

AFTER RECORDING MAIL TO:  
Sunset Incorporated  
669 A Sunset Park Drive  
Sedro Woolley, WA 98284

200501280046  
Skagit County Auditor

1/28/2005 Page 1 of 5 9:58AM

Filed for Record at Request of  
First American Title Of Skagit County  
Escrow Number: B83634

Statutory Warranty Deed **FIRST AMERICAN TITLE CO.**  
B83634 E

Grantor(s): Burlington Hill Properties  
Grantee(s): Taxpayer: Sunset Incorporated and First American Exchange of Skagit County as Facilitator  
Ptn. Lots 12 and 14 "Burlington Hill Business Park Phase II Binding Site Plan"  
Assessor's Tax Parcel Number(s): P112914, 8017-000-012-0000

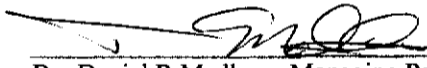
THE GRANTOR Burlington Hill Properties, a Washington general partnership for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION as Part of an IRS 1031 Tax Deferred Exchange in hand paid, conveys and warrants to Sunset Incorporated, a Washington Corporation the following described real estate, situated in the County of Skagit, State of Washington.

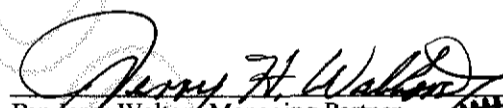
The East 266.56 feet of the North 117.15 feet of the South 656.93 feet of Lot 14;

AND the North 117.15 feet of the South 259.65 feet of Lot 12, "BURLINGTON HILL BUSINESS PARK PHASE II BINDING SITE PLAN", approved October 15, 1997, recorded October 29, 1997 in Volume 13 of Short Plats, pages 53 to 56, inclusive, under Auditor's File No. 9710290033 and being a portion of the Southwest 1/4 of Section 29, Township 35 North, Range 4 East, W.M., and a portion of the Northwest 1/4 of Section 32, Township 35 North, Range 4 East, W.M. Subject to covenants, condiftions, restrictions and easements, if any, as per attached Exhibit "A"

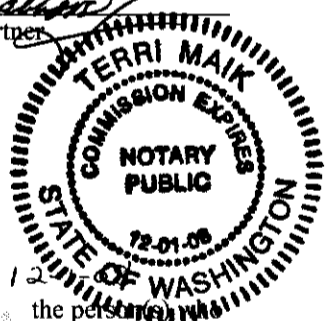
Dated 1/25/05

Burlington Hill Properties

  
By: Daniel R. Madlung, Managing Partner

  
By: Jerry Walton, Managing Partner

Signed before me  
on 1-26-05




State of Washington  
County of Skagit

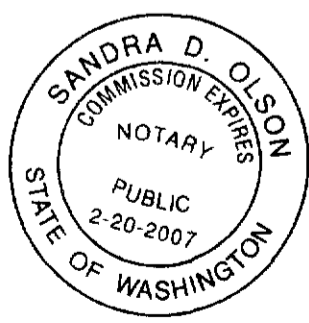
Terri Maik  
Notary Public  
my commission expires 12-31-08

I certify that I know or have satisfactory evidence Daniel R. Madlung and Jerry Walton the person(s) appeared before me, and said person(s) acknowledged that /they signed this instrument, on oath stated they are authorized to execute the instrument and are the Managing Partners of Burlington Hill Properties to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.


Date: 1-26-05

  
Sandra D. Olson

Notary Public in and for the State of  
Residing at Burlington, Wa.  
My appointment expires: 02-20-07



# 400  
SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

JAN 28 2005  
Amount Paid \$ 3505.82  
By  Skagit Co. Treasurer  
Deputy

UNOFFICIAL DOCUMENT



SECRETARIAT DES NATIONS UNIES  
NEW YORK  
1970

EXHIBIT "A"

**EXCEPTIONS:**

A. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee: Pacific Telephone and Telegraph Company  
Dated: January 23, 1911  
Recorded: February 16, 1911  
Auditor's No: 83397  
Vol. 83 of Deeds, page 491  
Purpose: Erect and maintain telephone poles  
Area Affected: Exact location is not disclosed on the record

B. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee: Public Utility District No. 1 of Skagit County, Washington  
Dated: August 24, 1955  
Recorded: August 25, 1955  
Auditor's No: 523071  
Purpose: Pipe or pipes, line or lines, for the transportation of water  
Area Affected:

The West 10 feet of the West 1/2 of the Southwest 1/4 of Section 29, Township 35 North, Range 4 East. W.M., lying West of the railroad right-of-way; EXCEPT the South 30 feet thereof; AND EXCEPT roads and State Highway right-of-way

C. AGREEMENT, AND THE TERMS AND CONDITIONS THEREOF:

Between: Burlington Northern, Inc., a Delaware corporation  
And: Laurence G. Fladebo  
Dated: September 1, 1980  
Recorded: April 17, 1981  
Auditor's No: 8104170038  
Regarding: 18 foot plank road crossing, together with an existing access roadway

D. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee: The Pacific Telephone and Telegraph Company, its successors and assigns  
Dated: April 7, 1927  
Recorded: May 13, 1927  
Auditor's No: 203677, Vol. 143, page 266  
Purpose: Right to place one anchor and wires thereon, with right of access for repairs  
Area Affected: The Northwest 1/4 of the Northwest 1/4 of the subject property



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F. Relinquishment of rights of access to State Highway and of light, view and air under terms of deed to the State of Washington:

Recorded: September 5, 1958  
Auditor's No: 570005

F. Possible rights of third parties to use an existing road running along the South line of the Southwest 1/4, as disclosed by document recorded under Auditor's File No. 8104170038.

G. RESERVATIONS AND/OR EXCEPTIONS CONTAINED IN INSTRUMENT:

From: Glacier Park Company, a Delaware corporation  
Recorded: December 21, 1989  
Auditor's No: 8912210037  
As Follows:

Reserving unto themselves, their successors and assigns, all ores and minerals, etc.

Said reservation of mineral rights has been deeded to Meridian Oil, Inc., a Delaware corporation by Auditor's File No. 9104110021.

H. AGREEMENT, AND THE TERMS AND CONDITIONS THEREOF:

Between: City of Burlington, State of Washington  
And: Burlington Hill Properties, a Washington partnership  
Dated: October 20, 1997  
Recorded: October 29, 1997  
Auditor's No: 9710290035  
Regarding: Concomitant Rezone Agreement

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

Dated: October 20, 1997  
Recorded: October 29, 1997  
Auditor's No: 9710290036  
Executed by: Jerry Walton, Daniel R. Madlung and Burlington Hill Business Park

J. MATTERS DISCLOSED AND/OR DELINEATED ON THE FACE OF THE FOLLOWING PLAT/SUBDIVISION:

Plat/Subdivision Name: Burlington Hill Business Park Phase II  
Binding Site Plan  
Recorded: October 29, 1997  
Auditor's No.: 9710290033



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Said matters include but are not limited to the following:

1. An easement is hereby reserved for and granted to the City of Burlington, PUBLIC UTILITY DISTRICT NO. 1, Puget Sound Power and Light, G.T.E., Cascade Natural Gas Corp., and TCI Cablevision of Washington, Inc.,

and their respective successors and assigns under and upon the exterior ten (10) feet of front boundary lines of all lots and tracts and other utility easements shown on the face of the Binding Site Plan, in which to install, lay, construct, renew, operate, maintain, and remove utility systems, line, fixtures, and appurtenances attached thereto, for the purpose of providing utility services 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 for all unnecessary damage it causes to any real property owner in the subdivision by the exercise of rights and privileges herein granted.

2. Easements are granted to Public Utility District No. 1 of Skagit County, Washington, a municipal corporation, its successor 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 right 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 of 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.

3. Railroad alignment shown on Sheets 2 and 4 hereon shows a ten minute angle point along the Easterly railroad right-of-way line. Railroad alignment as shown on Burlington Hill Business Park, Binding Site Plan, filed in Volume 11 of Plats, pages 109-112, Skagit County Records, Washington, shows the Westerly railroad right-of-way as one tangent. As-built location and plans information indicate probability that an angle point exists, although other record information calls for one tangent.

4. The eighty foot drainage easement shown on Sheets 2 and 3 hereon is subject to the following:

- (a) Property that is lower than elevation 24.0 feet shall not be filled or developed to an elevation above 24.0 feet.
- (b) Undeveloped property that is higher than elevation 24.0 feet shall not be developed at an elevation higher than existing grade.
- (c) Property at and below elevation 24.0 feet is potentially subject to flooding during the 100 year storm rainfall event.

5. Development on all lots within Phase II of Burlington Hill Business Park shall be constructed so no top of storm structure is lower than elevation 24.0 feet. Storm systems within the project will be subjected to a detention elevation of 24.0 feet. On site biofiltration shall be provided within the development of Lots 1, 2, 3, 4, 15, 17 and 18. Biofiltration shall conform to D.O.E. requirements and be approved by the City of Burlington.



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6. Lester H. Gear Road right-of-way is shown as a 30 foot strip abutting the East-West center section line. According to Skagit County records, a portion of this strip is occupied by that certain tract of land conveyed to Lester H. Gear by Deed dated April 10, 1903 and recorded April 11, 1903 in Volume 49 of Deeds, page 569, under Auditor's File No. 3741.

7. Delineation of utility easements, drainage easements, railroad easement. (See instrument for full particulars).

K. RESERVATION CONTAINED IN INSTRUMENT

Executed by: Burlington Hill Properties, a Washington general partnership  
Recorded: June 27, 2000  
Auditor's No.: 200006270089  
As Follows:

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



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