

AFTER RECORDING MAIL TO:
Mr. and Mrs. Arthur B. Learmonth
5218 Maritime Court
Anacortes, WA 98221



200511020114
Skagit County Auditor

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Filed for Record at Request of
First American Title Of Skagit County
Escrow Number: A86401

Statutory Warranty Deed

Grantor(s): W. Pat Knight
Grantee(s): Arthur B. Learmonth and Diane S. Learmonth
Assessor's Tax Parcel Number(s): 4812-000-017-0000, P120240

FIRST AMERICAN TITLE CO.

A86401E-1

THE GRANTOR W. Pat Knight, as his separate estate for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to Arthur B. Learmonth and Diane S. Learmonth, husband and wife the following described real estate, situated in the County of Skagit, State of Washington.

Lot 17, "SPINNAKER COVE ADDITION TO THE CITY OF ANACORTES", recorded under Auditor's File No. 200304100183, records of Skagit County, Washington.

SUBJECT TO the Easements, Restrictions and other Exceptions set forth on Exhibit "A" attached hereto.

Dated: October 27, 2005

W Pat Knight
W. Pat Knight

#6154
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

NOV 02 2005

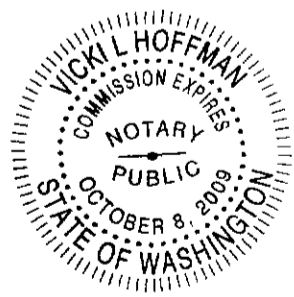
Amount Paid \$ 12,999.00
Skagit Co. Treasurer
By [Signature] Deputy

STATE OF Washington }
COUNTY OF Skagit } SS:

I certify that I know or have satisfactory evidence that W. Pat Knight, 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: 10/31/05

Vicki L Hoffman
Notary Public in and for the State of Washington
Residing at Anacortes
My appointment expires: 10-8-09



EXCEPTIONS:

A. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee: Puget Sound Energy, Inc., a Washington corporation
Dated: November 14, 2002
Recorded: November 21, 2002
Auditor's No: 200211210177
Purpose: "... utility systems for purposes of transmission, distribution and sale of gas and electricity. . ."
Area Affected: A 10 foot wide right-of-way

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

Plat/Subdivision Name: Spinnaker Cove Addition to the City of Anacortes
Recorded: April 10, 2003
Auditor's No: 200304100183

Said matters include but are not limited to the following:

1. An easement is hereby reserved for and conveyed to the City of Anacortes, Puget Sound Energy, Inc., Verizon Telephone Company, Cascade Natural Gas Company, and AT&T Cable Television Company and their respective successors and assigns under and upon the exterior ten (10) feet of front boundary lines all lots, tracts and spaces within the plot lying parallel with and adjoining all street(s) in which to construct, operate, maintain, repair, replace and enlarge underground pipes, conduits, cables and wires all necessary or convenient underground or ground mounted appurtenances thereto for the purpose of serving this subdivision and other property with electric, gas, telephone and other utility service, together with the right to enter upon the streets, lots, tracts and spaces at all times for the purposes herein stated.
2. In addition to the above utility easement, a 20' wide Sanitary sewer and Storm sewer easement is hereby reserved for and conveyed to the City of Anacortes across Lots 9 and 10 as shown on the plat for the same purposes as stated above. Access shall not be obstructed by fencing, shrubs or other landscape or fence features that would obstruct access to the manhole. Should excavation of the sewer line be required for maintenance beyond routine manhole access, the grantee shall restore the easement area to all weather access conditions only. Grantor, successor or assigns shall be responsible for restoration to prior conditions.
3. All 4", 6" and 8" storm drain pipe located in the street right-of-way and within utility easements for all lots will remain private and the responsibility of the Home Owners Association.
4. The storm drainage easement located on the South side of Lots 2 through 10 and the West side of Lot 10 as shown on the plat shall remain private and the responsibility of the Home Owners Association.
5. A utility easement is hereby reserved on and across Lots 18 through 25 and Lot 29 as shown on the plat for the same purposes as stated in #1 above.
6. A 7' wide public path easement is hereby reserved on and across Lots 16 and 17 as shown on the plat for the establishment of up to a 5' path by the City of Anacortes for access to and across Tract C to Sunset Avenue.



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7. A 20' wide landscape easement is hereby reserved on and across Lots 16 through 23 as shown on the plat for use as a buffer as described in the CC&R's recorded with this Plat.

8. A 20' wide common driveway easement being 10' on each side of the common property lines as Lots 2 and 3, 16 and 17, 18 and 19, 20 & 21 and 22 and 23 is hereby reserved as shown on the plat for use as a common driveway.

9. A 20' wide sanitary sewer, storm and water utility easement is hereby reserved for and conveyed to the City of Anacortes across Lots 16 and 17 as shown on the plat for the same purposes as stated in #1 above. Should excavation of the water line be required for maintenance beyond routine access, the grantee shall restore the easement area to all weather access in the driveway or existing grade conditions beyond the driveway only. Grantor, successor or assigns shall be responsible for restoration to prior conditions.

10. A common driveway easement is hereby reserved across Lots 9 and 10 as shown on the plat for access to Lots 8, 9 and 10 for purposes of driveway access.

11. Tract C located in the Northwest corner of the Plat shall be a Native Growth Protection Easement, except that 7' trail easement shall be provided through the Tract to create a walking path to Sunset Avenue. The remainder of the Tract shall be provided as a buffer or area left untouched with the following restrictions.

Said trail easement shall be established by direction of City of Anacortes and said easement shall follow the centerline of the constructed trail and shall be conveyed to the City of Anacortes.

(a) Hand removal on non-native exotic or adventitious plants.

(b) Hazard trees shall be identified with concurrence with the City Forest Lands Manager. Hazard trees removed or blown down may be replaced by the City or the homeowner with 3' minimum appropriate native stock, which shall be maintained until able to survive without care.

(c) If the buffer has been degraded by previous site disturbances, the Forest Advisory Board may approve a replanting plan using appropriate native stock. Before and during the course of any grading, building construction, or other development activity on a lot subject to the NGPE, the common boundary between the easement and the area of development activity must be fenced or otherwise marked to the satisfaction of the City of Anacortes.

12. Tracts A and B as shown on the Plat shall be reserved and maintained by the Spinnaker Cove Owners Association as stipulated in the CC&R's as recorded with this plat.

13. A road and utility easement across Lots 18 through 25 and Lot 29 as shown on the Plat is hereby reserved to the City of Anacortes for access and egress on the 20' road as constructed on the plat. Access will include use by the Fire Department and Waste and Recycling collection. No parking will be allowed in the 20' fire lane but will be allowed in designated parking spots. The utility easement is reserved for the purposes as described in the utility easement. Road maintenance will remain the responsibility of the Home Owners Association.

14. Zoning - (R2) Residential Low Density District
Water Supply - City of Anacortes
Sewer Disposal - City of Anacortes

15. An easement for private road, parking and utilities affecting Lots 18 - 25 and 29.

16. An easement for utilities affecting Lots 9 and 10.



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17. "...the right to make all necessary slope for cuts and fills upon the lots and blocks shown hereon in the original reasonable grading of all such streets and avenues shown hereon.

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

Dated: April 28, 2003
Recorded: April 28, 2003
Auditor's No: 200304280209
Executed by: Spinnaker Cove, L.L.C., a limited liability company and Strandberg Construction, Inc., a Washington corporation



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