

AFTER RECORDING MAIL TO:
Mr. and Mrs. Richard E. Stewart
24639 Twin Holly Court
Sedro Woolley, WA 98284



200403310040

Skagit County Auditor

3/31/2004 Page

1 of

3 8:57AM

Filed for Record at Request of
Land Title Company of Skagit
Escrow Number: 111421-PE

LAND TITLE OF SKAGIT COUNTY

Statutory Warranty Deed

Grantor(s): Daryl L. Kilwine and Meredith A. Kilwine

Grantee(s): Richard E. Stewart and Corene Stewart

Abbreviated Legal: a ptn of Lot 1, SP 95-031 in 8-36-4 E W.M. & a ptn of SE ¼ of SE ¼, 5-36-4 E W.M.

Assessor's Tax Parcel Number(s): 360408-1-001-0003, P49127

THE GRANTOR DARYL L. KILWINE and MEREDITH A. KILWINE, husband and wife for and in consideration of **TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION** in hand paid, conveys and warrants to **RICHARD E. STEWART and CORENE STEWART, husband and wife** the following described real estate, situated in the County of Skagit, State of Washington.

PARCEL "A":

Lot 1, Skagit County Short Plat No. 95-031, approved August 10, 1998, and recorded August 11, 1998, in Volume 13 of Short Plats, pages 153 and 154, under Auditor's File No. 9808110099, records of Skagit County, Washington; being a portion of the Northeast ¼ of the Northeast ¼ of Section 8, Township 36 North, Range 4 East, W.M., and of the Northwest ¼ of the Northwest ¼ of Section 9, Township 36 North, Range 4 East, W.M. EXCEPT that portion of said Lot 1, described as follows:

Beginning at the Northeast corner of Lot 1, being the Northeast corner of Section 8, Township 36 North, Range 4 East, W.M.;
thence North 87°30'06" West along the North line of said Section 8, a distance of 170.94 feet to the point of beginning of this description;
thence South 59°01'50" West, a distance of 39.08 feet to the Butler Creek Road;
thence Northwesterly along the Butler Creek Road, a distance of 30.06 feet to the North line of said Section 8;
thence South 87°30'06" East along said North line, a distance of 53.47 feet, more or less, to the point of beginning of this description.

Situate in the County of Skagit, State of Washington.

PARCEL "B":

That portion of the Southeast ¼ of the Southeast ¼ of Section 5, Township 36 North, Range 4 East, W.M., described as follows:

Beginning at the Southeast corner of said Section 5;
thence North 87°30'06" West along the South line of said Section 5, a distance of 170.94 feet;
thence North 59°01'50" East, a distance of 63.47 feet;
thence South 70°58'50" East, a distance of 123.08 feet to the point of beginning.

Situate in the County of Skagit, State of Washington.

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

Dated March 19, 2004

Tuk *PK.*

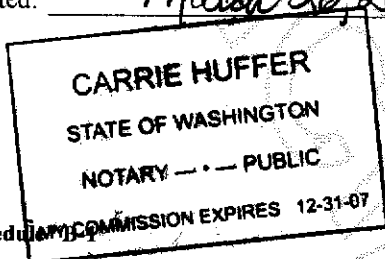
Daryl L. Kilwine

Meredith A. Kilwine

STATE OF Washington }
COUNTY OF Skagit } SS:

I certify that I know or have satisfactory evidence that **Daryl L. Kilwine and Meredith A. Kilwine** the person(s) who appeared before me, and said person(s) acknowledged that they signed this instrument and acknowledge it to be their free and voluntary act for the uses and purposes mentioned in this instrument.

Dated: March 26, 2004



Carrie Huffer

Notary Public in and for the State of Washington

Residing at Burlington

My appointment expires: 12/31/2007

Schedule

Order No.: 111421-PE

EXCEPTIONS:

A. TERMS AND CONDITIONS OF VARIANCE FOR RELIEF FROM MINIMUM LOT SIZE: 1483

Recorded: April 25, 1995
Auditor's No.: 9504250016

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

B. RESTRICTIVE COVENANT FOR WELL SITE:

Recorded: March 11, 1998
Auditor's No.: 9803110094
As Follows:

MAR 31 2004

Amount Paid \$ 763.47
Skagit Co. Treasurer
By LH Deputy

The grantors agree and covenants that said grantees, its successors and assigns said covenants to run with land for the benefit of the land of the grantees, that said his (her) grantors, their heirs, successors and assigns will not construct, maintain, or suffer to be constructed or maintained upon the said land of the grantors and within 100 (one-hundred) feet of the well herein described, so long as the same is operated to furnish water for domestic consumption, any potential source of contamination, such as septic tanks and drain fields, sewer lines, underground storage tanks, roads, railroad tracts, vehicles, barns, feed stations, grazing animals, enclosures for maintaining fowl or animal manure, liquid or dry chemical storage, herbicides, insecticides, hazardous waste or garbage of any kind of description.

C. DETENTION POND MAINTENANCE AGREEMENT, AS SHOWN ON SHORT PLAT:

All costs of maintaining, repairing, improving or otherwise connected with the detention pond and outlet structure within Lot 1, shall be borne equally by the lot owners of Lot 1 and Lot 2 within this short plat. Said costs shall therefore become an enforceable lien against any lot whose owners refuse or fail to participate in the maintenance, repairs or improvements made by agreement of the other owners. Skagit County shall have no obligation to assume any responsibility or costs for the maintenance of repairs of the detention pond easement. If maintenance or repairs are not performed to Skagit County standards, Skagit County retains the rights to enter and maintain or repair the detention pond or outlet structure with costs to be charged to the owners of Lot 1 and Lot 2.

D. NOTES OF THE FACE OF SHORT PLAT, AS FOLLOWS:

1. A variance has been granted by Skagit County Hearing Examiner to relieve Lot 1 from Section 14.04, 100(5) requiring a 5 acre minimum lot size in the rural zoning district. This variance is also subject to a 100 foot setback from the forest zoned Lot 2. See Variance No. VAR 95-014, dated April 25, 1995.
2. The Short Plat number and date of approval shall be included in all deeds and contracts;
3. All maintenance and construction of roads is the responsibility of the Homeowners Association with the lot owners as members.
4. No building permit shall be issued for any residential and/or commercial structures which are not at the time of application determined to be within an official designated boundary of Skagit County Fire District.
5. Change in location of access, may necessitate change of address. Contact: Skagit County Planning & Permit Center.



200403310040
Skagit County Auditor

EXCEPTIONS CONTINUED:

D. (continued):

6. A complete drainage plan will be required by Skagit County prior to issuing additional building permits on any lots in this Short Plat. For details see the Skagit County Permit Center. The Skagit County Drainage and Erosion/Sedimentation Control Ordinance No. 9763" and the "Procedures Manual".

7. Zoning: Lot 1: R5
Lot 2: Forestry
Sewage Disposal: Private sewer systems

8. Water will be supplied from individual water systems. Contact the Health Department to determine if additional water quality or quantity testing will be required for building permit approvals. Skagit County requires a 100 foot radius well protection zone for new individual water systems. The zone must be contained entirely on the lot owned in fee simple and/or be provided through appropriate covenants or easements. Present and future owners of lots with an existing well shall preserve a 100 foot radius well protection zone for existing well improvement or replacement. Demonstration well provided on Lot 1.

9. Location of the road within Lot 2 may vary from the Short Plat map. Owner of Lot 2 shall maintain the roadway and cul de sac within Lot 2 for ingress and egress of emergency vehicles. The minimum radius of the cul de sac shall be 35 feet.

E. DECLARATIONS OF PROTECTIVE COVENANTS AND RESTRICTIONS AND MUTUAL RECIPROCAL EASEMENTS AND ROAD MAINTENANCE AGREEMENT OF BUTLER RIDGE:

Recorded: September 2, 1999
Auditor's No.: 199909020098

F. CONDITIONS AND THE TERMS AND CONDITIONS THEREOF:

Recorded: January 30, 2002
Auditor's No.: 200201300042
As Follows:

"The above described property will be combined or aggregated with contiguous property owned by the grantee and legally described on Exhibit "B" attached hereto. This boundary adjustment is not for the purposes of creating an additional building lot."



200403310040
Skagit County Auditor