

AFTER RECORDING MAIL TO:

Hansell/Mitzel LLC
PO BOX 188
Mouset Vernon, WA 98273



200510070129
Skagit County Auditor

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Filed for Record at Request of
First American Title Of Skagit County
Escrow Number: 86197

Statutory Warranty Deed

Grantor(s): John M. Hamers and Laverne E. Barnett-Hamers
Grantee(s): Hansell/ Mitzel LLC
Assessor's Tax Parcel Number(s): 4805-000-018-0000, P119831

FIRST AMERICAN TITLE CO.
86197-1

THE GRANTOR John M. Hamers and Laverne E. Barnett-Hamers, 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.

Lot 18, "SKAGIT VIEW ESTATES", recorded November 15, 2002, under Auditor's File No. 200211150098, records of Skagit County, Washington.

Dated: September 20, 2005

John M. Hamers

Laverne E. Barnett-Hamers

STATE OF Washington
COUNTY OF Skagit } SS:

I certify that I know or have satisfactory evidence that John M. Hamers and Laverne E. Barnett-Hamers, the persons who appeared before me, and said person(s) acknowledged that he/she/they signed this instrument and acknowledge it to be his/her/their free and voluntary act for the uses and purposes mentioned in this instrument.

Date: 10/7/05

Kim M. Kerr



Notary Public in and for the State of Washington
Residing at Mouset Vernon
My appointment expires: 12/15/05

5629
SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax

OCT 07 2005

Amount Paid \$ 4455.00
Skagit County Treasurer
Deputy
By:

Order No: 86197

Schedule "B-1"

EXCEPTIONS:

A. Reservations contained in Deed from Hamilton Farm & Timber Company, a Corporation of Washington, recorded December 8, 1933, in Volume 163 of Deeds, Page 408, under Auditor's File No. 259092, substantially as follows:

"The Grantor reserves the right to drain a fifteen acre tract of land adjoining and lying North of the land herein mentioned into a ditch that Grantee agrees to dig, across the tract of land hereinbefore described and the said right of drainage shall be in perpetuity."

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

In Favor Of: Abutting property owners
Recorded: June 22, 1965
Auditor's Nos.: 667911 and 667912
For: Ingress, egress and utilities
Affects: Portion of the subject property

C. AGREEMENT, AND THE TERMS AND CONDITIONS THEREOF:

Between: Gretchen D. Mattison, as Trustee of the Gretchen D. Mattison Trust
And: City of Mount Vernon
Dated: September 16, 1996
Recorded: March 12, 1997
Auditor's No: 9703120087
Regarding: Utility and Access Easement Agreement

D. AGREEMENT, AND THE TERMS AND CONDITIONS THEREOF:

Between: Gretchen D. Mattison, as Trustee of the Gretchen D. Mattison Trust
And: City of Mount Vernon
Dated: September 16, 1996
Recorded: March 12, 1997
Auditor's No: 9703120088
Regarding: Annexation Agreement

E. Terms and conditions of Special Use Permit Entry and Order, recorded August 12, 1996, under Auditor's File No. 9608120096.

(Said instrument being a re-recording of instrument recorded under Auditor's File No. 9606120045).



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F. MATTERS OF RECORD DISCLOSED BY SURVEY RECORDED AS:

Auditor's No: 9809290163
Volume/Page: Vol. 21, pages 29 and 30
Survey Affects: Subject property

Said matters include but are not limited to the following: Various easements, fence lines and driveways which vary from lines of subdivision.

G. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee: Arnie H. Heuchert, et ux
Recorded: May 13, 1965
Auditor's No: 666097
Purpose: Ingress, egress and utilities
Area Affected: A portion of the subdivision

Said document is a re-recording of Auditor's File No. 664789.

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

Dated: May 25, 1965
Recorded: June 22, 1965
Auditor's No: 667911 and 667912
Executed by: Alfred J. Gritz

(The height restrictions in said documents affect only Lots 3, 4, 5, 6 and 7, of the April 27, 2001, draft of the proposed Plat of Skagit View Estates.)

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

Dated: April 13, 1965
Recorded: May 13, 1965
Auditor's No: 666097
Executed by: Alfred J. Gritz

Said document is a re-recording of Auditor's File No. 664789.

(The height restrictions in said documents affect only Lots 3, 4, 5, 6 and 7, of the April 27, 2001, draft of the proposed Plat of Skagit View Estates.)



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J. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee: Puget Sound Energy, Inc.
Dated: March 13, 2002
Recorded: March 19, 2002
Auditor's No: 200203190104
Purpose: "... utility systems for purposes of transmission, distribution and sale of gas and electricity. . . "

Area Affected:

Easement No. 1: All streets and road rights-of-way as now or hereafter designed, platted, and/or constructed within the above described property. (When said streets and roads are dedicated to the public, this clause shall become null and void.)

Easement No. 2: A strip of land 10 feet in width across all lots, tracts and open spaces located within the above described property being parallel to and coincident with the boundaries of all private/public street and road rights-of-way.

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

Plat/Subdivision Name: Skagit View Estates
Recorded: November 15, 2002
Auditor's No: 200211150098

Said matters include but are not limited to the following:

(1) "...dedicate to the use of the public forever all streets and avenues shown thereon and the use thereof for all public purposes not inconsistent with the use thereof for the public highway purposes; also the right to make all necessary slopes for cuts and fills upon the lots and blocks shown on this plat in the original reasonable grading of the streets and avenues shown hereon."

(2) 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 waterline, 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 PUD easement 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, successor 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.



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(3) An easement for the purpose of conveying local stormwater runoff is hereby granted in favor of all abutting lot owners in the areas designated as private 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. The City of Mount Vernon is hereby granted the right to enter said easements for emergency purposes at its own discretion.

(4) An easement is hereby reserved for and granted to the City of Mount Vernon, Public Utility District No. 1, Puget Sound Energy, Verizon, Cascade Natural Gas Corporation and AT&T Broadband and their respective successors and assigns, under and upon the exterior ten (10) feet identified upon this Plat of Skagit View Estates, in which to install, lay, construct, renew, operate, maintain and remove utility 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 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.

(5) Setbacks:

Front Yard Setbacks: Minimum 20 feet

Back Yard Setbacks: Minimum 20 feet

Side Yard Setbacks: Minimum 5 feet, the total of the two side yards shall be a minimum of 15 feet

(6) Plat number and date of approval shall be included in all deeds and contracts.

(7) Water - PUD #1 of Skagit County

(8) Storm Sewer - City of Mount Vernon

(9) Sanitary Sewer - City of Mount Vernon

(10) Power - Puget Sound Energy

(11) Gas - Cascade Natural Gas Corporation

(12) Cable TV - AT&T Broadband

(13) Telephone - Verizon

(14) Impact Fee Notice - All lots within this subdivision are subject to impact fees payable on issuance of a building permit.

(15) An easement for ingress, egress and utilities is granted over, under and across the South 20.00 feet of that portion of Lot 6 lying adjacent to Skagit County Parcel #P28172 and shall be for the exclusive use of the owners, heirs and assigns of said Parcel #P28172. See easement recorded under Auditor's File No. 200211150099.

(16) No fill or landscape materials shall be placed within the drainage easement along the North 10 feet of Lots 27 through 30.

(17) A non-exclusive utility easement is hereby reserved for the benefit of Lots 35, 36, 37 and 38 in the area shown and to the City of Mount Vernon for the purposes of and stormwater conveyance lines.



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(18) Drainage and utility easements affecting portions of each property.

(19) City of Mount Vernon drainage easement boundary coincides with 20' building setback line of Lots 18 thru 22. No structures or fences are permitted within drainage easement.

(20) City of Mount Vernon drainage easement boundary coincides with West property line of Lots 34 thru 36, together with Northwest portion of Lot 34 and Southeast portion of Lot 24 as shown. No structures or fences are permitted within drainage easement.

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

Dated: November 14, 2002
Recorded: November 14, 2002
Auditor's No: 200211140201
Executed by: Guy C. Willet

M. AGREEMENT, AND THE TERMS AND CONDITIONS THEREOF:

Between: Hansell/Mitzel, L.L.C.
And: Horizon Bank
Dated: July 30, 2003
Recorded: July 31, 2003
Auditor's No: 200307310173
Regarding: Hazardous substances certificate and indemnity agreement

N. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Hansell/Mitzel, LLC
Dated: February 2, 2004
Recorded: February 2, 2004
Auditor's No.: 200402020104
Purpose: Ingress, egress and utilities
Area Affected: West line of subject property

O. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Hansell/Mitzel, LLC
Dated: January 27, 2004
Recorded: January 28, 2004
Auditor's No.: 200401280088
Purpose: Ingress, egress, utilities and emergency vehicle turnaround
Area Affected: A portion of the subject property



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