



200711070121

Skagit County Auditor

11/7/2007 Page

1 of

5 3:40PM

When recorded return to:

Kristine L. Falconer  
7460 Guemes Island Road  
Anacortes, WA 98221

Recorded at the request of:  
First American Title  
File Number A92583

### Statutory Warranty Deed

THE GRANTOR Bayside Family Partnership, a general partnership for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to Kristine L. Falconer, an unmarried individual the following described real estate, situated in the County of Skagit, State of Washington.

GUARDIAN NORTHWEST TITLE CO.

Abbreviated Legal: Lots 29, 30 and 32, Block 2, "HOLIDAY HIDEAWAY NO. 1" A92583E-2

Tax Parcel Number(s): P65759, 3926-002-029-0008, P65760, 3926-002-030-0005, P65762, 3926-002-032-0003

Lots 29, 30 and 32, Block 2, "HOLIDAY HIDEAWAY NO. 1", as per plat recorded in Volume 8 of Plats, pages 36 through 42, inclusive, records of Skagit County, Washington.

SUBJECT TO the Easements, Restrictions and other Exceptions set forth on Exhibit "A" attached hereto.

Dated November 2, 2007

Bayside Family Partnership

Larry Kirchner  
By: Larry Kirchner, General Partner

Arthur Terrana  
By: Arthur Terrana, General Partner

Carol Terrana  
By: Carol Terrana, General Partner

Sally Terrana  
By: Sally Terrana, General Partner

Mary Kirchner  
By: Mary Kirchner, General Partner

Carmelo Terrana  
By: Carmelo Terrana, General Partner

Gina Terrana  
By: Gina Terrana, General Partner

5199  
SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

NOV 07 2007

Amount Paid \$ 1678.20  
Skagit Co. Treasurer  
By MM Deputy

STATE OF WASHINGTON }  
COUNTY OF SKAGIT } SS:

I certify that I know or have satisfactory evidence that Arthur Terrana and Carol Terrana is/are the person(s) who appeared before me, and said person(s) acknowledge that they signed this instrument, on oath stated they is/are authorized to execute the instrument and acknowledge that as the General Partners of Bayside Family Partnership to be the free and voluntary act of such party(ies) for the uses and purposes mentioned in this instrument.

Dated: 11-5-07

Chicki L Hoffman  
Notary Public in and for the State of WA  
Residing at ANACORTES  
My appointment expires: 10-8-09

STATE OF WASHINGTON }  
COUNTY OF SKAGIT } SS:

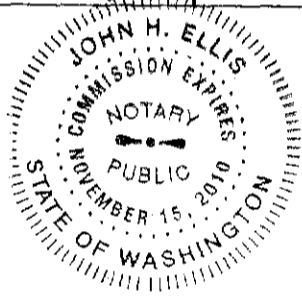
I certify that I know or have satisfactory evidence that Carmelo Terrana and Sally Terrana  
is/are the person(s) who appeared before  
me, and said person(s) acknowledge that they signed this instrument, on oath stated they  
is/are authorized to execute the instrument and acknowledge that as the  
General PartnerS of Bayside Family Partnership  
to be the free and voluntary act of such party(ies) for the uses and purposes mentioned in this instrument.

Dated: 11-6-07  
Ciecki L Hoffman  
Notary Public in and for the State of WA  
Residing at ANACORTES  
My appointment expires: 10-8-09

STATE OF WASHINGTON }  
COUNTY OF King } SS:

I certify that I know or have satisfactory evidence that Gina Terrana  
is/are the person(s) who appeared before  
me, and said person(s) acknowledge that she signed this instrument, on oath stated her  
is/are authorized to execute the instrument and acknowledge that as the  
General Partner of Bayside Family Partnership  
to be the free and voluntary act of such party(ies) for the uses and purposes mentioned in this instrument.

Dated: 11-6-2007  
John H. Ellis (John H. Ellis)  
Notary Public in and for the State of Washington  
Residing at Seattle, WA  
My appointment expires: 11-15-2010



ACKNOWLEDGEMENT-Attorney in Fact

STATE OF WASHINGTON }  
County of SKAGIT } ss

On this 6TH day of November, 2007, before me personally appeared Carmelo Terrana to me known to be the individual who executed the foregoing instrument as Attorney in Fact for Larry D. Kirchner and Mary A. Kirchner and acknowledged that he/she signed the same as his free and voluntary act and deed as Attorney in Fact for said principal for the uses and purposes therein mentioned, and on oath stated the the Power of Attorney authorizing the execution of this instrument has not been revoked and that said principal is now living.

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

Ciecki L Hoffman  
Notary Public in and for the State of Washington  
Residing at: ANACORTES  
My Appointment Expires: 10-8-09



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**Schedule "B-1"**

**EXCEPTIONS:**

A. The right granted in the "PLAT OF HOLIDAY HIDEAWAY NO. 1" to make all necessary slopes for cuts and fills upon the lots and blocks shown on the Plat in the original reasonable grading of all streets thereon. The County or its successors shall have the right 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.

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

Plat/Subdivision Name: Holiday Hideaway No. 1  
Auditor's No: 625483

Said matters include but are not limited to the following:

(1) With respect to matters relating to water services, we note DECLARATION OF SERVICE, executed by Guemes Island Water Company, Inc., recorded under Auditor's File No. 8902230048, which indicates service having been provided to the following lots:

- ~ Tract All
- Lots 27-54, Block 1
- All lots within Block 2; EXCEPT Lots 89-98, inclusive
- All lots within Block 3
- All lots within Block 4; EXCEPT Lots 1-8, inclusive
- All lots within Block 5
- All lots within Block 6; EXCEPT Lots 11-38, inclusive
- Lots 47-49, inclusive, and Lots 78 and 79
- All lots within Block 7
- All lots within Block 8; EXCEPT Lots 8 and 9

~ Also, included on said Declaration is the following note:

"Whereas, the present and future owners are hereby reminded of the following restriction on the face of said filed plat:

~ Each lot shall be entitled to one hook up to the private water system upon its installation. The cost of the hook up, materials, labor and meter to be paid for by the owner of the lot."

~ Said Declaration was modified by MODIFICATION OF DECLARATION OF SERVICE, dated January 22, 1990 and recorded January 23, 1990 under Auditor's File No. 9001230041, which added the following tracts to the list of lots within said Declaration as being able to obtain service in said Plat:

Tracts "B", "C" and "D"

Said modification was re-recorded March 2, 1990, under Auditor's File No. 9003020121 to add Tract "E" to said declaration.

(2) Easements for private roads, utilities, drainage and bridle path  
Holiday Hideaway No. 1.



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C. SUBJECT, also, to exceptions and reservation of minerals, mineral rights, fossils, etc., in Deeds from the State of Washington, conveying tidelands, recorded in Volumes 68, 90 and 101 of Deeds, pages 633, 267 and 113, respectively, records of Skagit County.

Affects: Lots abutting tidelands

D. Matters relating to Holiday Hideaway Country Club, now known as Holiday Hideaway Association, recorded March 29, 1982 and January 11, 2006 under Auditor's File Nos. 8203290018, 8203290019 and 200601100165.

E. Right of the general public to the unrestricted use of all the waters of a navigable body of water not only for the primary purposes of navigation, but also for corollary purposes, including (but not limited to) fishing, boating, bathing, swimming, water skiing and other related recreational purposes, as those waters may affect the tidelands, shorelands, or adjoining uplands, and whether the level of the water has been raised naturally or artificially to a maintained or fluctuating level, all as further defined by the decisional law of this state. (Affects all of the premises subject to such submergence.)

Affects: Lots abutting tidelands

F. DECLARATION OF EASEMENT FOR PRIVATE ROADWAY:

Recorded: April 10, 1969  
Auditor's No.: 725226  
Purpose: Ingress, egress, drainage and utilities  
Affects: Reference is hereby made to the record for full particulars

G. PROVISIONS CONTAINED IN CONTRACTS THROUGH WHICH TITLE IS CLAIMED, AS FOLLOWS:

"...Buyer agrees to pay, in addition to any other sums or charges herein provided, to the non-profit GUEMES ISLAND BEACH CLUB, according to its Articles and By-Laws, his proportionate share of the cost of maintenance and upkeep of its property and facilities.

Water will be made available to the property through distribution lines to be installed by Municipal Water District or private water company, such installation to be financed in such manner as may be determined by such District or Company. In the event that such lines are not so installed within three years from the date hereof, or sooner, at Seller's option, Seller shall install such distribution lines and water system for the use of Buyer, and Buyer agrees to use said lines when they have been installed. Buyer agrees to pay, upon completion, a hook up charge to the said distribution lines and a periodic use charge. In such case Buyer and Seller agree that Seller may, at its discretion, continue to own, control, operate and maintain the water distribution lines, or may transfer the water distribution lines to any public or private utility.

Seller reserves the right to remove such standing timber, deadfalls, brush and other ground cover as shall be necessary, in Seller's option, to open the view of adjacent lots..."

(For your information, Holiday Hideaway Country Club is the apparent successor to Guemes Island Beach Club.)



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H. RESERVATIONS CONTAINED IN DEED

Executed by: Square Harbor Development Corporation  
Recorded: February 15, 1968 and January 15, 1969  
Auditor's Nos.: 710270 and 722327  
As Follows: Subject to reservation by Seller, its successors and/or assigns,  
to use said Tracts for recreational purposes

I. DECLARATION OF COVENANTS, AND THE TERMS AND CONDITIONS THEREOF:

Dated: July 28, 1983  
Recorded: August 1, 1983  
Auditor's No.: 8308010025  
Executed By: Albert P. Terrana and Ruth Marie Terrana, husband and wife

J. EASEMENT AND PROVISIONS THEREIN:

Grantee: Puget Sound Power & Light Company, a Washington  
corporation  
Dated: August 10, 1993  
Recorded: August 16, 1993  
Auditor's No.: 9308160088  
Purpose: Right to enter said premises to operate, maintain, 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  
Affects: Lots 28, 29, 30 and 32, Block 2

K. REGULATORY NOTICE/AGREEMENT THAT MAY INCLUDE COVENANTS, CONDITIONS  
AND RESTRICTIONS AFFECTING THE SUBJECT PROPERTY:

Executed By: Bayside Family Partnership  
Recorded: January 10, 2006  
Auditor's No.: 200601100105  
Regarding: Reasonable Use Exception Determination

Reference is hereby made to the record for the full particulars of said notice/agreement. However, said  
notice/agreement may have changed or may in the future change without recorded notice.

L. REGULATORY NOTICE/AGREEMENT THAT MAY INCLUDE COVENANTS, CONDITIONS  
AND RESTRICTIONS AFFECTING THE SUBJECT PROPERTY:

Executed By: Larry Kirchner for Bayside Family Partnership  
Recorded: December 21, 2006  
Auditor's No.: 200612210112  
Regarding: Protected Critical Area Site Plan  
Affects: Lots 29 and 30

Reference is hereby made to the record for the full particulars of said notice/agreement. However, said  
notice/agreement may have changed or may in the future ch



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