

AFTER RECORDING MAIL TO:

Travis K. Powell
15630 SR 536
Mt. Vernon, WA 98273



200511080057
Skagit County Auditor

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Filed for Record at Request of
First American Title Of Skagit County
Escrow Number: B86534

Statutory Warranty Deed

Grantor(s): Hansell Mitzel LLC dba Hansell Mitzel Homes
Grantee(s): Travis K. Powell
Lot 40 "PLAT OF WEST VIEW EAST"
Assessor's Tax Parcel Number(s): P122466, 4851-000-040-0000

FIRST AMERICAN TITLE CO.
P86534E

THE GRANTOR Hansell Mitzel, LLC, a Washington limited liability company for and in consideration of **TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION** in hand paid, conveys and warrants to **Travis K. Powell, a single man, as his separate estate** the following described real estate, situated in the County of Skagit, State of Washington.

Lot 40 "PLAT OF WEST VIEW EAST", as per plat approved December 30, 2004 and recorded January 3, 2005 as Skagit County Auditor's File No. 200501030074.

TOGETHER WITH a non-exclusive easement over the East 15 feet of Lot 39, of said "PLAT OF WEST VIEW EAST".

Subject to covenants, conditions, restrictions and easements as per attached Exhibit "A"

Dated 10/27/05

Hansell Mitzel LLC dba Hansell Mitzel Homes

By: Jeff Hansell, Managing Member

6254
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

NOV 08 2005

Amount Paid \$ 2408.00
Skagit Co. Treasurer
By [Signature] Deputy

State of Washington }
County of Skagit } SS:

I certify that I know or have satisfactory evidence Jeff Hansell the person(s) who appeared before me, and said person(s) acknowledged that he/she/they signed this instrument, on oath stated he/she/they are authorized to execute the instrument and is managing member of Hansell Mitzel LLC, dba Hansell Mitzel Homes to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Date: 10-27-05

Sandra Olson

Notary Public in and for the State of Washington
Residing at Burlington WA
My appointment expires: 9-21-07

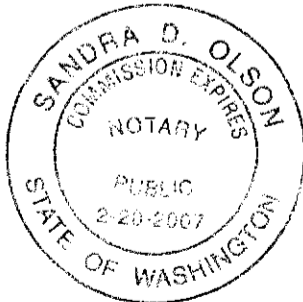


EXHIBIT "A"

EXCEPTIONS:

A. Relinquishment of rights of access to State Highway and of light, view, and air under terms of Deed to the State of Washington:

Recorded: October 19, 1954
Auditor's No: 508074
Affects: Lots 26 - 33

B. Easements for access and utilities as delineated and reserved in the Short Plat, and as reserved in instrument recorded under Auditor's File No. 868572. (Affects Lots 8, 9 and 10)

C. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee: Puget Sound Energy, Inc.
Dated: November 15, 2004
Recorded: January 10, 2005
Auditor's No.: 200501100131
Purpose: "...utility systems for purposes of transmission, distribution and sale of electricity..."
Area Affected: Street and within 10 feet of streets and within 10 feet of ground mounted vaults and transformers

Said Instrument is a re-recording of instrument recorded under Auditor's File No. 200411220174.

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

Plat/Subdivision Name: West View East
Recorded: January 3, 2005
Auditor's No.: 200501030074

Said matters include but are not limited to the following:

1. Notation as "Access" on Tract 999

2. "...dedicate to the use of the public forever, the streets and avenues, if any, shown hereon and the use thereof for all public purposes consistent with the use thereof for public highway purposes together with the right to make all necessary slopes for cuts and fills upon the lots and blocks shown hereon in the original reasonable grading of all such streets and avenues shown hereon.

3. An easement is hereby reserved for and granted to the City of Burlington, Skagit County Public Utility District No. 1, Puget Sound Energy, Verizon Northwest, Cascade Natural Gas Corporation and AT&T Broad Band and their respective successors and assigns under and upon the exterior 10 feet of all lots and tracts abutting all public roads and rights of way as shown hereon 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, 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 caused to any real property owner in the subdivision by the exercise of rights and privileges herein granted.



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4. Easements for the purpose of conveying local storm water runoff and sanitary sewer are hereby granted in favor of all abutting private lot owners in the areas designated as private drainage or private sewer easements. The maintenance of private easements established and granted herein shall be the responsibility of and the costs thereof shall be borne equally by the present and future owners of the abutting private lot owners and their heirs, owners, personal representatives and assigns.

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

5. 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 District to do all things necessary or proper in the construction and maintenance of a water and communication line, 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 and communication lines or other similar public services over, across, along, in and under the lands 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, 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(s) or to persons or property by reason of proximity to the line(s). The grantor agrees that title to all brush, other vegetation or debris trimmed, cut and removed from the easement pursuant to this agreement is vested in the District.

Grantor, its heirs, successors 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.

6. Setbacks:

Front Yard – minimum mean depth of 20 feet

Side Yard – Minimum mean width 5 feet. The total of the two side yards shall be 15 feet. A minimum of one 10 foot side yard shall be provided per lot to facilitate access to the rear yard by reasonably sized vehicles. Side of building means the outer face of any part of the building roof eaves.

Rear Yard – Minimum mean depth of 20 feet

No boats or RV parking will be allowed in the front setback area

7. Sewage Disposal – City of Burlington

8. Water – Skagit County PUD

9. Power – Puget Sound Energy

19. Telephone – GTE

11. Gas – Cascade Natural Gas

12. Cable – TCI Cable

13. Storm – City of Burlington



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14. All lots within this subdivision are subject to impact fees for schools, fire, bridge and parks, payable upon issuance of a building permit.

15. This subdivision lies within Zone "B" and Zone A-7 on Flood Insurance Map 530153-1985.0001-B, dated January 3. Significant elevation may be required for the first floor. Contact the City of Burlington Building Department for finished floor elevation.

16. No boats or RV parking shall be allowed in the front setback area. A minimum of one 10' side yard shall be provided per lot to facilitate access to the rear yard by reasonably sized vehicles.

17. Lots 9, 27 and 38 are hereby subject to private sewer easements to the abutting property and hereby convey an easement to the abutting property, a non-exclusive easement for the installation and maintenance of a private sewer line as shown hereon.

18. Each home shall have lawn planted, shrubs planted adjacent to the house and at least 1 tree planted per lot prior to sale or occupancy.

19. An easement for ingress, egress, installation and maintenance of utilities is hereby granted and conveyed to the City of Burlington and Skagit County PUD. An easement for emergency access and utilities is hereby granted and conveyed to the City of Burlington across Lots 10, 11, 24 and 25, as shown on Sheet 2 of 2.

20. An easement is hereby granted and conveyed to Lot B-1 of Burlington Short Plat BU-2-92 for building setback until such time as it may be necessary to reconstruct the existing house at which time this easement is null and void and hereby rescinded.

21. Delineation of 10 foot utility easement on Lots 8, 9, 10 and 38.

22. Delineation of 10 foot utility easement adjoining all roads.

23. A 10 foot PSE easement on Lots 9 and 27.

24. A 20 foot utility easement for adjoining property on portions of Lots 30 and 31.

25. A 20 foot emergency access and utility easement on portions of Lots 10, 11, 24 and 25.

26. A 5 foot by 51 foot building setback easement on portions of Lots 9 and 10.

27. Mislocated shed on portions of Lots 38 and 40.

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

Dated:	December 30, 2004
Recorded:	January 3, 2005
Auditor's No.:	200501030073
Executed By:	Hansell Mitzel LLC



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