



200607030205
Skagit County Auditor

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WHEN RECORDED RETURN TO
KUN YONG KIM
2508 FIR CREST BLVD.
ANACORTES, WASHINGTON 98221

CHICAGO TITLE INSURANCE COMPANY

1038127

5123504

STATUTORY WARRANTY DEED

Dated: JUNE 28, 2006

THE GRANTOR

STRANDBERG CONSTRUCTION, INC., A WASHINGTON CORPORATION

for and in consideration of

TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION

in hand paid, conveys and warrants to

KUN YONG KIM AND PAK SUN KIM, HUSBAND AND WIFE

the following described real estate situated in the County of ^{SKAGIT} SNOHOMISH State of Washington:

Tax Account Number(s):

4843-000-022-0000

LOT 22, FIR CREST PLANNED UNIT DEVELOPMENT, ACCORDING TO THE PLAT THEREOF, RECORDED AUGUST 31, 2004, UNDER AUDITOR'S FILE NO. 200408310219, RECORDS OF SKAGIT COUNTY, WASHINGTON. SITUATE IN SKAGIT COUNTY, WASHINGTON.

SUBJECT TO: EXCEPTIONS SET FORTH ON ATTACHED EXHIBIT "A" AND BY THIS REFERENCE MADE A PART HEREOF AS IF FULLY INCORPORATED HEREIN.

3373
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

JUL 03 2006

Amount Paid \$ 8063.84
By *[Signature]* Skagit Co. Treasurer Deputy

STRANDBERG CONSTRUCTION, INC.

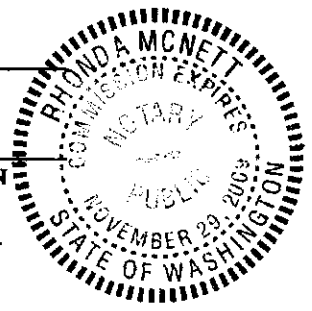
[Signature]
NELS STRANDBERG, PRESIDENT

STATE OF WASHINGTON ss Skagit COUNTY OF
I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT NELS
STRANDBERG IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON
ACKNOWLEDGED THAT HE SIGNED THIS INSTRUMENT, ON OATH STATED THAT HE WAS
AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS PRESIDENT
OF STRANDBERG CONSTRUCTION, INC. TO BE THE FREE AND VOLUNTARY ACT OF
SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED: June 28, 2006

Rhonda McNett
NOTARY SIGNATURE

PRINTED NAME: Rhonda McNett
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON
RESIDING AT Anacortes, Wa
MY APPOINTMENT EXPIRES 11/29/09



NOTARY/RDA/092100



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EXHIBIT A

Escrow No.: 005123504

1. Easement, including the terms and conditions thereof, granted by instrument;
 Recorded: January 12, 1995
 Auditor's No.: 9501120049, records of Skagit County, Washington
 In favor of: Puget Sound Power & Light Company
 For: Underground electric system, together with necessary appurtenances
 Affects: That portion of said plat lying within the South 10 feet of the East 400 feet of that certain 30 foot wide roadway in Colver's Addition to Anacortes
2. Right of the public to make necessary slopes for cuts or fills upon property herein described in the reasonable original grading of streets, avenues, alleys and road, as dedicated in the plat. Affects that portion of said plat within Short Plat ANA 93-003
3. Fence line encroachment as shown on the face of the Short Plat. Affects that portion of said plat lying within Short Plat ANA 93-003
4. Easement, including the terms and conditions thereof, disclosed by instrument(s);
 Recorded: November 14, 2002
 Auditor's No(s): 200211140225, records of Skagit County, Washington
 In favor of: John E. Sadzewicz and Lori J. Sadzewicz, husband and wife
 Affects: That portion of said plat lying within Short Plat ANA 93-003
5. Easement delineated on the face of said Short Plat:
 For: Bridal trail
 Affects: That portion of said plat lying within Short Plat ANA 93-003
6. Easement for existing driveway as disclosed on face of Short Plat.
7. Easement, including the terms, covenants, and provisions thereof, granted by instrument
 Recorded: December 15, 1993
 Auditor's No.: 9312150128, records of Skagit County, Washington
 In Favor of: Puget Sound Power and Light Company
 For: Electric transmission and/or distribution line, together with necessary appurtenances
 Affects: That portion of said plat lying within Short Plat ANA 93-003.
8. Easement for City of Anacortes trail purposes as disclosed on face of Short Plat.
 Affects: That portion of said plat lying within Short Plat ANA 93-003
9. Notes as set forth on face of Short Plat as follows:
 - a) All maintenance and construction of private roads are the responsibility of the lot owners and the responsibility of maintenance shall be in direct relationship to usage of road.
 - b) Short Plat Number and date approval shall be included in all deeds and contracts
 - c) Sewage Disposal – Lot 3 existing on site septic system-to be connected to City of Anacortes sewer by July 1, 1998. Lots 1, 2 and 4 will require hook up to City of Anacortes sewer. Sewer service may have special requirements. (Latecomer Charges). See City Officials for details.
 - d) Water – Lot – Existing on site septic systems – to be connected to City of Anacortes Water by July 1, 1998, well to be abandoned for residential service. Lots 1, 2 and 4, City of Anacortes Public Water. Water service may have special requirements. (Latecomer Charges). See city officials for details.

Affects: That portion of said plat lying within Short Plat ANA 93-003



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10. Any adverse matters with respect to the location of fences as disclosed on face of Short Plat.
Affects: That portion of said plat lying within Short Plat ANA 93-003
11. Latecomer charges by the City of Anacortes as disclosed by instrument recorded October 10, 1988, under Skagit Auditor's File No. 8810100046.
Affects: Portion of said plat lying in the South Half of the Southeast Quarter of the Southeast Quarter of the Southeast Quarter
12. Agreement, including the terms and conditions thereof; entered into;
By: City of Anacortes
And Between: Nels Strandberg
Recorded: June 1, 2004
Auditor's No.: 200406010217, records of Skagit County, Washington
Providing: Encroachment Agreement
13. Easement, including the terms and conditions thereof, granted by instrument;
Recorded: March 1, 2004
Auditor's No.: 200403010128, records of Skagit County, Washington
In favor of: Puget Sound Power & Light Company
For: Underground electric system, together with necessary appurtenances
Affects: A 10 foot strip of land across said premises
14. Affect, if any, of Boundary Adjustment Survey;
Recorded: April 24, 2003
Auditor's File No.: 200304240060, records of Skagit County, Washington
15. Covenants, conditions, and restrictions contained in instrument(s), 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: August 18, 2004
Auditor's No(s): 200408180096, records of Skagit County, Washington
Executed By: Gary Robinson
16. 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 3, 2004
Auditor's No(s): 200409030133, records of Skagit County, Washington
Executed By: Fir Crest Development NW, LLC
17. Assessments or charges and liability to further assessments or charges, including the terms, covenants, and provisions thereof, disclosed in instrument(s);
Recorded: September 3, 2004
Auditor's No(s): 200409030133, records of Skagit County, Washington
Imposed By: Fir Crest Owners' Association
18. Easement contained in Dedication of said plat;
For: All necessary slopes for cuts and fills
Affects: Any portions of said premises which abut upon streets, avenues, alleys and roads

EXHIBIT/RDA/0999



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

- A. 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 Comcast Cable Television Company and their respective successors and assigns under and upon the exterior ten (10) feet of front boundary lines of all lots, tracts and spaces within the plat lying parallel with and adjoining all street(s) and adjacent to "A" Avenue as shown 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 states.
- B. A 25'- 0" easement is hereby granted to the City of Anacortes on and across Tract B and Lot 40 and a 10'-0" easement for Lot 29 and Lot 30 as shown on the plat for the same purposes as stated in item 1. The easement shall be restored to its prior conditions after construction by those utilizing the easement.
- C. All 4", 6" and 8" storm drain pipe located in the street right-of-way and with – in utility easements for all lots will remain private and the responsibility of the property owners.
- D. The 10'-0" Private Storm Easements on and across Lots 5, 8, 12, 16, 24, 27, 31, 35, 36, 37, and 38 as shown on the plat will remain private and shall be operated, maintained and restored to prior condition following any maintenance by the property owners which they serve.
- E. A private 10' water easement is hereby granted to Rich Johnson and respective successors across Tract C for the purposes of extending a water service to his property. The easement is for the purpose in which to construct, operate, maintain, repair, replace and enlarge underground pipes for the purpose of serving the property owned. The easement shall be restored to its prior condition after construction by those utilizing the easement.
- F. This property is subject to and together with easements, reservations, restrictions, covenants and other instruments of record including but not limited to those instruments referred above. Said report lists documents recorded under Auditor's File No. 9501120049 (10' PSE easement to be abandoned), 20040301010128 (10' PSE easement to be abandoned), and 200304240060 (Boundary Adjustment survey) Deeds of trust are recorded under Auditor's File No. 200302210171, 200302210173 and 200302210172, records of Skagit County, Washington.

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

Native Growth Protection Easement Tract D

Conditions #38. The Eastern side of the wetland shall be protected by a minimum 50 foot NGPE buffer administered by the City of Anacortes according to the standard specifications subject to the following exceptions:

- A. Minimal easements for the necessary storm drainage facilities as shown on the approved site plan.

EXHIBITS/RDA/0999



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- B. Trail easements as approved by the city.
- C. The property lines and lot areas of Lots 18, 35 and 38 as shown on the approved site plan.
- D. During construction disturbed areas in the buffer may be re-countered, graded and seeded with grass to reduce erosion.

Given the above exceptions the Native Growth Protection Easement shall be left untouched with the following restrictions:

- A. Hand removal of non-native exotic or adventitious plants
- B. Hazard trees shall be identified with concurrence of the City of Forrest 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.

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

Sidewalk and Pedestrian Easement

A 10' Road, Sidewalk and Pedestrian easement is hereby conveyed to the City of Anacortes across the South side of Lot 37 for the purpose of pedestrian access and sidewalk and road encroachment. In addition a 10' road easement is hereby conveyed to the City of Anacortes across the West side of Lots 32, 33, 34 and 39 for the purpose of a road encroachment. In the event of road or sidewalk replacement the homeowners are responsible for the replacement of lost property corners.

22. Notes on face of said plat:

Tract A:

Tract A is a dedicated to the homeowners for which they serve for the purposes of access and utility services. The common access driveway shall be maintained as stated in the Home Owners CC&R's. Utilities easement shall be granted to the utility companies as state in #1 of Easement Recitals.

Pond and Open Space Tract B

Tract B will remain in the common ownership of the Fir Crest Homeowners Association for common open space. Water Quality Swale and Infiltration Pond is the responsibility of Homeowners Association for maintenance of the storm drainage system and pond located on said tract.

Tract C

Tract C is hereby conveyed to the City of Anacortes for construction, access and maintenance of a Sanitary Sewer Pump Station in addition to a public access parking and trail to the forest lands.

EXHIBIT 3/RDA/0999



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23. Notes on the face of said plat as follows:

- A. The 14 acres shown on the application shall be deeded to the Anacortes Community Forest Lands, as proposed by the applicant.
- B. No more than 40 single-family residence shall be built on the 26.89-acre project site as shown on Drawing Revision A/August 22, 2002.
- C. The project shall comply with the City of Anacortes construction standards are required by the City Director of Public Works for water, sewer, streets access and storm drainage, including access to the facilities.
- D. This project is subject to applicable water, sewer, and stormwater general facility and hookup fees and transportation, fire, school, and park impact fees. These fees are payable at levels in effect at the time of acceptance of a complete building permit application and may differ from those fee levels currently in effect; sewer and water latecomer charges may be payable.
- E. Prior to clearing or fill and grade beginning both a large parcel stormwater plan and a water quality control plan, as spelled out in the City's Storm Drainage Ordinance #2441, shall be prepared by the applicant, approved by the City Department of Public Works, and implemented. This plan shall be directed at ensuring that existing wetland hydrology is maintained. The water quality control shall address permanent best management practices to be incorporated in the project to control pollution of stormwater runoff after construction and/or land clearing activities are completed. All off-site stormwater improvements shall be made before construction or vegetation removal begins. Bioswales shall be located in the public tract and not the City of right-of-way.
- F. A temporary erosion sedimentation control plan shall be prepared and submitted with the grading plan for approval by the City Director of Public Works. The plan shall identify the potential for erosion and downstream sedimentation during construction and describe the measures that will be used to mitigate impact of erosion. Measures that will likely be employed include sedimentation ponds, silt fences, hay bail filters and restricting the amount of excavation until conditions are favorable.
- G. Dust control techniques will be employed as required by the City Engineer; such measures would include watering haul roads and/or restricting the amount of excavation until conditions are more favorable and shall be detailed in the final development plan along with a construction access plan.
- H. The final development plan design shall be based on actual field surveys and not on exiting topographical maps.
- I. Prior to any construction activity beginning, the proponent shall post a performance bond in an amount acceptable to the City Public Works Director, and this bond will be available to the City of Anacortes for twelve months after final plat approval to ensure that the project's drainage system operates as design; no mechanical equipment shall be operated on site prior to final Development Plan approval.
- J. Within a maximum of three years following the approval of the preliminary development plan the applicant shall file with the Planning Commission a final development plan containing a final detailed from the information required in part e.(1) of Section 16.40 of the City of Anacortes Subdivision Ordinance. At its discretion and for good cause, the Planning Commission may extend for one year the period for filing of the final development plat. Draft project covenants shall be submitted with the final development plan for Planning Commission review and approval as being consistent with the preliminary development plan conditions.



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- K. If the applicant fails to apply for final approval for any reason, the preliminary approval shall be deemed to be revoked and all that portion of the area included in the development plan for which final approval has not been given shall be subject to the zoning and subdivision ordinances otherwise applicable thereto.
- L. Engineering review and inspection fees are payable on or before any actual construction work begins. They are based on engineering estimates of construction or actual quotes for the work. The engineering review fee is 5% and the inspection fee is 1.5% plus \$500.00.
- M. The road to the North of Fir Crest Place shall be 28' wide with a curve and gutter on both sides and a sidewalk on one side. Lighting shall be as outlined in Condition #16.
- N. Fir Crest Place is to be a public road; the cul-de-sac at the North end of Fir Crest Place shall be a public road; the private drives off of Fir Crest Place, designated as Tract A shall be private.
- O. The CC&R's shall be submitted to the Planning Commission for approval with the Final Development Plan.
- P. Street lighting shall be energy efficient and shall limit glare and/or emission of light downward to the street and front yard areas. Street lighting will be installed per PSE Schedule 52, Option "B". Lighting fixtures and design to be as approved by the Public Works Director.
- Q. The Building Department shall assign and confirm project street name.
- R. A channelization and signage plan shall be submitted, approved by the City Engineer, and installed by the developer.
- S. A Home Owner's Association shall manage the common areas.
- T. The sanitary sewer pump station is to be designed to city standard and dedicated to the City.
- U. A biofiltration system shall be built in this project to meet City Stormwater Ordinance standards; the Covenants shall contain condition(s) approved by the Planning Commission relative to pesticide management and control such that highest standards of water quality are maintained.
- V. The storm sewer pump station shall meet standards set by the City Engineer.
- W. A geotechnical engineering report that identifies subsurface conditions and makes specific recommendations for grading and road and utility construction shall be submitted with the Final Development Plan.
- X. The storm detention system shall be designed in the following way: All road, roof and footing drains will flow through a tight lined storm system to a catch basin at the bottom of Fir Crest place. This water will then sheet flow across a large grassy bio swale. The water will then be recaptured in a catch basin and spread out through a series of perforated pipes and drain rock.

EXHIBIT3/RDA/0999



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- Y. Street trees shall have a root containment system as approved by the City Public Works Department.
- Z. Trees to be planted shall be sized as required by Ordinance.
- AA. A 25' utility easement shall be granted to the city in the Northeast direction from the cul-de-sac at the Northwest corner of the development following approximately 400' contour line to the North end of the property line to provide utilities to future adjacent developments.
- BB. There shall be a trail along the length of the projects Southerly boundary; the trail location(s) will be done in approved by the City Parks Directors.
1. Development of the ACFL trail and planting on the South side of development will be done in coordination with the Anacortes Parks and Recreation Department.
 2. The City reserves the right to relocate the trail to the South a necessary
 3. The developer will grade the trail
- CC. School bus waiting area(s) and mailbox locations shall be as determined by the City Engineer.
- DD. All lots created under this PUD shall be subject to all City of Anacortes charges for utility services uniformly charged throughout the City of Anacortes including applicable General Facilities Charges.
- EE. Street and sidewalk design shall meet "AASHTO" and City Public Works construction standards and ADA standards; driveways shall not exceed a 15% grade.
- FF. Erosion Control and Clearing Plans shall be reviewed, approved, and implemented as require by the City Engineer.33, City water quality standard shall be met as required by the City Engineer.
- GG. Structural alteration necessary to develop this plat shall not encroach into adjacent land parcels without recorded easement for such encroachment.
- HH. A disclosure will be required to homebuyers that the City will use the adjacent property to the South of the development for material and debris storage.
- II. No modification beyond those approved herein are authorized.
- JJ. Pages 11-15 of these findings of Fact and Conclusions of Law shall be recorded with the Final Plat Drawing.
- KK. The Eastern side of the wetland shall be protected by a minimum 50 foot NGPE buffer administered by the City of Anacortes according to the standard specification, subject to the following exceptions:
1. Minimal easements for the necessary storm drainage facilities as shown on the approved site plan.
 2. Trail easement as approved by the City.
 3. The property lines and lot areas of Lots 18, 35, and 38 as shown on the approved site plan.

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4. During Construction disturbed areas in the buffer may be re-contoured, graded and seeded with grass to reduce erosion.
- LL. The Western 25 feet of said 50-foot wetland buffer shall be transferred to the City of Anacortes ACFL so that ACFL management has direct control over the Eastern edge of the wetland. The remaining buffer would belong to the homeowners of Fir Crest.
- MM. The sanitary sewer pump station shall be bermed to that accidental overflows do not drain down slope into the wetland.
- NN. The CCR's shall restrict the use of pesticides, herbicides and excessive fertilizer, unless otherwise approved by the ACFL management.
- OO. The last and lowest catch basin on the cul-de-sac shall be designed as an oil oil-water separator to contain accidental hydrocarbon spills. This catch basin will be maintained by the City of Anacortes. The design of this separator is to be of the low-tech inexpensive variety due to the length of the bio swale already proposed.
- PP. The storm drainage bio swale and infiltration system shall have an overflow piped directly to the wetland with a level spreader discharge; location and design shall be approved by ACFL management.
- QQ. The property transferred to the City to become part of the ADFL shall be named Welch Woods.
- RR. Setback shall be as follows: a 10-foot setback form Fir Crest and a 10-foot setback form the property line abutting the private access roads; a 20-foot setback form the property line in what may be considered the side yard abutting other 4-lot clusters; a 5 foot setback in the back yards and side yards abutting other homes in the same cluster.
- SS. The lot coverage may be increased to 50% for single story residence.
- TT. A 6-foot fence is allowed in the yards facing Fir Crest Way with a minimum setback of 10-feet from the property line along Fir Crest Way as shown in the application drawings.
- UU. Zoning: (R1) Residential Low Density District.
- WV. Water Supply: City of Anacortes
- WW. Sewer Disposal: City of Anacortes.
24. Covenants, conditions, and restrictions contained in instrument(s), 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 27, 2004
Auditor's No(s): 200409270154, records of Skagit County, Washington
Executed By: First Crest Development NW, LLC
As Follows: Maximum lot coverage for all lots containing two-story units shall be increased to 41%

EXHIBIT A/RDA/0999



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Dues, charges and assessments, if any, levied by Fir Crest Owners' Association.

Liability to future assessments, if any, levied by the City of Anacortes.

Potential supplemental assessment for general taxes on omitted improvements. The property described herein appears on the tax rolls assessed only on the value of the land.

Account No.: 4843-000-022-0000

Property No.: P121975

Note: Contact the Skagit County Assessor regarding the status of this account and regarding any additional tax payment due.

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