Grantor(s): Cloyd W. Howard
Grantee(s): Donald R. Poli, Marie M. Poli
Abbreviated Legal: Lot 7, HEART O' THE SKAGIT - RIVER TRACTS, records of Skagit
County, WA
Additional legal(s) on page: 2
Assessor's Tax Parcel Number(s): 3923-000-007-0001/P65628

THE GRANTOR CLOYD W. HOWARD, an unmarried man
for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION
in hand paid, conveys and warrants to DONALD R. POLI and MARIE M. POLI, husband and
wife
the following described real estate, situated in the County of Skagit, State of Washington:
See Attached Exhibit A

Subject to: Schedule "B-1" attached hereto and made a part thereof.

3787
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

Dated this 6th day of August, 2002

By Cloyd W. Howard
Cloyd W. Howard

By AUG 19 2002

By _____

By Amount Paid \$ 849.15
Skagit Co. Treasurer
Deputy

STATE OF WASHINGTON }
County of Skagit } SS:

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

Dated: August 16th, 2002

Carrie Huffer
Carrie Huffer
Notary Public in and for the State of WASHINGTON
Residing at Burlington
My appointment expires: 12/31/2003



Exhibit A

Lot 7, "HEART O' THE SKAGIT - RIVER TRACTS", as per plat recorded in Volume 9 of Plats, pages 1, 2 and 3, records of Skagit County.

ALSO, an undivided 1/36 interest in Lot 33, "HEART O' THE SKAGIT - RIVER TRACTS", as per plat recorded in Volume 9 of Plats, pages 1, 2 and 3, records of Skagit County.

Situate in the County of Skagit, State of Washington.

Schedule "B-1"

P-102055-E

EXCEPTIONS:

A. RESTRICTIONS CONTAINED ON THE FACE OF THE PLAT, AS FOLLOWS:

1. Plator shall bear the cost of such Flood Control Improvement as he desires as long as he retains possessory right. After possessory rights pass to the individual lot purchasers, they shall be responsible.

2. Plator shall provide to Skagit County a forty foot easement beginning on the West side of the Lyman Ferry Road and extending Northwesterly along the remainder of the river front of the Plats. Easement granted to County for purpose of Flood Control only. No permanent structures in easement.

The cost of constructing and maintaining all roads not herein dedicated as county roads and all access roads to the plat, unless the same are dedicated as county roads shall be the obligation of all of the owners of the lots in the plat and/or of any additional plats that may be served by said roads, streets, and/or alleys, and that the obligation to maintain whom title of said roads, streets, and/or alleys be held. In the event that the owners of any of these lots or the corporate or private owners of any of the roads, streets, and/or alleys of this plat or any additional plats served by these roads, streets, and/or alleys shall petition the Board of County Commissioners to include these roads, streets, and/or alleys in the road system, said petitioner shall be obligated to bring the same to the county road standards in all respects prior to acceptance by the county.

B. Reservation as shown on the face of the plat, reserving unto the Grantor the right to make all necessary slopes for cuts and fills, and the right to continue to drain said roads and ways over and across any lot or lots, where water might take a natural course, in the original reasonable grading of the roads and ways shown hereon.

Following original reasonable grading of roads and ways hereon, no drainage waters on any lot or lots shall be diverted or blocked from their natural course so as to discharge upon any public road right of way, or to hamper proper road drainage. Any enclosing of drainage water in culverts or drains or re-routing thereof across any lot as may be undertaken by or for the owner of any lot, shall be done by and at the expense of such owner.



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200208190136
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8/19/2002 Page 2 of 3 12:57PM

EXCEPTIONS CONTINUED:

C. RESTRICTIONS IMPOSED BY INSTRUMENT RECORDED AUGUST 15, 1966 UNDER AUDITOR'S FILE NO. 686890, AS FOLLOWS:

1. Any home constructed on any of said tracts shall be constructed on an elevation above the 14-year flood frequency line as shown on said plat.
2. No trees shall be felled or damaged on said platted property which are South of the North line of the easement granted to Skagit County for flood control access which lays along the Southerly side of the platted property.
3. No depressions or cuts shall be made in the bank leading from the lots to the Skagit River.

D. Any question that may arise due to shifting and changing in course of Skagit River.

NOTE: The face of the Plat disclosed the following as to Tract 33:

"Community recreation area for Heart O' The Skagit Plat Owners only."

E. TERMS AND CONDITIONS OF PERMANENT INJUNCTION AND ORDER:

Filed: September 12, 1980
Skagit County Superior
Court Cause No.: 41612
As Follows:

"1. Unless and until the necessary permits are obtained from the Skagit County Permit Center, Defendant is permanently enjoined from using as a building site or causing, permitting or allowing others to use as a building site, the following described property:

Approximately 1.5 miles S.E. of Lyman on Cockerham Lane, Lots 7 and 9, Division III, Plat of Heart O' the Skagit, as recorded in Volume 9 of Plats, pages 1, 2, and 3, records of Skagit County, of Section 21, Township 35 North, Range 6 East, W.M.

