

AFTER RECORDING MAIL TO:
Derek D. Evans and Ellen M. Evans
6359 Mountain View Lane
Anacortes, WA 98221



200412230062
Skagit County Auditor

12/23/2004 Page 1 of 4 10:14AM

Filed for Record at Request of
First American Title Of Skagit County
Escrow Number: A83233

Statutory Warranty Deed

A 83233E

Grantor(s): Midgie Enterprises, LLC

FIRST AMERICAN TITLE CO.

Grantee(s): Derek D. Evans and Ellen M. Evans

Portion Sections 4 and 9, Township 34, Range 2; aka Lot 3 of Short Plat PL-04-0070

Assessor's Tax Parcel Number(s): P106852, 340204-4-019-0100

THE GRANTOR Midgie Enterprises, LLC, a Washington limited liability company for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to Derek D. Evans and Ellen M. Evans, husband and wife the following described real estate, situated in the County of Skagit, State of Washington.

Lot 3, Short Plat PL-04-0070, approved September 20, 2004, recorded September 21, 2004 under Auditor's File No. 200409210129, records of Skagit County, Washington; being a portion of the Southeast 1/4 of the Southeast 1/4 of Section 4, Township 34 North, Range 2 East W.M., and Government Lots 1 and 2 of Section 9, Township 34 North, Range 2 East W.M.

TOGETHER with a non-exclusive easement for ingress, egress and utilities as described in documents recorded under Auditor's File Nos. 9510090036 and 200409210127.

SUBJECT TO the Easements, Restrictions and other Exceptions attached as Exhibit "A".

Dated December 14, 2004

Midgie Enterprises, LLC

By: Frank J. Brown, Managing Member

6895
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

DEC 23 2004

Amount Paid \$ 4396.00
Skagit Co. Treasurer
By Deputy

State of Washington }
County of KING } SS:

I certify that I know or have satisfactory evidence Frank J. Brown the person(s) who appeared before me, and said person(s) acknowledged that he/she/they signed this instrument, on oath stated he/she/they are authorized to execute the instrument and is Managing Member of Midgie Enterprises LLC to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Date: December 17, 2004

Kelly Hart
Notary Public in and for the State of Washington
Residing at 2275 Curillon Point Kirkland, WA 98033
My appointment expires: August 27, 2008

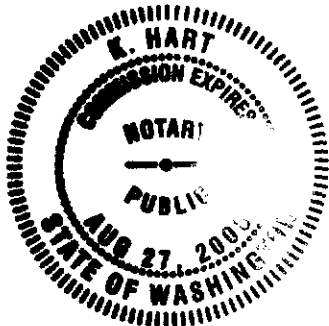


EXHIBIT A

A. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Cascade Natural Gas Corporation
Dated: April 25, 1957
Recorded: May 3, 1957
Auditor's No.: 550862
Purpose: Right-of-way for pipelines 50 feet in width over and across Lot 1 Section 9

B. Exceptions and reservations contained in Deed from the State of Washington, recorded under Auditor's File Nos. 91418, 108593 and 164186, whereby the grantor excepts and reserves all oils, gases, coal, ores, minerals, fossils, etc., provided that no rights shall be exercised until provision has been made for full payment of all damages sustained by reason of said entry. This matter applies only to that portion of said premises comprising tidelands of the Second Class.

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.

E. RESERVATION CONTAINED IN DEED

Executed by: Scott Paper Company, a Pennsylvania Corporation
Dated: July 7, 1989
Recorded: July 7, 1989
Auditor's No.: 8907070037
Regarding: Reservation of minerals

F. EASEMENT AND PROVISIONS THEREIN:

Grantee: Puget Sound Power & Light Co.
Dated: November 6, 1997
Recorded: January 9, 1998
Auditor's No.: 9801090065
Purpose: Right to enter said premises to operate, maintain, repair, underground electric transmission and/or distribution system, together with the right to remove brush, trees and landscaping which may constitute a danger to said lines.
Affects: Reference is hereby made to the record for full particulars



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G. PROTECTIVE COVENANTS AND/OR EASEMENTS, BUT OMITTING RESTRICTIONS, IF ANY, BASED ON RACE, COLOR, RELIGION OR NATIONAL ORIGIN:

Dated: August 24, 2004
Recorded: September 21, 2004
Auditor's No.: 200409210127
Executed By: Midgie Enterprises, LLC

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

Short Plat No.: PL-04-0070
Recorded: September 21, 2004
Auditor's No.: 200409210129

Said matters include but are not limited to the following:

1. Short Plat Number and Date of Approval shall be included in all deeds and contracts.
2. All maintenance and construction of roads shall be the responsibility of the Homeowners Association with the lot owners as members. See Maintenance Agreement filed in Auditor's File No. 200409210127. In no case shall the County accept a dedication or any obligation as to any such road, street, and/or alley until the same and all roads, streets, and/or alleys connecting the same to the full, current County road system have been brought to full, current County road standards and a right-of-way deed has been transferred to and accepted by the County.
3. Sewer – Individual on-site sewage disposal systems. Alternative systems are proposed for all lots of this Short Plat which may have special design, construction and maintenance requirements. See Health Officer for details.
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 a Skagit County Fire District.
5. A Skagit County address range has been applied to the road system in this subdivision. At the time of application for building and/or access, Skagit County GIS will assign individual addresses in accordance with the provisions of Skagit County Code 15.24. Change in location of access, may necessitate a change of address. Contact Skagit County Planning and Permit Center.
6. All runoff from impervious surfaces and roof drains shall be directed so as not to adversely effect adjacent properties.
7. Water – Public Utility District No. 1 of Skagit County. At the time of recording, this Plat is within the service area of Public Utility District No. 1 of Skagit County. If there is additional subdivision of properties shown on this Plat, the Public Utility District No. 1 of Skagit County may require extension of the water pipeline beyond the end of the cul-de-sac.



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8. Easements are granted to Public Utility District No. 1 of Skagit County, Washington, a municipal corporation, its successors or assigns, the perpetual right, privilege and authority enabling the PUD to do all things necessary or proper in the construction and maintenance of a water line, lines or related facilities, including the right to construct, operate, maintain, inspect, improve, remove, restore, alter, replace, relocate, connect to and locate at any time a pipe or pipes, line or lines or related facilities, along with necessary appurtenances for the transportation of water over, across, along, in and under the lands as shown on this plat together with the rights of ingress to and egress from said lands across adjacent lands of the grantor; also, the right to cut and/or trim all brush, timber, trees or other growth standing or growing upon the lands of the grantor which, in the opinion of the District, constitutes a menace or danger to said line or to persons or property by reason of proximity to the line. The grantor agrees that title to all timber, brush, trees, other vegetation or debris trimmed, cut and removed from the easement pursuant to this agreement is vested in the District. Grantor, its heirs, successors or assigns hereby conveys and agrees not to construct or permit to be constructed structures of any kind on the easement area without written approval of the general manager of the District. Grantor shall conduct its activities and all other activities on grantor's property so as not to interfere with, obstruct or endanger the usefulness of any improvements or other facilities; now or hereafter maintained upon the easement or in any way interfere with obstruct or endanger the District's use of the easement.

9. Setback requirements.

10. Proposed sewage disposal area locations.

11. Unrecorded power line easement affecting Lots 2, 3 and 4

12. Open space easement affecting Lots 2 and 3; also shown on the Plat of Estates of Summit Park Division III.

Note # 1.: We note the following recorded documents which may affect building or land use. Governmental regulations are not a matter of title insurance and said documents are shown as a courtesy only. Reference is made to the record for the full particulars. Matters set forth in said notice/agreement (s) may have expired, changed or may change in the future without recorded notice.

Auditor's File No.: 200101260086
Document Title: Findings of Fact, Conclusion of Law and Decision
Regarding: Special use permits

I. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Skagit County
Dated: August 24, 2004
Recorded: September 21, 2004
Auditor's No.: 200409210128
Purpose: Protected Critical Area Easement Agreement
Area Affected: Affects Tracts A and B, protected critical areas only



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