

AFTER RECORDING MAIL TO:
Mr. and Mrs. Paul G. Gonzales
925 Nez Perce Drive
Mount Vernon , Washignton 98273



200511030106
Skagit County Auditor

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Filed for Record at Request of
First American Title Of Skagit County
Escrow Number: B86387

Statutory Warranty Deed

Grantor(s): John S. Milnor and Marge B. Milnor
Grantee(s): Paul G. Gonzales and Lynda Gonzales

FIRST AMERICAN TITLE CO.
B86387E-1

Ptn. Lot 142, "THUNDERBIRD EAST FOURTH ADDITION"
Additional legal(s) on page: 2
Assessor's Tax Parcel Number(s): 4476-000-142-0006, P83220

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 Paul G. Gonzales and Lynda Gonzales, husband and wife 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 easements as per attached Exhibit "B"

Dated 10/26/05

John S. Milnor

Marge B. Milnor

#6199
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

NOV 03 2005

STATE OF Washington }
COUNTY OF Skagit } SS:

Amount Paid \$ 4980.10
By Skagit Co. Treasurer
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 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: 10-28-05

Sandra D. Olsen

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

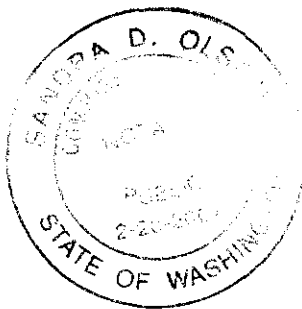


EXHIBIT A

That portion of Lot 142, "THUNDERBIRD EAST FOURTH ADDITION", as per plat recorded in Volume 14 of Plats, pages 10 and 11, records of Skagit County, Washington; EXCEPT the South 50 feet of Lot 142, and EXCEPT the following described portion of said Lot 142, as follows:

Commencing at the Northeast corner of said Lot 142; thence South 5 degrees 54'03" East, 93.69 feet along the East line of said Lot 142 to the true point of beginning; thence continue South 5 degrees 54'03" East, 145.56 feet along said East line to the North line of the South 50.00 feet (as measured perpendicular to the South line) of said Lot 142; thence South 73 degrees 10'56" West, 183.82 feet along said North line of the South 50.00 feet of Lot 142 to the Northwesterly corner thereof; thence North 50 degrees 27'07" East, 133.47 feet; thence North 73 degrees 10'56" East, 60.00 feet to a point bearing South 0 degrees 23'10" West from the true point of beginning; thence North 0 degrees 23'10" East, 95.63 feet to the true point of beginning.

TOGETHER WITH that portion of Lot 143, "THUNDERBIRD EAST FOURTH ADDITION", as per plat recorded in Volume 14 of Plats, pages 10 and 11, records of Skagit County, Washington, described as follows:

Beginning at the Northwesterly corner of said Lot 143; thence South 5 degrees 54'03" East, 93.69 feet along the West line of said Lot 143; thence North 0 degrees 23'10" East, 95.37 feet 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 72 degrees 02'35" West, a radius of 50.00 feet, through a central angle of 12 degrees 03'22", an arc distance of 10.52 feet to the point of beginning.

EXCEPT from all of the above described portions of Lots 142 and 143 those portions lying within the following described tract:

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 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 continue 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 a non-exclusive easement for ingress, egress, utilities and drainage for the benefit of Lots 142 and 143, "THUNDERBIRD EAST FOURTH ADDITION", as per plat recorded in Volume 14 of Plats, pages 10 and 11, records of Skagit County, Washington, and being more particularly described as follows:

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, 191.00 feet; thence South 73 degrees 10'56" West, 25.00 feet parallel with the South line of said Lot 142; thence South 16 degrees 49'04" East, 25.00 feet; thence North 73 degrees 10'56" East, 38.20 feet; thence North 0 degrees 23'10" East, 223.47 feet parallel with and 20.00 feet Easterly (as measured perpendicular) of the first course described herein, 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", an arc distance of 23.80 feet to the true point of beginning.

ALSO TOGETHER WITH non-exclusive easements for ingress, egress, utilities and drainage existing on November 12, 2004 over, across and under that portion of the vacated cul-de-sac as vacated in City of Mount Vernon Ordinance No. 2260, recorded as Auditor's File No. 8705010003, adjoining both Lots 142 and 143, and which has reverted thereto by operation of law.



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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.



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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."

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.



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G. RESERVATIONS AND/OR EXCEPTIONS CONTAINED IN INSTRUMENTS:

From: John S. Milnor and Danya R. Johnson
Recorded: October 12, 1995
Auditor's Nos: 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 a sewer line
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. RESERVATIONS AND/OR EXCEPTIONS CONTAINED IN INSTRUMENT:

From: John S. Milnor and Marge B. Milnor, husband and wife
Recorded: June 15, 2005
Auditor's No.: 200506150031
As Follows:

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 and 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.



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