

AFTER RECORDING MAIL TO:

LEE A. TREVITHICK and CARRIE J. TREVITHICK
23745 NOOKACHAMP HILLS ROAD
MT. VERNON, WA 98273



200709140094
Skagit County Auditor
9/14/2007 Page 1 of 6 11:56AM

LAND TITLE OF SKAGIT COUNTY

126631-5

STATUTORY WARRANTY DEED

Escrow No. 070711
Title Order No. 126631

THE GRANTOR(S) NEIL L. MYERS and CARRIE L. MYERS, HUSBAND AND WIFE

for and in consideration of Ten Dollars and other good and valuable consideration

in hand paid, conveys, and warrants to LEE A. TREVITHICK and CARRIE J. TREVITHICK, HUSBAND AND WIFE

the following described real estate, situated in the County of SKAGIT, State of Washington:

LOT 60, "PLAT OF NOOKACHAMP HILLS PUD PHASE 11A," AS PER PLAT RECORDED ON SEPTEMBER 15, 2003, UNDER AUDITOR'S FILE NO. 200309150157, RECORDS OF SKAGIT COUNTY, WASHINGTON. SITUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON.

Abbreviated Legal: LOT 60, NOOKACHAMP HILLS PUD PH. 11A.

Tax Parcel Number(s): 4821-000-060-0000

Subject to easments, restrictions, reservations, covenants and conditions of record as shown on attached Exhibit "A" and by this reference made a part hereof.

Dated: September 7, 2007

NEIL L. MYERS

CARRIE L. MYERS

4381
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

SEP 14 2007

Amount Paid \$ 8,807.10
By Deputy

STATE OF Washington) ss.
COUNTY OF Skagit

I certify that I know or have satisfactory evidence that NEIL L. MYERS and CARRIE L. MYERS is/are the person(s) who appeared before me, and said person(s) acknowledged that he/she/they signed this instrument and acknowledged it to be his/her/their free and voluntary act for the uses and purposes mentioned in this instrument.

Dated: September 11, 2007

~~Edward J. Maderna~~ Karen Ashley
Notary Public in and for the State of Washington
residing at ~~XXXXXX~~ Sedro-Woolley
My Commission Expires: ~~07/08/08~~ 09/11/2010



EXHIBIT "A"

EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Skagit Valley Telephone Company
Purpose: Telephone lines
Area Affected: Southeast ¼ of Section 25, Township 34 North, Range 4 East, W.M., and West ½ of Section 30, Township 34 North, Range 5 East, W.M.
Dated: Undisclosed
Recorded: September 21, 1967
Auditor's No.: 704645

Stipulation contained in Deed executed by Walking Circle M., Inc., to MV Associates, dated July 25, 1979, recorded August 31, 1979, under Auditor's File No. 7908310024, as follows:

This transfer is subject to that perpetual easement which exists, and has existed, in favor of David G. McIntyre for:

The right to maintain, repair, inspect and otherwise use his existing septic tank on the subject property and, if necessary, to replace said septic tank by installing a new septic tank on the subject property;

The right to use the existing well and waterlines on the subject property, and to take water from the existing well as needed; and

The right to use any and all roadways on the subject property for ingress and egress to the property owned by David G. McIntyre, which is located in Skagit County, Washington, in Section 30, Township 34 North, Range 5 East, W.M.

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

For: Ingress, egress, drainage and utilities
In Favor Of:

Present and future owners of the following described property:

Portions of Sections 13, 19, 24, 25, 30, 31 and 36, of Township 34 North, Range 4 East, W.M.,

Recorded: December 10, 1982
Auditor's No.: 8212100052
Affects: Otter Pond Drive, Tract "A", and other property

Matters related to annexing a portion of the subject property into Skagit County Sewer District No. 2, as disclosed by document recorded under Auditor's File Nos. 8412050001 and 8411280007.

EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Public Utility District No. 1 of Skagit County, Washington
Purpose: Water pipe lines, etc.
Area Affected: Trout Drive; Access Road; Lot 59 and Tract "C"
Dated: June 8, 1990
Recorded: September 13, 1990
Auditor's No.: 9009130081

EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

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 the right to remove brush, trees and landscaping which may constitute a danger to said lines
Area Affected: The Westerly 10 feet of the Northerly, approximate 513 feet lying parallel and adjacent to said SR-9 of Parcel "C"
Dated: December 6, 1979
Recorded: December 11, 1979
Auditor's No.: 7912110003



200709140094
Skagit County Auditor

PROTECTIVE COVENANTS AND/OR EASEMENTS, BUT OMITTING RESTRICTIONS, IF ANY, BASED ON RACE, COLOR, RELIGION, OR NATIONAL ORIGIN, A COPY OF WHICH IS HERETO ATTACHED:

Dated: October 13, 1998
Recorded: November 2, 1998
Auditor's No.: 9811020155
Executed By: Nookchamp Hills, LLC

DECLARANT'S CHANGE OF ADDRESS BY SUCCESSIVE NOTICES:

Recorded: October 28, 2004
Auditor's No.: 200410280240
New Address: C/O Mitzel & Associates, LLC
P.O. Box 188/1111 Cleveland Avenue, Suite 203
Mount Vernon, WA 98273

EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee: Skagit County Sewer District No. 1, a municipal corporation of Skagit County, Washington
Purpose: Perpetual right-of-way or easement for sewer mains with the necessary appurtenances through, over and across
Area Affected: Portions of subject plat
Dated: January 15, 1999
Recorded: January 28, 1999
Auditor's No.: 9901280085

EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Skagit County Sewer District No. 2
Purpose: Right-of-way or easement
Area Affected: Portions of subject plat
Dated: March 19, 1999
Recorded: March 30, 1999
Auditor's No.: 9903300066

EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Skagit County Sewer District No. 2, a municipal corporation of Skagit County, Washington
Purpose: Perpetual right-of-way or easement for sewer mains with the necessary appurtenances through, over and across
Area Affected: Portions of the subject plat
Dated: March 23, 1999
Recorded: April 12, 1999
Auditor's No.: 9904120146

AGREEMENT AND THE TERMS AND CONDITIONS THEREOF

Between: Skagit County Sewer District No. 2
And: Nookachamp Hills LLC
Dated: March 14, 1999
Recorded: April 12, 1999
Auditor's No.: 9904120147
Regarding: Sewer Service Agreement

NOTES/RESTRICTIONS SHOWN ON THE FACE OF PLAT:

1. Zoning Rural Village, Residential;
2. No building permit shall be issued for any residential and/or commercial structure which are not at the time of application, determined to be within an official designated boundary of a Skagit County Fire District;



200709140094
Skagit County Auditor

3. Change in location of access may necessitate a change of address. Contact Skagit County Planning and Permit Center;

4. Sewage Disposal – Skagit County Sewer District No. 2;
Water – Skagit County PUD
Power – Puget Sound Energy
Telephone – GTE
Gas – Cascade Natural Gas
Cable – Lake Cable Service

5. The purchaser or seller of each lot shall deposit \$350.00 into the Skagit County Impact Fund in the Skagit County Treasurer's Office at the time of closing of said sale.

6. This survey has depicted existing fence lines and other occupational indicators in accordance with W.A.C. Ch. 332.130. These occupational indicators may indicate a potential for claims or unwritten title ownership. The legal resolution of ownership based upon unwritten title claims has not been resolved by this boundary survey.

7. The owners hereby amend the declaration of covenants, conditions and restrictions as recorded under AFN 9811020155 to include Lots 60 to 111, inclusive, as shown hereon. This plat of Phase IIA is meant to create an addendum to the CCR's as recorded under AFN 9811020155 without recording a separate document.

8. The Plat of Nookachamp Hills Planned Unit Development Phase IIA is adjacent to property used for agricultural operations. Owners may be subject to inconveniences or discomforts arising from such operation, including but not limited to noise, odors, flies, fumes, dust, the operation of machinery of any kind during any 24 hour period, including aircraft, the storage and disposal of manure and the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides and pesticides and will not be considered to be a nuisance of such operations are consistent with commonly accepted best management practices and complies with local, state, and federal laws.

9. Tract "E" is designated for open space and detention pond, the ownership and maintenance of said Tract is further defined in the CCR's as referenced under Note 7 above. Tract "F" is designated as an open space/buffer area.

10. The 20 foot access easement as shown on Sht 2 of 3 at the end of Kamloop Court is for pedestrian traffic only for the benefit of all lots within this plat and the Plat of Nookachamp Hills PUD Phase 1. The maintenance and ownership of said 20' is further defined in the CCR's as referenced under Note 7 above.

11. Setbacks: Front – 35', 25' on minor access and dead end streets.
Side – 8' on interior lot
Rear – 25'

Accessory – Front 35', side 8', however a 3' setback is permitted when the accessory building is a minimum of 75' from the front property line providing that the structure is less than 1,000 sq. ft. in size and 16' or less in height.

12. The plat name, number and date of approval shall be included in all deeds and contracts.

13. Owner/Developer

Nookachamp Hills LLC
c/o Dan Mitzel
1369 Pacific Drive
Burlington, WA 98233.

14. The homeowners association is responsible for the maintenance of the storm water system. Skagit County Public Works has on file the "Storm Water System Maintenance Plan for Nookachamp Hills Plat, Phase II", which outlines said maintenance.



200709140094
Skagit County Auditor

9/14/2007 Page

4 of

6 11:56AM

DEDICATION SHOWN ON PLAT:

Know all men by these presents that Nookchamp Hills L.L.C., a Washington Limited Liability Company and Peoples Bank, a Washington State Corporation, owners in fee simple or contract purchasers and mortgage or lien holders of the land hereby platted, declare this plat and dedicate to the use of the public forever, the roadways as 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 roadways shown hereon.

We also hereby dedicate Tracts E and F to the Nookachamp Hills PUD Property Owners Association.

UTILITY EASEMENT SHOWN ON PLAT:

An easement is hereby reserved for and granted to Skagit County, Skagit County Public Utility District No. 1, Skagit County Sewer District No. 2, Puget Sound Energy, GTE, Cascade Natural Gas Corporation, and Lake Cable Service and their respective successors and assigns under and upon the exterior 15 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 cause to any real property owner in the subdivision of the exercise of rights and privileges herein granted.

PRIVATE DRAINAGE AND SEWER EASEMENTS:

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 all 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.

Skagit Sewer District No. 2 is hereby granted an easement in all areas designated as private sewer easements.

Skagit County is hereby granted the right to enter said easements for emergency purposes at its owner discretion.

EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Skagit County Sewer District No. 2, a municipal corporation
Purpose: Easement for sewer mains with the necessary appurtenances
Area Affected: An easement 20.00 feet wide being within a portion of Lot 60
Dated: November 26, 2003
Recorded: February 12, 2004
Auditor's No.: 200402120195

EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Puget Sound Energy, Inc., a Washington corporation
Purpose: One or more utility systems for purposes of transmission, distribution and sale of electricity
Area Affected:

Easement No. 1: All streets and road rights-of-way as now or hereafter designated, platted, and/or constructed within the above described property. (When said streets and road are dedicated to the public, this clause shall become null and void.)

Easement No. 2: A strip of land 10 feet in width across all lots, tracts and open spaces located within the above described property being parallel to and coincident with the boundaries of all private/public street and road rights-of-way.

Dated: April 1, 2003
Recorded: April 7, 2003
Auditor's No.: 200304070122



200709140094

Skagit County Auditor

EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Puget Sound Energy, Inc., a Washington Corporation
Purpose: One or more utility systems for purposes of transmission, distribution and sale of electricity
Area Affected:

Easement No. 1: All streets and road right-of-way as now or hereafter designed, platted, and/or constructed within the above described property. (When said streets and road are dedicated to the public, this clause shall become null and void.)

Easement No. 2: A strip of land 15 feet in width across all lots, tracts and open spaces located within the above described property being parallel to and coincident with the boundaries of all private/public street and road rights-of-way.

Dated: July 7, 2003
Recorded: July 15, 2003
Auditor's No.: 200307150203

AGREEMENT (ACCEPTING THE CERTIFICATION OF COSTS) AND THE TERMS AND CONDITIONS THEREOF

Between: Skagit County Sewer District No. 2, a Washington municipal corporation
And: Dan Mitzel/Nookachamp Hills Phase 2A
Recorded: February 12, 2004
Auditor's No.: 200402120196
Regarding: Construction of a sewage collection system

EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Disclosed By: Plat of said addition
Purpose: Sewer District No. 2
Area Affected: 20 foot strip across said premises

ASSESSMENTS, IF ANY, DUE AND OWING NOOKACHAMP HILLS PUD HOMEOWNERS ASSOC.



200709140094

Skagit County Auditor