

After Recording Return to:  
Carmen Kelley



200506290126  
Skagit County Auditor

6/29/2005 Page 1 of 6 3:58PM

Filed for Record at Request of:  
CHICAGO TITLE  
INSURANCE COMPANY  
PO Box 1115  
1616 Cornwall Avenue, Suite 115  
Bellingham, WA 98225

Escrow No.: 187931-HLE CHICAGO TITLE CO. 1035425V

Abbreviated Legal: Lot, a plat Lot 34, Plat of TJ Townhouses  
Additional Legal(s) on page:  
Assessor's Tax Parcel No.: 4769-000-034-0000 P117621

**STATUTORY WARRANTY DEED**

THE GRANTOR Hollie Van Esch, a single person for and in consideration of TEN DOLLARS AND OTHER VALUABLE CONSIDERATION in hand paid, conveys and warrants to Carmen Kelley, a single person the following described real estate, situated in the County of ~~Whatcom~~ Skagit, State of Washington:

Legal attached hereto and made a part hereof

Subject to Real Estate taxes and Schedule B-001 attached hereto and made a part hereof

ALSO SUBJECT TO LIABILITY TO THE CITY OF ~~MOUNT~~ <sup>MOUNT</sup> VERNON FOR A NONCOMPLIANCE PENALTY IN THE AMOUNT OF APPROXIMATELY \$3000 FOR EACH LOT FOR THE ENTIRE PLAT OF TJ TOWNHOUSES WHICH GRANTEE HEREIN AGREES TO ASSUME ACCORDING TO DATED: June 28, 2005 ITS TERMS AND CONDITIONS.

Hollie Van Esch

3356  
SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

JUN 29 2005

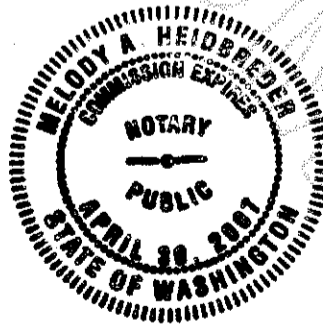
STATE OF WASHINGTON  
COUNTY OF SKAGIT

Amount Paid \$ 2331.80  
Skagit Co. Treasurer  
By Deputy

I certify that I know or have satisfactory evidence that Hollie Van Esch the person(s) who appeared before me, and said person(s) acknowledged that she signed this instrument and acknowledged it to be hers free and voluntary act for the uses and purposes therein mentioned in this instrument.

Dated: 6-29-05

Notary Public in and for the State of Washington  
Residing at at Vernon  
My appointment expires: 4-30-07



SCHEDULE B-001

1. Easement, including the terms and conditions thereof, disclosed by instrument(s);  
Recorded: July 22, 1977  
Auditor's No(s).: 861138, records of Skagit County, Washington  
In favor of: Continental Telephone Company
2. Exceptions and reservations contained in Deed whereby the Grantor excepts and reserves all oils, gases, coal, ores, minerals, fossils, etc., and the right of entry for opening, developing and working mines, etc., provided that no rights shall be exercised until provision has been made for full payment of all damages sustained by reason of such entry;  
**Together With** the right, upon paying reasonable compensation, to acquire rights of way for transporting and moving products from other lands, contained in Deed  
From: The State of Washington  
Auditor's No.: 67757, records of Skagit County, Washington  
Executed By: State of Washington
3. 10 foot by 10 foot easement, including the terms and conditions thereof, granted by instrument(s);  
Recorded: November 5, 1985  
Auditor's No(s).: 8511050076, records of Skagit County, Washington  
In favor of: Puget Sound Power & Light Company  
For: Electric transmission and/or distribution line, together with necessary appurtenances
4. Easement, including the terms and conditions thereof, granted by instrument(s);  
Recorded: July 2, 1986  
Auditor's No(s).: 8607020048, records of Skagit County, Washington  
In favor of: Puget Sound Power & Light Company  
For: Electric transmission and/or distribution line, together with necessary appurtenances
5. Terms, conditions, and restrictions of that instrument entitled Mount Vernon Land Use Ordinance 2394-A;  
Recorded: September 13, 1990  
Auditor's No(s).: 9009130055, records of Skagit County, Washington
6. Terms, conditions, and restrictions of that instrument entitled Mount Vernon Land Use Ordinance No. 2934;  
Recorded: March 2, 1999  
Auditor's No(s).: 9903020122, records of Skagit County, Washington
7. Easement, including the terms and conditions thereof, disclosed by instrument(s);  
Recorded: January 27, 2000  
Auditor's No(s).: 200001270030, records of Skagit County, Washington  
In favor of: Public Utility District No. 1 of Skagit County
8. Easement, including the terms and conditions thereof, granted by instrument(s);  
Recorded: September 12, 2000  
Auditor's No(s).: 200009120116, records of Skagit County, Washington  
In favor of: Puget Sound Energy, Inc.  
For: Electric transmission and/or distribution line, together with necessary appurtenances
9. Covenants, conditions, restrictions, and easements contained in declaration(s) of restriction, but omitting any covenant or restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by law;  
Recorded: September 12, 2000  
Auditor's No(s).: 200009120118, records of Skagit County, Washington

AMENDED by instrument(s):

Recorded: March 27, 2001  
Auditor's No(s).: 200103270101, records of :



10. Easement provisions contained on the face of said plat, as follows:

An easement is hereby reserved for and granted to Public Utility District No. 1 of Skagit County, Puget Sound Energy, Inc., TCI Cablevision of Washington Inc., GTE Northwest, Inc. Cascade Natural Gas Corp. and the City of Mount Vernon and their respective successors and assigns under and upon the exterior 10 feet of front boundary lines of all lots and other easements and upon the exterior 20 feet of front boundary lines of all lots and other easements fronting the street bubbles (Lots 11-34), all as shown on the face of the plat, in which to install, lay, construct, renew, operate, maintain, and remove utility systems, drainage systems, lines, 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 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.

11. Note on the face of said plat.

Those areas designated "CATEGORY III STREAM & WETLAND BUFFER" are for Landscaping, maintained in its natural state by the property owners and preserved free of buildings or structures in accordance with the NGPA Easement restrictions hereinabove.

12. Easement provisions contained on the face of said plat, as follows:

An easement for the purposes of conveying local storm water runoff is hereby granted in favor of all abutting lot owners in the areas designated as "Private Drainage Easements" and/or "Wetland Buffer and Drainage Easements". The maintenance of private drainage easements established and granted herein shall be the responsibility of, the costs thereof shall be borne equally by, the present and future owners of the abutting property and their heirs, personal representatives and assigns.

Those private drainage easements lying within the boundaries of the wetland areas shown upon the face of the plat, shall be subject to the conditions as stipulated within the Native Growth Protection Area Easement hereinabove.

The City of Mount Vernon is hereby granted the right to enter said easements for emergency purposes at its own discretion.

13. NATIVE GROWTH PROTECTION AREA;

No clearing, grading or filling of any kind, building construction or placement or road construction shall occur within any Native Growth Protection Area (NGPA, designated as "wetland Buffer and Drainage Easement area upon the face of the plat) without first obtaining a permit from the Army Corps of Engineers. Removal of trees by the owner shall be limited to those which are dead, diseased or hazardous.

Upon satisfaction of Note 7 herein by the developer, each individual lot owners shall hereafter be responsible for maintaining and repairing those Native Growth protection Areas situated upon their lot or lots and are hereby required to leave said areas undisturbed in a natural state.

By acceptance of the easement for the purposes described, the plat developer and the City of Mount Vernon do not accept or assume any liability of acts or omissions of the fee owners, his or her invitees, licensees or other third parties within the easement area. Lot owners shall hold the developer and the City of Mount Vernon harmless from any damage or injury to any property or person by any person entering the easement area not expressly authorized to do so by the provisions of this plat.

continued.....



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14. Easement provisions contained on the face of said plat, as follows:

An easement for the purpose of conveying local storm water runoff is hereby granted in favor of all abutting lot owners in the areas designated as "Private Drainage Easements" and/or Wetland Buffer and Drainage Easements. The maintenance of private drainage easements established and granted herein shall be the responsibility of, the costs thereof shall be borne equally by, the present and future owners of the abutting property and their heirs, personal representatives and assigns.

Those private drainage easements lying within the boundaries of the wetland areas shown upon the face of the plat, shall be subject to the conditions as stipulated within the Native Growth Protection Area Easement hereinabove.

The City of Mount Vernon is hereby granted the right to enter said easements for emergency purposes at its own discretion.

15. Impact Fee Notice;

Any lot within this subdivision will be subject to impact fees payable upon issuance of a building permit to a non-senior or payable upon transfer of title to a non-senior. Auditor's File No. 200009120118, records of Skagit County, Washington.

16. Zoning Classification;

- A. General commercial District (C2): Lot 35  
Single Family Attached Townhouse Residential District (R-2A); Lots 1-34
- B. This plat has been approved by the City of Mount Vernon subject to the following conditions:
  - 1. All future purchase agreements, constructs, and or deeds involving properties contained within this plat EXCEPT Lot 35, shall contain language that requires purchasers to contact appropriate agencies and to ensure that all necessary critical areas permits have been obtained.
  - 2. No building permits will be issued on Lots 1 through 34, inclusive, of this subdivision until such time that all wetland mitigation plans, wetland mitigation sites and wetland mitigation permits have been approved by all appropriate agencies.

17. Terms, conditions, and restrictions of that instrument entitled Notice;  
Recorded: April 25, 2002  
Auditor's No(s): 200204250057, records of Skagit County, Washington

18. Covenants, conditions, restrictions, and easements contained in declaration(s) of restriction, but omitting any covenant or restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by law;  
Recorded: March 27, 2001  
Auditor's No(s): 200103270101, records of Skagit County, Washington

AMENDED by instrument(s):  
Recorded: October 30, 2001; May 8, 2003 and July 31, 2003  
Auditor's No(s): 200110300103; 200305080235 and 200307310168, records of Skagit County, Washington

19. Easement delineated on the face of said plat;  
For: Utilities  
Affects: Exterior 20 feet adjacent premises



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20. Easement delineated on the face of said plat;  
For: Stream and wetland buffer and drainage easement
21. Building setback line(s) delineated on the face of said plat.
22. Easement, including the terms and conditions thereof, created by instrument(s);  
Recorded: October 16, 2003  
Auditor's No(s): 200310160116, records of Skagit County, Washington  
In favor of: The Great American Dream dba Landmark Building & Development  
For: Drainage
23. Easement delineated on the face of said plat;  
For: Retention Pond  
Affects: The South 40 feet of said premises

- END OF SCHEDULE B-001 -



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**EXHIBIT "A"**

Lot 34, PLAT OF TJ TOWNHOUSES, according to the plat thereof recorded November 30, 2000, under Skagit County Auditor's File No. 200011300053, records of Skagit County, Washington.

Situated in Skagit County, Washington.

**- END OF EXHIBIT "A" -**



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