

When recorded return to:

Jeff Hansell, Managing Member
1111 Cleveland Avenue, Suite 201
Mount Vernon, WA 98273

Recorded at the request of:
Guardian Northwest Title & Escrow
File Number B95156



200807250078
Skagit County Auditor

7/25/2008 Page 1 of 5 3:32PM

Statutory Warranty Deed

THE GRANTORS Rebecca A. Heerspink and Eugene W. Heerspink, husband and wife for and in consideration of **TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION** in hand paid, conveys and warrants to Hansell Mitzel Homes, LLC, a Washington Limited Liability Company the following described real estate, situated in the County of Skagit, State of Washington

Abbreviated Legal:

Lot 1, "NOOKACHAMP HILLS PLANNED UNIT DEVELOPMENT, PHASE I"

Tax Parcel Number(s): P113841, 4722-000-001-0000

GUARDIAN NORTHWEST TITLE CO.
B95156-1

Lot 1, "NOOKACHAMP HILLS PLANNED UNIT DEVELOPMENT, PHASE I", as filed in Volume 17 of Plats, pages 26 – 31, records of Skagit County, Washington.

SUBJECT TO covenants, conditions, restrictions, and easements per Schedule B-1, attached hereto and made a part hereof.

Dated 7-15-08

Rebecca A. Heerspink

Eugene W. Heerspink

2419
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

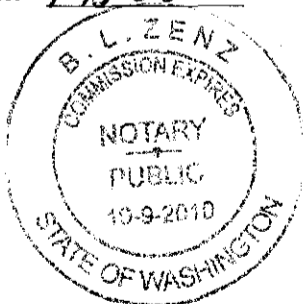
JUL 25 2008

STATE OF Washington }
COUNTY OF Skagit } SS:

Amount Paid \$ 6487.62
By MF Skagit Co. Treasurer Deputy

I certify that I know or have satisfactory evidence that Rebecca A. Heerspink and Eugene W. Heerspink, the persons who appeared before me, and said person(s) acknowledged that he/she/they signed this instrument and acknowledge it to be his/her/their free and voluntary act for the uses and purposes mentioned in this instrument.

Date: 7-15-08



Notary Public in and for the State of Washington
Residing at Sedro Woolley,
My appointment expires: 10/09/2010

Schedule "B-1"

EXCEPTIONS:

A. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee: Skagit Valley Telephone Company
 Dated: Undisclosed
 Recorded: September 21, 1967
 Auditor's No: 704645
 Purpose: Telephone lines
 Area Affected: Southeast 1/4 of Section 25, Township 34 North, Range 4 East, W.M., and West 1/2 of Section 30, Township 34 North, Range 5 East, W.M.

B. 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

C. 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.

D. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

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

E. EASEMENT AND PROVISIONS CONTAINED THEREIN:

Grantee: Puget Sound Power & Light Company
 Dated: December 6, 1979
 Recorded: December 11, 1979
 Auditor's No. 7912110003
 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
 Location: The Westerly 10 feet of the Northerly, approximate 513 feet lying parallel and adjacent to said SR-9 of Parcel "C"

F. Terms and/or conditions of Finding of Fact, Entry of Order, regarding plat approval for Nookachamp Hills, Phase I, recorded October 13, 1997, under Auditor's File No. 9710130073



200807250078
Skagit County Auditor

Order No: B95156

G. PROTECTIVE COVENANTS AND/OR EASEMENTS, BUT OMITTING RESTRICTIONS, IF ANY, BASED ON RACE, COLOR, RELIGION OR NATIONAL ORIGIN:

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

ABOVE COVENANTS, CONDITIONS AND RESTRICTIONS WERE AMENDED:

Declaration Dated: February 3, 2004
Recorded: April 28, 2004
Auditor's No.: 200404280064

Declaration Dated: August 8, 2005
Recorded: August 23, 2005
Auditor's No.: 200508230083

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

Plat/Subdivision Name: Nookachamp Hills Planned Unit Development Phase I
Recorded: November 2, 1998
Auditor's No: 9811020154

Said matters include but are not limited to the following:

a. Terms, covenants, conditions, notes and restrictions contained in said Plat, as follows:

~ Sewage Disposal - Skagit County Sewer District No. 2.

~ Water - Skagit County P.U.D.

~ The Plat of Nookachamp Hills Planned Unit Development is adjacent to property used for agricultural operations. Owners may be subject to inconveniences or discomforts arising from such operations, 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 consider to be a nuisance if such operations are consistent with commonly accepted best management practices and complies with local, state and federal laws.

~ Sanitary sewer easements "A" through "S" shown hereon are granted to Skagit County Sewer District No. 2.

~ The purchaser or seller of each lot shall deposit \$350.00, into the Skagit County Park Impact Fund at the Skagit County Treasurer's Office at the time of closing of said sale. This one-time fee to mitigate impacts on parks and recreation.



200807250078
Skagit County Auditor

b. Easement provisions as disclosed on the face of said Plat:

An easement is hereby reserved for and granted to Puget Sound Energy, Lake Cable Services, GTE Northwest, P.U.D. No. 1, and their respective successors and assigns, under and upon the exterior ten (10) feet parallel and adjacent to the street frontage of all lots, unless shown otherwise, in which to install, lay, construct, review, operate and maintain underground conduits, cables and wires with necessary facilities and other equipment for the purposes of serving the subdivision and other property with electric, television, telephone and gas service, together with the right to enter upon lots at all times for the purposes stated.

c. Provision set forth in the dedication on the face of the Plat, as follows:

Know all persons by these presents that we, the undersigned, hereby declare this plat and dedicate to the public forever, the use as roads and ways and the right to make all necessary slopes for cuts and fills and the right to continue to drain said roads and ways over and across any lot where water might take a natural course in the reasonable original grading of the roads and ways hereon. No drainage water on any lot or lots shall be diverted or blocked from their natural course so as to discharge upon any public road right-of-way or to hamper proper road drainage. Any enclosing of drainage waters in culverts or drains, or rerouting thereof across any lots as may be undertaken by or for the owner of any lots, shall be done by and at the expense of said owner. Additionally, we hereby dedicate Tracts "A", "B", "C" and "D" shown hereon, to the Nookachamp Hills P.U.D. Property Owners Association as common areas and Tracts "A", "B" and "C" as Native Growth Protection Areas as further described in Declaration and Covenants, Conditions, Restrictions, Easements and Reservations, recorded under Skagit County, Washington, Auditor's File No. 9811020155.

d. P.U.D. Water Pipeline Easement Provisions, as disclosed on the face of said Plat:

Easements are granted to Public Utility District No. 1 of Skagit County, Washington, a Municipal Corporation, its successors or assigns, the perpetual right, privilege and authority enabling the P.U.D. to do all things necessary or proper in the construction and maintenance of a water line, lines or related facilities, including the right to construct, operate, maintain, inspect, improve, remove, restore, alter, replace, relocate, connect to and locate at any time a pipe or pipes, line or lines or related facilities along with necessary appurtenances for the transportation of water over, across, along, in and under the lands as shown on this Plat, together with the right of ingress to and egress from said lands across adjacent lands of the Grantor.

Also, the right to cut and/or trim all brush, timber, trees or other growth standing or growing upon the lands of the Grantor which, in the opinion of the District, constitutes a menace or danger to said line or to persons or property by reason of proximity to the line. The Grantor agrees that title to all timber, brush, trees, other vegetation or debris trimmed, cut and removed from the easement pursuant to this Agreement is vested in the District.

Grantor, its heirs, successors or assigns, hereby conveys and agrees not to construct or permit to be constructed structures of any kind on the easement area without written approval of the General Manager of the District. Grantor shall conduct its activities and all other activities on Grantor's property so as not to interfere with, obstruct or endanger the usefulness of any improvements or other facilities, now or hereafter maintained upon the easement or in any way interfere with, obstruct or endanger the District's use of the easement.

e. Easement as delineated and/or dedicated on the face of the Plat:

Purpose: Utility and access
Affects: Exterior 10 feet adjoining streets



200807250078
Skagit County Auditor

Order No: B95156

f. Matters relating to the possible formation of an Association for the common areas of the Otter Road and Association for horse arena and stable areas, as disclosed by document recorded under Auditor's File No. 8310310059.

g. Terms, conditions and affect of conveyance of sewer facility recorded April, 12, 1999, under Auditor's File No. 9904120148:

Grantor: Nookachamp Hills LLC
Grantee: Skagit County Sewer District No. 2
Dated: February 17, 1999

1. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

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



200807250078

Skagit County Auditor