

AFTER RECORDING MAIL TO:  
Leslie A. Kautz and Janis A. Kautz  
17076 Blackberry Court  
Mount Vernon, WA 98274



200506080154  
Skagit County Auditor

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Filed for Record at Request of  
First American Title Of Skagit County  
Escrow Number: B83349

### Statutory Warranty Deed

Grantor(s): Hansell Mitzel Homes, LLC  
Grantee(s): Leslie A. Kautz and Janis A. Kautz  
Lot 3, "NOOKACHAMP HILLS PUD, PHASE I"  
Assessor's Tax Parcel Number(s): P113843, 4722-000-003-0000

FIRST AMERICAN TITLE CO.  
B83349-1

THE GRANTOR Hansell Mitzel LLC dba Hansell Mitzel Homes for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to Leslie A. Kautz and Janis A. Kautz, husband and wife the following described real estate, situated in the County of Skagit, State of Washington.

Lot 3, "NOOKACHAMP HILLS PLANNED UNIT DEVELOPMENT, PHASE I", as filed in Volume 17 of Plats, pages 26 - 31, records of Skagit County, Washington.

TOGETHER WITH a non-exclusive easement for ingress, egress and utilities as set forth on easement recorded as Skagit County Auditor's File No. 200411220201 over, across and under a portion of Lot 2 of said Planned Unit Development as described on said Auditor's File No. 200411220201.

Dated June 3, 2005

Hansell Mitzel Homes, LLC  
By: Daniel R. Mitzel, Managing Member

State of WASHINGTON }  
County of SKAGIT } SS:

I certify that I know or have satisfactory evidence Daniel R. Mitzel 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 Hansell Mitzel Homes, LLC to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Date: 6.3.05

Notary Public in and for the State of WASHINGTON  
Residing at FERNDALE  
My appointment expires: 06/19/07

NOTARY PUBLIC  
STATE OF WASHINGTON  
B. ELIZABETH THOMPSON  
My Appointment Expires  
JUNE 19, 2007

2925  
SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

JUN 08 2005  
Amount Paid \$ 4,367.97  
Skagit Co. Treasurer  
By DC Deputy

Exhibit "A"

**Exceptions:**

A. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee: Skagit Valley Telephone Company  
Dated: Undisclosed  
Recorded: September 21, 1967  
Auditor's No: 704645  
Purpose: Telephone lines  
Area Affected: Southeast 1/4 of Section 25, Township 34 North, Range 4 East, W.M., and West 1/2 of Section 30, Township 34 North, Range 5 East, W.M.

B. AN EASEMENT AFFECTING THE PORTION OF SAID PREMISES AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES:

For: Ingress, egress, drainage and utilities  
In Favor Of:

Present and future owners of the following described property:

Portions of Sections 13, 19, 24, 25, 30, 31 and 36, of Township 34 North, Range 4 East, W.M.,

Recorded: December 10, 1982  
Auditor's No.: 8212100052  
Affects: Otter Pond Drive, Tract "A", and other property

C. Matters related to annexing a portion of the subject property into Skagit County Sewer District No. 2, as disclosed by document recorded under Auditor's File Nos. 8412050001 and 8411280007.

D. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee: Public Utility District No. 1 of Skagit County, Washington  
Dated: June 8, 1990  
Recorded: September 13, 1990  
Auditor's No: 9009130081  
Purpose: Water pipe lines, etc.  
Area Affected: Trout Drive; Access Road; Lot 59 and Tract "C"

E. EASEMENT AND PROVISIONS CONTAINED THEREIN:

Grantee: Puget Sound Power & Light Company  
Dated: December 6, 1979  
Recorded: December 11, 1979  
Auditor's No: 7912110003  
Purpose: Right to enter said premises to operate, maintain and 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  
Location: The Westerly 10 feet of the Northerly, approximate 513 feet lying parallel and adjacent to said SR-9 of Parcel "C"

F. Terms and/or conditions of Finding of Fact, Entry of Order, regarding plat approval for Nookachamp Hills, Phase I, recorded October 13, 1997, under Auditor's File No. 9710130073.

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

Dated: October 13, 1998  
Recorded: November 2, 1998  
Auditor's No: 9811020155  
Executed By: Nookachamp Hills, LLC



ABOVE COVENANTS, CONDITIONS AND RESTRICTIONS WERE AMENDED:

Declaration Dated: February 3, 2004  
Recorded: April 28, 2004  
Auditor's No.: 200404280064

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

Plat/Subdivision Name: Nookachamp Hills Planned Unit Development Phase I  
Recorded: November 2, 1998  
Auditor's No: 9811020154

Said matters include but are not limited to the following:

a. Terms, covenants, conditions, notes and restrictions contained in said Plat, as follows:

~ Sewage Disposal - Skagit County Sewer District No. 2.

~ Water - Skagit County P.U.D.

~ The Plat of Nookachamp Hills Planned Unit Development is adjacent to property used for agricultural operations. Owners may be subject to inconveniences or discomforts arising from such operations, including but not limited to, noise, odors, flies, fumes, dust, the operation of machinery of any kind during any 24-hour period, (including aircraft). The storage and disposal of manure and the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides and pesticides and will not consider to be a nuisance if such operations are consistent with commonly accepted best management practices and complies with local, state and federal laws.

~ Sanitary sewer easements "A" through "S" shown hereon are granted to Skagit County Sewer District No. 2.

~ The purchaser or seller of each lot shall deposit \$350.00, into the Skagit County Park Impact Fund at the Skagit County Treasurer's Office at the time of closing of said sale. This one-time fee to mitigate impacts on parks and recreation.

b. Easement provisions as disclosed on the face of said Plat:

An easement is hereby reserved for and granted to Puget Sound Energy, Lake Cable Services, GTE Northwest, P.U.D. No. 1, and their respective successors and assigns, under and upon the exterior ten (10) feet parallel and adjacent to the street frontage of all lots, unless shown otherwise, in which to install, lay, construct, review, operate and maintain underground conduits, cables and wires with necessary facilities and other equipment for the purposes of serving the subdivision and other property with electric, television, telephone and gas service, together with the right to enter upon lots at all times for the purposes stated.

c. Provision set forth in the dedication on the face of the Plat, as follows:

Know all persons by these presents that we, the undersigned, hereby declare this plat and dedicate to the public forever, the use as roads and ways and 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 where water might take a natural course in the reasonable original grading of the roads and ways hereon. No drainage water 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 proper road drainage. Any enclosing of drainage waters in culverts or drains, or rerouting thereof across any lots as may be undertaken by or for the owner of any lots, shall be done by and at the expense of said owner. Additionally, we hereby dedicate Tracts "A", "B", "C" and "D" shown hereon, to the Nookachamp Hills P.U.D. Property Owners Association as common areas and Tracts "A", "B" and "C" as Native Growth Protection Areas as further described in Declaration and Covenants, Conditions, Restrictions, Easements and Reservations, recorded under Skagit County, Washington, Auditor's File No. 9811020155.



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d. P.U.D. Water Pipeline Easement Provisions, as disclosed on the face of said Plat:

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 P.U.D. 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 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.

e. Easement as delineated and/or dedicated on the face of the Plat:

Purpose: Utility and access  
Affects: Exterior 10 feet adjoining streets

f. Matters relating to the possible formation of an Association for the common areas of the Otter Road and Association for horse arena and stable areas, as disclosed by document recorded under Auditor's File No. 8310310059.

g. Terms, conditions and affect of conveyance of sewer facility recorded April, 12, 1999, under Auditor's File No. 9904120148:

Grantor: Nookachamp Hills LLC  
Grantee: Skagit County Sewer District No. 2  
Dated: February 17, 1999

I. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee: Skagit County Sewer District No. 2, a municipal corporation of Skagit County, Washington  
Dated: March 23, 1999  
Recorded: April 12, 1999  
Auditor's No.: 9904120146  
Purpose: Perpetual right-of-way or easement for sewer mains with Necessary appurtenances through, over and across  
Area Affected: Portions of the subject plat

J. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Hansell Mitzel LLC  
Dated: November 18, 2004  
Recorded: November 22, 2004  
Auditor's No.: 200411220201  
Purpose: Ingress, egress and utilities  
Area Affected: A Northeasterly portion of Lot 3

K. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Hansell Mitzel LLC for Lot 2 of subject plat  
Dated: November 18, 2004  
Recorded: November 22, 2004  
Auditor's No.: 200411220201  
Purpose: Ingress, egress and utilities  
Area Affected: A Northeasterly portion of Lot 3 as more fully described on the document copy attached h

