

AFTER RECORDING MAIL TO:
Jeff Hansell, Managing Member
1111 Cleveland Avenue, Suite 201
Mount Vernon, WA 98233



200506150031
Skagit County Auditor

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Filed for Record at Request of
First American Title Of Skagit County
Escrow Number: B84936

Statutory Warranty Deed

Grantor(s): John S. Milnor and Marge B. Milnor
Grantee(s): Hansell Mitzel, LLC

FIRST AMERICAN TITLE CO.
B84936-1

Lot 106A and Ptn. of Lots 142 and 143, "THUNDERBIRD EAST FOURTH ADDITION"
Additional legal(s) on page: 2
Assessor's Tax Parcel Number(s): 4476-000-106-0000, P83212

THE GRANTOR John S. Milnor and Marge B. Milnor, husband and wife for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to Hansell Mitzel, LLC the following described real estate, situated in the County of Skagit, State of Washington

SEE ATTACHED EXHIBIT "A" HERETO FOR LEGAL DESCRIPTION

Subject to covenants, conditions, restrictions and easement as per attached Exhibit "B"

Dated 6/09/05

John S. Milnor
John S. Milnor

Marge B. Milnor
Marge B. Milnor

#3050
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

JUN 15 2005

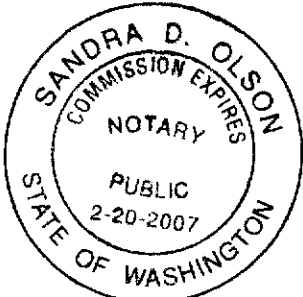
STATE OF Washington }
COUNTY OF Skagit } SS:

Amount Paid \$ 1263.80
Skagit Co. Treasurer
By *[Signature]* Deputy

I certify that I know or have satisfactory evidence that John S. Milnor and Marge B. Milnor, the persons who appeared before me, and said person(s) acknowledged that they signed this instrument and acknowledge it to be their free and voluntary act for the uses and purposes mentioned in this instrument.

Date: 6-13-05

Sandra D. Olson



Notary Public in and for the State of Washington
Residing at Burlington WA
My appointment expires: 2-20-07

EXHIBIT A

Lot 106-A and those portions of Lots 142 and 143, "PLAT OF THUNDERBIRD EAST FOURTH ADDITION", recorded in Volume 14 of Plats, pages 10 and 11, records of Skagit County, Washington, being more particularly described as follows:

BEGINNING at the Northwest corner of said Lot 142, Plat of "THUNDERBIRD EAST FOURTH ADDITION"; thence North 73 degrees 10' 56" East along the North line of said Lot 142 for a distance of 100.40 feet, more or less, to a Northeast corner thereof, being a point on a non-tangent curve; thence along the arc of said curve to the left, concave to the Northeast, having an initial tangent bearing of South 16 degrees 49' 04" East, a radius of 50.00 feet, through a central angle of 79 degrees 04' 55" an arc distance of 69.01 feet, more or less, to a Northeast corner of said Lot 142, also being the Northwest corner of that certain parcel described on Quit Claim Deed to John S. Milnor, a single man, and Danya R. Johnson, a single woman, recorded under Skagit County Auditor's File No. 9510120073; thence continuing along said curve to the left, having a radius of 50.00 feet, through a central angle of 12 degrees 03' 22" an arc distance of 10.52 feet, more or less, to the Northeast corner of said Milnor parcel; thence South 0 degrees 23' 10" West along the East line of said Milnor parcel for a distance of 60.00 feet; thence South 89 degrees 35' 33" West for a distance of 120.00 feet; thence South 44 degrees 52' 13" West for a distance of 68.18 feet, more or less, to the Southeast corner of Lot 106-A said Plat of "THUNDERBIRD EAST FOURTH ADDITION" at a point bearing South 4 degrees 36' 16" West from the POINT OF BEGINNING; thence North 4 degrees 36' 16" East along the East line of said Lot 106-A, also being the West line of said Lot 142, for a distance of 113.59 feet, more or less, to the POINT OF BEGINNING.

TOGETHER WITH an undivided 1/2 interest in that portion of the vacated cul-de-sac adjoining said Lots 142 and 143 that has reverted thereto by operation of law.

TOGETHER WITH a non-exclusive easement for ingress, egress and utilities over, across and under the following described property:

Commencing at the Northwest corner of said Lot 143, being a point of curvature concave to the Northwest; thence along the arc of said curve to the left having an initial tangent bearing of North 84 degrees 05' 57" East, a radius of 50.00 feet, through a central angle of 12 degrees 03' 22", an arc distance of 10.52 feet to the True Point of Beginning; thence South 0 degrees 23' 10" West, a distance of 60.00 feet; thence North 73 degrees 10' 56" East to a point on a line parallel with and 20.00 feet Easterly (as measured perpendicular) of the first course described herein; thence North 0 degrees 23' 10" East along said parallel line to a point of curvature on the North line of said Lot 143; thence along the arc of said curve to the right concave to the Northwest, having an initial tangent bearing of South 44 degrees 46' 01" West, a radius of 50.00 feet, through a central angle of 27 degrees 16' 34", a arc distance of 23.80 feet to the True Point of Beginning.



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EXHIBIT B

EXCEPTIONS:

A. EASEMENT, AND PROVISIONS CONTAINED THEREIN:

Grantor: Keith S. Johnson and Alison R. Johnson, husband and wife
Grantee: Puget Sound Power & Light Company
Purpose: Right to enter said premises to operate, maintain and repair underground electric transmission and/or distribution system, together with right to remove brush, trees and landscaping which may constitute a danger to said lines
Dated: March 14, 1985
Recorded: March 21, 1985
Auditor's No.: 8503210035
Area Affected:

- a.) All streets as constructed or to be constructed within the above described property. (This clause to become null and void when said streets are dedicated to the public.)
- b.) The exterior 7 feet, parallel with and adjoining the street frontage of all lots and tracts, said lots and tracts as delineated on the final approved Plat of Thunderbird East Fourth Addition.
- c.) A 5 foot strip of land parallel with and adjacent to all interior lot lines, and lot lines as delineated on the final approved Plat of Thunderbird East Fourth Addition.

B. COVENANTS, CONDITIONS AND RESTRICTIONS CONTAINED IN DECLARATION OF PROTECTIVE RESTRICTIONS, BUT OMITTING RESTRICTIONS, IF ANY, BASED ON RACE, COLOR, RELIGION OR NATIONAL ORIGIN.

Declaration Dated: May 23, 1985
Recorded: July 1, 1985
Auditor's No.: 8507010025
Executed By: Keith S. Johnson and Alison R. Johnson, husband and wife, and Washington Federal Savings and Loan Association

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

Plat/Subdivision Name: Thunderbird East Fourth Addition
Recorded: June 27, 1985
Auditor's No: 8506270044

Said matters include but are not limited to the following:

1. An easement is hereby reserved for and granted to Puget Sound Power & Light Company, the Continental Telephone Company of the Northwest, the Cascade Natural Gas Corporation, the Public Utility District No. 1 of Skagit County, and Nationwide Cablevision, Inc., and their respective successors or assigns; under and upon the exterior seven (7) feet parallel and adjacent to the street frontage of all lots, TOGETHER WITH those specific easements as shown hereon, in which to install, lay, construct, renew, operate and maintain underground conduits, cables and wires with necessary facilities and other equipment for the purpose of serving the subdivision and other property with electric, telephone, gas, water and television service, together with the right to enter upon the lots at all times for the purposes stated.
2. Right granted in the dedication of said Plat to the use of the public, forever, all roads and easements shown hereon for the uses and purposes indicated as public highways and easements, with the right to make all necessary slopes for cuts and fills, and the right to continue to drain said roads over and across any lot or lots, where water might take a natural course, in the original reasonable grading of the roads shown hereon.
3. Lots 106A, 107A, 108A and 109A shall be non-buildable lots and shall be conveyed to the owners of Lots 106, 107, 108 and 109 of the Plat of Thunderbird East First Addition. Lot 10A shall be conveyed to the owner of Lot 10 of the Plat of Thunderbird East Third Addition.
4. Lots 106A, 107A, 108A, 109A and 10A are "NOT TO BE USED FOR BUILDING PURPOSES AS INDIVIDUAL LOTS."



Exhibit "B" cont..

Amendment to Lot 106-A recorded April 14, 2005 under Auditor's File No. 200504140112 removes said restriction from Lot 106-A as a condition of the boundary line adjustment to a portion of Lots 142 and 143.

5. EASEMENT AS DELINEATED AND/OR DEDICATED ON THE FACE OF THE PLAT:

Purpose: Sanitary Sewer
Affects: West 5 feet

D. STANDARD PARTICIPATION CONTRACT, (REGARDING SEWERS), INCLUDING THE TERMS AND CONDITIONS THEREOF:

Between: City of Mount Vernon
And: John and Danya Milnor, husband and wife
Dated: March 5, 1987
Recorded: April 17, 1987
Auditor's No.: 8704170003

By said instrument, the City of Mount Vernon also acknowledged payment of \$700.00.

E. Any question that may arise due to shifting or changing in course of an unnamed creek.

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

In Favor Of: John S. Milnor, a single man and Danya R. Johnson, a single woman
Recorded: October 12, 1995
Auditor's No.: 9510120073
For: Ingress, egress, utilities and drainage
Affects: That portion of the subject property as described in said document

Said easement contains provisions for joint maintenance.

G. RESERVATIONS AND/OR EXCEPTIONS CONTAINED IN INSTRUMENTS

From: John S. Milnor and Danya R. Johnson
Recorded: October 12, 1995
Auditor's No.'s: 9510120073 and 9510120074
As Follows:

Natural drainage currently is channeled Westerly from Lot 144 across Lot 143 onto Lot 142. Any future changes or modifications to said drainage course shall be mutually agreed upon by all affected parties.

The natural drainage currently is channeled Westerly from Lot 143 through Lot 142. Any future changes or modifications to said drainage course shall be mutually agreed upon by all affected parties.

Maintenance of the above described easement shall be shared equally by the owners of said Lots 142 and 143.

This boundary line adjustment is not for the purpose of creating an additional building lot.

H. Easement for underground television cable across the vacated cul-de-sac as disclosed by the application for title insurance. The exact location of the said easement is unknown.

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

In Favor Of: John S. Milnor, an unmarried man
Recorded: January 16, 1997
Auditor's No.: 9701160067
For: Construction and maintenance of utility lines
Affects: A 10 foot wide strip of land

Said easement was revised under instrument recorded July 28, 1999 under Auditor's File No. 199907280156.

J. RESERVATION CONTAINED IN DEED

Executed by: John S. Milnor and Marge B. Milnor, husband and wife
Recorded: December 6, 2004
Auditor's No.: 200412060180
As Follows:



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Exhibit "B" cont..

The above described property will be combined or aggregated with contiguous property to the West, Lot 106-A, said Plat of "Thunderbird East Fourth Addition", owned by the Grantee.

K. RESERVATION

The Grantors herein reserve easements over the property described herein for the existing utilities serving the Grantor's adjacent lot to the South (portions of Lots 142 and 143). The Grantors further reserve the rights of ingress, egress and utilities over both the existing driveway and vacated cul-de-sac for the benefit of the Grantor's Lot to the South.

The grantees and Grantors herein covenant and agree that there shall be no parking on the driveway easement benefiting the subject property; that the vacated cul-de-sac shall be used primarily for ingress, egress to the three existing houses using it and to the subject property. They further agree that as long as said ingress and egress rights are not restricted in any way, the cul-de-sac may be used for miscellaneous recreation and parking but shall NOT be used as routine parking for any property owners. The Grantees and Grantors shall equally share the maintenance obligations imposed on their lots by agreements recorded as Auditor's File Nos. 9510120073 and 9510120074.

The Grantors herein reserve an easement for two years, to access the North end of their adjacent lot over and across the South 15 feet of the property described herein for the purposes of installing and remodeling their home and adjacent yard.

