

AFTER RECORDING MAIL TO:
Karl W. Tholstrup and Judith K. Tholstrup
1255 montero lane
Burlington, WA 98233



200409300174
Skagit County Auditor

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Filed for Record at Request of
First American Title Of Skagit County
Eserow Number: B82206

Statutory Warranty Deed FIRST AMERICAN TITLE CO.
B82206E

Grantor(s): Gary McCormick Homes, Inc.
Grantee(s): Karl W. Tholstrup and Judith K. Tholstrup
Portion Lots 8 -- 10, Block 135, "First Addition to Burlington" aka Lot 1, Short Plat BURL-3-01
Assessor's Tax Parcel Number(s): 4077-135-008-0105 P72200

THE GRANTOR Gary McCormick Homes, Inc. for and in consideration of **TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION** in hand paid, conveys and warrants to **Karl W. Tholstrup and *Judith K. Tholstrup, husband and wife** the following described real estate, situated in the County of **Skagit, State of Washington.**

*aka Judy Tholstrup

Lot 1, Short Plat BURL-3-01 approved March 19, 2004, recorded March 23, 2004 under Skagit County Auditor's File No. 200403230030; being a portion of Lots 8, 9 and 10, Block 135, "FIRST ADDITION TO BURLINGTON, Skagit County, Washington", as per Plat recorded in Volume 3 of Plats, page 11, records of Skagit County, Washington.

TOGETHER WITH a non-exclusive easement for ingress, egress and utilities over, under and across Montero Lane.

Subject to Paragraphs A thru C of Schedule B-1 of First American Title Company's preliminary commitment no. B82206 attached hereto and made a part hereof by this reference.

Dated **September 16, 2004**

Gary McCormick Homes Inc.
By: Gary McCormick, President

State of Washington }
County of Skagit } SS:



I certify that I know or have satisfactory evidence Gary McCormick is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated he is are authorized to execute the instrument and is President of Gary McCormick Homes Inc. _ to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Date: Sept 22, 2004

Notary Public in and for the State of Washington
Residing at Mount Vernon
My appointment expires: 12/15/2005

5326
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

SEP 30 2004

Amount Paid \$ 3203.82
By Skagit Co. Treasurer Deputy

Schedule "B-1"

Exceptions:

A. EASEMENT AND PROVISIONS CONTAINED THEREIN AS CREATED OR DISCLOSED INSTRUMENT:

In Favor Of: John Shaw and Mara Shaw, husband and wife
Recorded: December 12, 2003
Auditor's No.: 200312120127
For: Ingress, egress, utilities and the maintenance thereof
Affects: Montero Lane

B. MATTERS AS DISCLOSED AND/OR DELINEATED ON THE FACE OF THE FOLLOWING SHORT PLAT:

Short Plat No.: BURL-3-01
Recorded: March 23, 2004
Auditor's No.: 200403230030

Said matters include but are not limited to the following:

1. 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 road drainage. Any enclosing of drainage waters in culverts or drains or rerouting shall be done by and at the expense of such owner.
2. All maintenance and construction of private roads are the responsibility of the Lot owners and the responsibility of maintenance shall be in direct relationship to usage of road.
3. Short Plat Number and Date of Approval shall be included in all deeds and contracts.
4. Sewage Disposal – City of Burlington sanitary sewer system
Water – P.U.D. No. 1
Power – Puget Sound Energy
Telephone – Verizon
T.V. – Comcast
Drainage – City of Burlington storm drainage system
5. Buyer should be aware that this Short Plat is located in the floodplain of the Skagit River and the floodway of Gages Slough and significant elevation may be required for the first floor of residential construction.
6. No certificate of occupancy will be given for any new construction until all required utilities and roadway are approved and installed to the satisfaction of the City of Burlington Public Works Department.



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7. The "Plat of First Addition to Burlington" dimensions Rio Vista Avenue as being 80 feet wide, Lot dimensions on the Plat, existing road centerline monumentation and previous surveys and Short Plats in Block 135 of "First Addition to Burlington" indicate that a 30 foot right-of-way (Half Street) is being used contiguous to Block 135. This Survey holds the 30 foot Half Street width for Rio Vista Avenue.
8. Comply with Title 14, Surface Water Management Standards for temporary construction and long-term runoff quantity and quality and prevent any adverse impact on adjacent properties.
9. Construct utility and access improvements as required by the City Engineer. Sewer is required to be a minimum of 8 inches in diameter.
10. Access easement shall be paved throughout the Short Plats, provide a sidewalk on one side, and comply with Fire Department standards for construction, turnarounds and location of two required fire hydrants.
11. The East line of Lot 1 of the Montgomery Short Plat will need to be moved 6 inches or so to the East meet the 9,600 square foot minimum Lot size requirement.
12. A screening fence six feet in height is required adjacent to or near abutting property lines. The fence will be cedar pressure-treated wood.
13. New homes shall be limited to one story in height to protect privacy of adjacent residences.
14. The easement and entrance driveway shall be installed as close as possible to the existing rental home and paved as far as possible from the property line to the South, to protect existing bedrooms.
15. Landscaping and maintenance standards shall be met, including planting at least one tree per Lot and grass seeding the lawns before final building permits are issued.
16. New homes shall be constructed on site.
17. A homeowner's association shall be formed to maintain the driveways.
18. A streetlight shall be installed and a private street sign.
19. Easement for ingress, egress and utilities affects Lots 1 and 3.
20. Typical building setbacks.
21. Location of concrete wall and fences.



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C. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Public Utility District No. 1 of Skagit County, Washington, a
municipal corporation
Dated: April 15, 2004
Recorded: April 22, 2004
Auditor's No.: 200404220052
Purpose: "pipe or pipes, line or lines, or related facilities, along with
necessary appurtenances for the transportation and control
of water, sewer and electronic information..."
Area Affected: Easement portion of the subject property



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