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Skagit County Auditor
9/27/2004 Page   1 of   2 9:29AM

Filed for Record at Request of
First American Title Of Skagit County
Escrow Number: 82509

Bargain and Sale Deed

Grantor(s): Charlene Marie Knapp, Trustee
Grantee(s): Thomas M. O'Day and Mary K. O'Day
Abbreviated Legal:

FIRST AMERICAN TITLE CO.
82509E

Lot 77, Block 1, "LAKE CAVANAUGH SUBDIVISION, DIVISION NO. 2"

THE GRANTOR(S) Charlene Marie Knapp, Trustee, or successors in trust, under the Omar and Bertha Rockness Living Trust dated June 26, 1996, for and in consideration of **THREE HUNDRED SIXTY THOUSAND AND NO/100** Dollars $ **360,000.00**, in hand paid, bargains, sells, and conveys to **Thomas M. O'Day and Mary K. O'Day, husband and wife**, the following described estate, situated in the County of **Skagit**, state of Washington:

Lot 77, Block 1, "LAKE CAVANAUGH SUBDIVISION, DIVISION NO. 2", according to plat thereof recorded in Volume 5 of Plats, page 49, records of Skagit County, Washington.

SUBJECT TO easements, restrictions and other exceptions described on the attached Schedule "B-1", which by this reference is incorporated herein as though fully set forth.

Assessor's Property Tax Parcel/Account Number : **3938-001-077-0007 P66555**

The Grantor(s) for himself/herself/themselves and for his/her/their successors in interest do(es) by these presents expressly limit the covenants of the deed to those herein expressed, and exclude all covenants arising or to arise by statutory or other implication, and do(es) hereby covenant that against all persons whomsoever lawfully claiming or to claim by, through, or under said Grantor(s) and not otherwise, he/she/they will forever warrant and defend the said described real estate.

Dated: **September 21, 2004**

signature Charlene Marie Knapp, Trustee
Charlene Marie Knapp, Trustee of Omar and Bertha
Rockness Living Trust dated June 26, 1996

5172
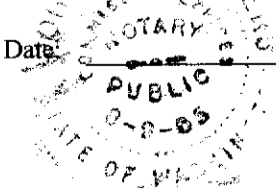SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

SEP 27 2004
6,908.00
Amount Paid $
Skagit Co Treasurer
By _____ Deputy

STATE OF   Washington   }
COUNTY OF   King   } SS:

I certify that I know or have satisfactory evidence that Charlene Marie Knapp is the person who appeared before me, and said person acknowledged that she signed this instrument, and on oath stated that she is the Trustee of the Omar and Bertha Rockness Living Trust dated June 26, 1996, and acknowledged it to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Date: _____

notary seal: NOTARY PUBLIC

signature
John S McMasters
Notary Public in and for the State of   Washington
Residing at   Sea Hic
My appointment expires: 8/9/2007

LPB 15

Exceptions:

A.   Restrictions contained in the plat of said subdivision, substantially as follows, but omitting restrictions, if any, based on race, color, religion or national origin:

(1) No noxious or offensive trade shall be carried on upon any lot nor shall anything be done thereon which may be or become an annoyance to the neighborhood.

(2) No lots shall be used for commercial business or manufacturing purposes.

(3) No building shall be constructed closer than 10 feet to any lot boundary.

B.   Right of the State of Washington in and to that portion, if any, of the property herein described which lies below the line ordinary high water of .

C.   Right of the general public to the unrestricted use of all the waters of a navigable body of water, not only for the primary purposes of navigation, but also for corollary purposes, including (but not limited to) fishing, boating, bathing, swimming, water skiing and other related recreational purposes, as those waters may affect the tidelands, shorelands, or adjoining uplands, and whether the level of the water has been raised naturally or artificially to a maintained or fluctuating level, all as further defined by the decisional law of this state. (Affects all of the premises subject to such submergence.)

D.   Terms, provisions and reservations under the Submerged Land act (43 U.S.C.A. 1301 through 1311) and the rights of the United States of America to regulate commerce, navigation, flood control, fishing and production of power.