

When recorded return to:

Mr. and Mrs. James B. Phillips  
10 Tulalip Way  
La Conner, WA 98257



200702050155  
Skagit County Auditor

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Recorded at the request of:  
First American Title  
File Number: 90635

### Statutory Warranty Deed

THE GRANTOR Millicent E. Winsell and Richard S. Landis, co-trustees of the Milton L. and Millicent E. Winsell Family Trust dated August 15, 1992 for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to James B. Phillips and Sue T. Phillips, husband and wife the following described real estate, situated in the County of Skagit, State of Washington.

FIRST AMERICAN TITLE CO.  
90635E-1

Abbreviated Legal:  
Lot 10, "SHELTER BAY DIVISION NO. 1"

Tax Parcel Number(s): P69090, 3998-000-010-0006

Lot 10, "SHELTER BAY DIVISION NO. 1", according to the plat thereof, recorded in Volume 9 of Plats, pages 80 and 81, records of Skagit County, Washington.  
Subject to easements, restrictions or other exceptions hereto attached as Exhibit A

Milton L. Winsell and Millicent E. Winsell were co-trustees at the time of acquiring title on August 22, 1995. Millicent E. Winsell has been a Trustee at the time of acquiring title and all times since. Richard S. Landis is the Successor Trustee for Milton L. Winsell, who is now deceased.

Dated February 1, 2007

Winsell Family Trust

Millicent E. Winsell, Trustee  
By: Millicent E. Winsell, Trustee

Richard S. Landis, Trustee  
By: Richard S. Landis, Trustee **539**

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

FEB 05 2007

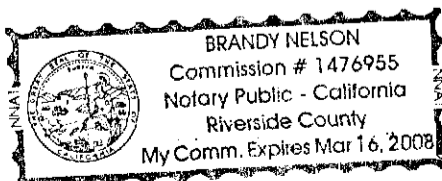
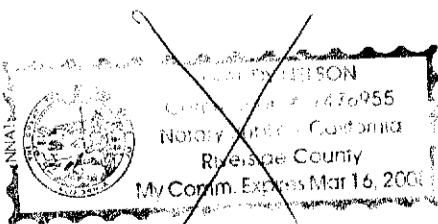
STATE OF California  
COUNTY OF Riverside } SS:

Amount Paid \$ 5745.50  
Skagit Co. Treasurer  
By [Signature] Deputy

I certify that I know or have satisfactory evidence that Millicent E. Winsell and Richard S. Landis are the person(s) who appeared before me, and said person(s) acknowledge They signed this instrument, on oath stated Their is/are authorized to execute the instrument and acknowledge that as the Trustee of Winsell Family Trust to be the free and voluntary act of such party(ies) for the uses and purposes mentioned in this instrument.

Dated: February 2, 2007

Brandy Nelson  
Notary Public in and for the State of CA  
Residing at Riverside County  
My appointment expires: Mar 16, 2008



**EXCEPTIONS:**

A. COVENANTS, CONDITIONS AND RESTRICTIONS CONTAINED IN DECLARATION OF PROTECTIVE COVENANTS, BUT OMITTING RESTRICTIONS, IF ANY, BASED ON RACE, COLOR, RELIGION OR NATIONAL ORIGIN:

Declaration Dated: August 4, 1969  
Recorded: August 28, 1969  
Auditor's No.: 730374  
Executed By: Shelter Bay Company, a Washington corporation

ABOVE COVENANTS, CONDITIONS AND RESTRICTIONS WERE AMENDED:

Declaration Dated: July 23, 1970, July 13, 1972, May 23, 1987 and May, 1989  
Recorded: August 19, 1970, July 18, 1972, June 12, 1987 and July 7, 1989  
Auditor's Nos.: 42572, 771236, 8706120003 and 8907070110  
Executed By: Shelter Bay Company, a Washington corporation

ABOVE COVENANTS, CONDITIONS AND RESTRICTIONS WERE FURTHER AMENDED:

Recorded: May 20, 1992, June 20, 1994, May 14, 1996, May 7, 1998, May 7, 1999, April 18, 2000 and May 10, 2000  
Auditor's Nos.: 9205200023, 9205200024, 9205200025, 9406200066, 9605140103, 9805070092, 9905070119, 200004180072, 200005100092, 200105090101 and 200205160173  
Executed By: Shelter Bay Community, Inc.

ABOVE COVENANTS, CONDITIONS AND RESTRICTIONS WERE FURTHER AMENDED:

Recorded: January 28, 2005 and May 19, 2005  
Auditor's Nos.: 200501280090, 200505190051 and 200505190052  
Executed By: Shelter Bay Community, Inc.

B. CONSTRUCTION AND MAINTENANCE OBLIGATIONS AS SHOWN ON THE PLAT OF SHELTER BAY DIV. 1, AS FOLLOWS:

"The cost of constructing and maintaining all roads not herein dedicated as County roads and all access roads to the plat, unless the same are dedicated as County roads, shall be the obligation of all of the owners of the lots in the plat and/or of any additional plats that may be served by said roads, streets, and/or alleys and that obligation to maintain shall be concurrently the obligation of any corporation in whom title of said roads, streets, and/or alleys be held. In the event that the owners of any of these lots or the corporate or private owners of any of the roads, streets and/or alleys of this plat or any additional plats served by these roads, streets, and/or alleys shall petition the Board of County Commissioners to include these roads, streets, and/or alleys in the road system, said petitioner shall be obligated to bring the same to the County road standards, in all respects, prior to acceptance by the County."



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C. PROVISIONS AS CONTAINED IN THE DEDICATION OF SAID PLAT, AS FOLLOWS:

"...the right is retained to make all necessary slopes for cuts and fills upon the lots and blocks shown on this plat, in the original reasonable grading of all roads shown herein. The right is also retained to continue to drain all roads and easements over and across any lot or lots where water might take a natural course after the roads are graded. All roadways designated as Tract A are intended for the use of present and future property owners of this plat and are not dedicated as public rights-of-way and are also intended for the future SHELTER BAY plats and for lease holders of adjacent tribal and allotted lands forming the Shelter Bay Community which are contained within portions of Section 35 and 36 of Township 34 North, Range 2 East, W.M. and Sections 1 and 2 of Township 33 North, Range 2 East, W.M."

D. Said lands lie within the Swinomish Indian Reservation and may be subject to Governmental regulations and taxation by the Swinomish Tribe of Indians.

E. TERMS AND CONDITIONS OF BY-LAWS AND COVENANT ADDITIONS RECORDED MAY 10, 2000 UNDER AUDITOR'S FILE NO. 200005100093.

F. MATTERS AS DISCLOSED AND/OR DELINEATED ON THE FACE OF THE FOLLOWING RECORDED SURVEY:

Recorded: August 12, 1994  
Auditor's No.: 9408120076

Said matters include but are not limited to the following:

1. Survey monumentation within Shelter Bay is very minimal. The concrete monuments shown on the face of the survey maps have not been found. Some railroad spikes have been found in some locations. Lots line locations are based upon a best fit relationship of existing road spikes and corner pipes found. According to conversations with former employees of Ruskin Fisher & Assoc., in the early 1980's, corner pipes and centerline control spikes were set independent of each other.



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