

After recording return to:  
Overlook Crest L.L.C.  
103 N Township Street  
Sedro Wooley, WA 98284



200704260245  
Skagit County Auditor

4/26/2007 Page 1 of 6 3:49PM

124357-T

LAND TITLE OF SKAGIT COUNTY

Reference: 20281477--408--SDF

**STATUTORY WARRANTY DEED**

THE GRANTOR(S) **Island Construction, Inc., a Washington corporation**, for and in consideration of Ten (\$10.00) Dollars and other good and valuable consideration in hand paid, conveys and warrants to **Overlook Crest L.L.C., a Washington limited liability company** the following described real estate, situated in the County of **Skagit**, State of **Washington**:

LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A" AND BY THIS REFERENCE INCORPORATED HEREIN.

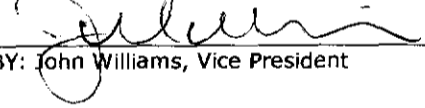
Subject to: See Exhibit B attached hereto and made a part hereof.

Abbreviated Legal: (Required if full legal not inserted above.) **Parcel A - Portion NE 1/4 SW 1/4 31-34-5 / Parcel B - Portion SE 1/4 SW 1/4 30-34-5 / Parcel C - Government Lot 2 31-34-5 / Parcel D- E 1/2 NW 1/4 31-34-5 / Parcel E - Portion-NW 1/4 SE 1/4 30-34-5 / Parcel F - NE 1/4 SW 1/4 30-34-5**

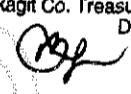
Tax Parcel Number(s): 340530-3-001-0200 P104162, 340530-3-001-0002 P30512, 340530-4-002-0009 P30517 / 340530-3-002-0001 P30514 / 340531-2-001-0003 P30542 / 340531-3-001-0001 P30544 / 340531-0-002-0006 P30526 / 340531-2-002-0002 P30543

Dated: **April 12, 2007**

Island Construction, Inc.

  
BY: John Williams, Vice President

#1961  
SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

APR 26 2007  
35605<sup>00</sup>  
Amount Paid \$  
Skagit Co. Treasurer  
By  Deputy

State of Washington

SS:

County of Island

On this 25 day of April, 2007, before me the undersigned, a Notary Public in and for the State of Washington, duly appointed and sworn personally appeared John Williams, Vice President to me known to be the Vice President of Island Constructions, Inc. the corporation that executed the foregoing instrument and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned and on oath stated that he is authorized to execute the said instrument and that the seal affixed (if any) is the corporate seal of said corporation.

Given under my hand and official seal the day and year last above written.

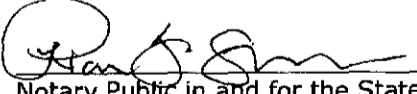
  
Notary Public in and for the State of washington  
Print/Type Name: Rica J. Sobreo  
Residing at Oak Harbor  
My Appointment expires: 5/31/09



EXHIBIT "A"

PARCEL "A":

The Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 31, Township 34 North, Range 5 East, W.M.,

EXCEPT road rights of way,

AND EXCEPT a tract conveyed to Skagit County by deed dated December 8, 1936, and recorded March 9, 1937, in Volume 171 of Deeds, page 345, records of Skagit County, Washington, which is more particularly described as follows:

Beginning at a point being North  $18^{\circ}38'30''$  West a distance of 1,347.6 feet from the South  $\frac{1}{4}$  corner of said Section 31;

thence North  $0^{\circ}19'$  East a distance of 120.0 feet;

thence North  $63^{\circ}27'30''$  West a distance of 255.9 feet;

thence South  $0^{\circ}19'$  West a distance of 240.0 feet;

thence North  $88^{\circ}38'$  East a distance of 230.0 feet, more or less, to a point of beginning; (bearings are referred to the South line of the Southwest  $\frac{1}{4}$  of said Section 31 as bearing North  $87^{\circ}36'30''$  East),

ALSO EXCEPT the South  $\frac{1}{2}$  of the Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$ ,

AND ALSO EXCEPT that portion of the above described property lying Southwest of the County road commonly known as Walker Valley Road conveyed to Clay Imhof by deed dated April 4, 1984, and recorded April 30, 1984, in Volume 558 of Deeds, page 252, under Auditor's File No. 8404300071, records of Skagit County, Washington.

Situate in the County of Skagit, State of Washington.

PARCEL "B":

The Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 30, Township 34 North, Range 5 East, W.M.

Situate in the County of Skagit, State of Washington.

PARCEL "C":

Government Lot 2 in Section 31, Township 34 North, Range 5 East, W.M.

Situate in the County of Skagit, State of Washington.

PARCEL "D":

The East  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$  of Section 31, Township 34 North, Range 5 East, W.M.

Situate in the County of Skagit, State of Washington.

PARCEL "E":

The Northwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  in Section 30, Township 34 North, Range 5 East, W.M.,

EXCEPT County Road right of way commonly known as the Gunderson Road,

ALSO EXCEPT that portion conveyed to Skagit County for Gunderson Road #0600 by deeds recorded November 18, 1986, under Auditor's File Nos. 8611180004 and 8611180005, records of Skagit County, Washington,

AND ALSO EXCEPT that portion of said premises lying Northerly of Gunderson Road as conveyed by deeds recorded on October 31, 1988, under Auditor's File Nos. 8810310090 and 8810310091, records of Skagit County, Washington.

Situate in the County of Skagit, State of Washington.



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PARCEL "F":

The Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  in Section 30, Township 34 North, Range 5 East, W.M.,

EXCEPT County road right of way commonly known as the Gunderson Road,

ALSO EXCEPT that portion conveyed to Skagit County for Gunderson Road #0600 by deeds recorded November 18, 1986, under Auditor's File Nos. 8611180004 and 8611180005, records of Skagit County, Washington,

AND ALSO EXCEPT that portion of said premises lying Northerly of Gunderson Road as conveyed by deeds recorded on October 31, 1988, under Auditor's File Nos. 8810310090 and 8810310091, records of Skagit County, Washington.

Situate in the County of Skagit, State of Washington.



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EXHIBIT "B"

The lands described herein have been classified as farm and agricultural as disclosed by notice recorded April 27, 1971, under Auditor's File No. 751841, and are subject to the provisions of RCW 84.34 which include the requirement of a continuation of restricted use in order to continue the present assessment rate. A change in use can cause an increased assessment rate for present and past years. Any sale or transfer of all or a portion of said property requires execution of a notice of compliance form attached to the excise tax affidavit.

(Affects Parcels "B" through "F", inclusive)

NOTICE OF CONTINUANCE:

Recorded: April 17, 2007  
Auditor's No.: 200704170158

The lands described herein have been classified as farm and agricultural as disclosed by notice recorded April 23, 1971, under Auditor's File No. 751623, and are subject to the provisions of RCW 84.34 which include the requirement of a continuation of restricted use in order to continue the present assessment rate. A change in use can cause an increased assessment rate for present and past years. Any sale or transfer of all or a portion of said property requires execution of a notice of compliance form attached to the excise tax affidavit.

(Affects Parcel "A")

NOTICE OF CONTINUANCE:

Recorded: April 17, 2007  
Auditor's No.: 200704170158

AGREEMENT AND THE TERMS AND CONDITIONS THEREOF

Between: Island Construction, Inc., a Washington corporation  
And: Nookachamp Hills, LLC, a Washington limited liability company; Daniel Mitzel, an individual; and Paul Rutter, an individual  
Dated: August 11, 2006  
Recorded: February 14, 2007  
Auditor's No.: 200702140164  
Regarding: Development and access

EASEMENT FOR TELEPHONE LINES, TOGETHER WITH RIGHT OF INGRESS AND EGRESS OVER GRANTORS ADJOINING PROPERTY AND INCLUDING COVENANTS AGAINST BLASTING WITHOUT NOTICE:

Granted To: Skagit Valley Telephone Company  
Recorded: September 21, 1967  
Auditor's No.: 704645  
Affects: The Southeast ¼ of the Southwest ¼ of Section 30, Township 34 North, Range 5 East, W.M., and other property

AN EASEMENT AFFECTING THE PORTION OF SAID PREMISES AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES.

For: Pipe line  
In Favor Of: Pacific Northwest Pipeline Corporation  
Recorded: September 14, 1956  
Affects: Southwest ¼ of the Southeast ¼ and the Southeast ¼ of the Southwest ¼ of Section 30, Township 34 North, Range 5 East, W.M.

Said Easement was amended by instrument dated July 30, 1970 and recorded September 10, 1970, under Auditor's File No. 743325 to more specifically define its location and to grant temporary use of adjacent property.



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**EASEMENT AND THE TERMS AND CONDITIONS THEREOF:**

**Grantee:** Puget Sound Power & Light Company, a Massachusetts corporation  
**Purpose:** The right, privilege and authority to construct, erect, alter, improve, repair, operate and maintain an electric transmission and/or distribution line.  
**Area Affected:** The right of way for this easement is 30 feet in width, the centerline of which is described as follows: Beginning at the quarter corner common to Sections 25 and 30, Township 34 North, Ranges 4 and 5 East, W.M.; thence North 89°29' East 626.19 feet; thence North 1°0' West 123.45 feet; thence North 32°0' East 858.35 feet; thence North 20°0' East 372.80 feet; thence South 49°0' East 1,508.30 feet; thence South 40°38' East 262 feet to the North line of the County Road.  
**Dated:** June 15, 1950  
**Recorded:** June 28, 1950  
**Auditor's No.:** 447614

**EASEMENT AND THE TERMS AND CONDITIONS THEREOF:**

**Grantee:** Puget Sound Power & Light Company, a Massachusetts corporation  
**Purpose:** The right, privilege and authority to construct, erect, alter, improve, repair, operate and maintain an electric transmission and distribution line  
**Area Affected:** Beginning at a point on the North line of above tract - 65 feet West of County Road #306; thence South 5°0' West to the North line of County Road #306.  
**Dated:** January 12, 1952  
**Recorded:** January 28, 1952  
**Auditor's No.:** 470877

**EASEMENT AND THE TERMS AND CONDITIONS THEREOF:**

**Grantee:** Pacific Northwest Pipeline Corporation, a Delaware corporation  
**Purpose:** The right to select the route for and construct, maintain, inspect, operate, protect, repair, replace, alter or remove a pipeline or pipelines for the transportation of oil, gas and the products thereof  
**Area Affected:** Location not disclosed of record  
**Dated:** February 10, 1956  
**Recorded:** September 14, 1956  
**Auditor's No.:** 541545

**EASEMENT AND THE TERMS AND CONDITIONS THEREOF:**

**Grantee:** Skagit Valley Telephone Company, a Washington Corporation  
**Purpose:** The right, privilege and authority to construct, reconstruct, operate, inspect, maintain or remove lines of telephone and telegraph, or other signal or communication circuits, consisting of such underground conduits, cables, manholes, poles and other markers, fixtures and appurtenances as the grantee may from time to time require.  
**Area Affected:** Exact location not disclosed of record  
**Dated:** December 19, 1966  
**Recorded:** September 21, 1967  
**Auditor's No.:** 704644

Terms and conditions of Variance No. V88-006, recorded March 18, 1988, under Auditor's File No 8803180003.



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**EASEMENT AND THE TERMS AND CONDITIONS THEREOF:**

**Grantee:** Fred Ossewarde and Joann Ossewarde, husband and wife  
**Purpose:** For ingress, egress and utilities  
**Area Affected:** Upon existing roads identified in Exhibit "C" attached to said instrument  
**Dated:** August 9, 1990  
**Recorded:** August 10, 1990  
**Auditor's No.:** 9008100108

**EASEMENT AND THE TERMS AND CONDITIONS THEREOF:**

**Grantee:** Northwest Pipeline Corporation  
**Purpose:** An exclusive right of way and easement ("Easement") to locate, survey, construct, entrench, maintain, repair, replace, protect, inspect and operate a pipeline or pipelines, cathodic equipment and/or appurtenances which may be constructed on or above the surface including but not limited to valves and metering equipment, electrical and/or communications cables, underground conduits, splicing boxes; and roads ("facilities")  
**Area Affected:** 75 feet in width being 55 feet Easterly and 20 feet Westerly as measured from the centerline of the Grantees most Westerly pipeline.  
**Dated:** June 26, 2002  
**Recorded:** July 5, 2002  
**Auditor's No.:** 200207050104

**MEMORANDUM OF TIMBER SALE AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:**

**Between:** Northwest Pipeline Corporation  
**And:** Peggy Jean Hinton  
**Dated:** June 26, 2002  
**Recorded:** July 5, 2002  
**Auditor's No.:** 200207050105

**COVENANTS, CONDITIONS, PROVISIONS, RESTRICTIONS AND EASEMENT CONTAINED IN AGREEMENT:**

**Recorded:** February 14, 2007  
**Auditor's No.:** 200702140164  
**Executed By:** Island Construction, Inc., a Washington corporation; Nookachamp Hills, LLC, a Washington limited liability company; Daniel Mitzel, an individual; and Paul Rutter, an individual

