

4

AFTER RECORDING MAIL TO:

THE FAIRHAVEN LLC
504 E. FAIRHAVEN BLVD.
BURLINGTON, WA. 98233



200411220175
Skagit County Auditor

11/22/2004 Page 1 of 4 11:49AM

Filed for Record at Request of
First American Title Of Skagit County
Escrow Number: B82211

Statutory Warranty Deed

FIRST AMERICAN TITLE CO.

Assessor's Tax Parcel Number(s): 3867-000-035-0005 P62473

B82211-E

THE GRANTOR Charles Barnum, as his separate estate for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to The Fairgarden LLC the following described real estate, situated in the County of Skagit, State of Washington.

Lots 2 through 7 of Short Plat No. BU-3-04, approved October 28, 2004 and recorded November 9, 2004, under Skagit County Auditor's File No. 200411090110; being a portion of Tract 35, "PLAT OF THE BURLINGTON ACREAGE PROPERTY", as per plat recorded in Volume 1 of Plats, page 49, records of Skagit County, Washington.

Subject to covenants, conditions, restrictions and easements as per attached Exhibit "A".

Dated: Nov. 18, 2004

Charles Barnum
Charles Barnum

6275

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

NOV 22 2004

Amount Paid \$ 2492.00
Skagit Co. Treasurer
By [Signature] Deputy

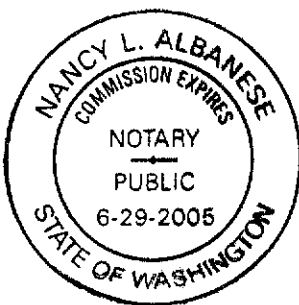
STATE OF Washington
COUNTY OF Skagit } SS:

I certify that I know or have satisfactory evidence that Charles Barnum, the persons who appeared before me, and said person(s) acknowledged that he/she/they signed this instrument and acknowledge it to be his/her/their free and voluntary act for the uses and purposes mentioned in this instrument.

Date: 11/19/04

[Signature]

Notary Public in and for the State of Washington
Residing at anacortes
My appointment expires: 6-29-05



Exceptions:

A. REGULATORY NOTICE/AGREEMENT THAT MAY INCLUDE COVENANTS, CONDITIONS AND RESTRICTIONS AFFECTING THE SUBJECT PROPERTY:

Executed By: Larry J. Halford
Recorded: May 25, 1990
Auditor's No: 9005250042

Reference is hereby made to the record for the full particulars of said notice/agreement. However, said notice/agreement may have changed or may in the future change without recorded notice.

B. REGULATORY NOTICE/AGREEMENT THAT MAY INCLUDE COVENANTS, CONDITIONS AND RESTRICTIONS AFFECTING THE SUBJECT PROPERTY:

Executed By: Larry J. Halford
Recorded: June 18, 1990
Auditor's No: 9006180012

Reference is hereby made to the record for the full particulars of said notice/agreement. However, said notice/agreement may have changed or may in the future change without recorded notice.

C. AGREEMENT, AND THE TERMS AND PROVISIONS THEREOF:

Between: Charles Barnum, Kevin Bell and Roxanne Robertson
Dated: September 27, 2002
Recorded: October 1, 2002
Auditor's No.: 200210010020
Regarding: Property Line Agreement

D. AGREEMENT, AND THE TERMS AND PROVISIONS THEREOF:

Between: Barry and Bonnie D'Annunzio, Kelly Ellen Moss and Charles Barnum
Dated: September 26, 2002
Recorded: October 1, 2002
Auditor's No.: 200210010022
Regarding: Property Line Agreement

E. AGREEMENT, AND THE TERMS AND PROVISIONS THEREOF:

Between: Kelly Ellen Moss, Charles Barnum and Barry & Bonnie D'Annunzio
Dated: September 24, 2002
Recorded: October 1, 2002
Auditor's No.: 200210010023
Regarding: Property Line Agreement



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

Short Plat No.: BU-3-04
Recorded: November 9, 2004
Auditor's No.: 200411090110

Said matters include but are not limited to the following:

1. Curb and gutter shall be installed across the site along Fairhaven Avenue and Gardner Road extending to connect to the existing curb and gutter on Fairhaven Avenue just West of the Robertson property and South of Edick property.
2. Sidewalks shall be installed in front of the property on Fairhaven Avenue and Gardner Road.
3. A street light is required at Fairhaven Avenue and Gardner Road.
4. The access for the lots #4, #6 and #7 is allowed onto the fronting public street.
5. Utilities are required to be underground.
6. One fire hydrant is required and the entire private driveway is required to be signed for no parking. Fire Lane, with signage details to be approved by the Fire Marshal.
7. Storm drainage for the private driveway and the homes will be accomplished on site. Street and utility plans shall be approved by the Engineering Department.
8. A detail of the infiltration trench design for the subject property is required on the plans and this will be inspected by the Building Department as part of short plat.
9. Manufactured homes are not permitted.
10. Each home will provide one 10 foot and on five foot side yard to accommodate the potential for vehicular access to the rear yard. A minimum of two offstreet parking spaces is required per unit which can be accommodated by providing a minimum of 20 feet in front of each garage from the back of the curb.
11. Plant lawns and at least one tree per lot prior to final inspection.
12. Form a Homeowner's Association with joint maintenance for the road and drainage system.
13. Coordinate privacy fencing as requested by individual neighbors.
14. Maintenance, upkeep and repair of the access, utility and drainage easement areas shall be the responsibility of the Homeowner's Association.



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15. A non-exclusive easement is hereby reserved for and granted to the City of Burlington; Public Utility District No. 1 of Skagit County; Puget Sound Energy, Inc., Cascade Natural Gas Corporation; Verizon; and AT&T Cablevision of Washington, Inc., and their respective successors and assigns under and upon the exterior ten (10) of all lots and tracts abutting public right-of-way, in which to install, lay, construct, renew, operate, maintain and remove utility systems, lines, fixtures and appurtenances attached thereto, for the purpose of providing utility service to the subdivision and other property, together with the right to enter upon the lots and tracts at all times for the purposes stated, with the understanding that any grantee shall be responsible to all unnecessary damage it causes to any real property owner in the subdivision by the exercise of rights and privileges herein granted. Property owner is prohibited from building improvements within this easement unless approval has been granted by the City Engineer.

16. Water - P.U.D. #1

17. Sewage - City of Burlington

18. Ten (10) foot utility easement affects Lots 4, 6 and 7

19. Ten (10) foot drainage easement affects Lot 7

20. Thirty (30) foot drainage easement affects Lot 7

21. Ten (10) foot utility and sewer easement affects Lots 1 and 7

22. Twenty (20) foot utility and sewer easement affects Lots 5, 6 and 7

23. Twenty (20) foot sewer easement affects Lots 1 and 5

24. Access and utility easement affects Lots 1, 3, 4, 5 and 6



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