

When recorded return to:

Mr. Joseph A. Frank
9257 Thunderbird Place
Concrete, WA 98237



200902270199
Skagit County Auditor

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Filed for Record at Request of
Wells Fargo Escrow Company

Escrow Number: 04-02194-09 LAND TITLE OF SKAGIT COUNTY

132147 SW
Grantor: Robert V. Sjoboen and Marion L. Sjoboen
Grantee: Joseph A. Frank

Tax Parcel Number(s): 350824-1-007-0004 (P44195), 350824-1-007-0100 (P108125)

Abbreviated Legal: Ptn NE 1/4 NE 1/4 S SE 1/4 NE 1/4 & NE 1/4 & SE 1/4, 24-35-8 E.W.M. (aka Ptn. Lots 3 & 4, SP#PL07-0253.)

Statutory Warranty Deed

THE GRANTORS Robert V. Sjoboen and Marion L. Sjoboen, Husband and Wife for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to Joseph A. Frank, a Married Person as his separate estate the following described real estate, situated in the County of Skagit, State of Washington

Abbreviated Legal:

Abbreviated Legal: Ptn NE 1/4 NE 1/4 S SE 1/4 NE 1/4 & NE 1/4 & SE 1/4, 24-35-8 E.W.M. (aka Ptn. Lots 3 & 4, SP#PL07-0253.)

FOR FULL LEGAL SEE ATTACHED EXHIBIT "A"

SUBJECT TO: SEE EXHIBIT B ATTACHED

Tax Parcel Number(s): 350824-1-007-0004 (P44195), 350824-1-007-0100 (P108125)

Dated February 21, 2009

Robert V. Sjoboen

Marion L. Sjoboen

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

546
FEB 27 2009

STATE OF Washington
COUNTY OF Skagit } SS:

Amount Paid \$ 6057.00
Skagit Co. Treasurer
By mm Deputy

I certify that I know or have satisfactory evidence that Robert V. Sjoboen and Marion L. Sjoboen

are the person who appeared before me, and said person are acknowledged that they
signed this instrument and acknowledge it to be their free and voluntary act for the uses
and purposes mentioned in this instrument.

Dated: 2/24/09



Shanna Gipe
Notary Public in and for the State of Washington
Residing at: Everett
My appointment expires: 1/29/2010

EXHIBIT A



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EXHIBIT B

Matters disclosed on face of Short Plat No. 94-044.
(See instrument for full particulars)

COVENANTS CONTAINED IN INSTRUMENT:

Recorded: January 17, 1995
Auditor's No.: 9501170010
As Follows:

1. Lots 2 and 3 will have access through a 20 foot easement as described on the "NON-EXCLUSIVE EASEMENT AND MAINTENANCE DECLARATION" paper. These two lots will have a shared driveway built per Uniform Fire Code Section 10.207, (A.,2.)
2. Future lot owners of Lots 2 and 3 will build the road on the above described easement and share equally in the cost.
3. This shared driveway will be used exclusively for Lots 2 and 3.
4. The driveway for lot #1 will be the responsibility of the future owner and will be built as per Uniform Fire Code Section 10.207, (A., 2.). The driveway will be maintained by the owner in good workmanlike manner.
5. The 100 foot easement abutting lots 1 and 2 will be used exclusively for lot #1 driveway until such time that a short plat road built to county specifications is built by Sjoboen on this 100 foot easement.
6. These covenants for SPT #94-044 are recorded in Volume 11 of Short Plats, page 163 and 164, records of Skagit County, Washington, Skagit County Auditor's File No. 9501120094.

EASEMENT AND MAINTENANCE DECLARATION:

Executed By: Robert Sjoboen, et ux
Recorded: January 17, 1995
Auditor's No.: 9501170011
Affects: Driveway easement for Lots 2 and 3

RESERVATIONS CONTAINED IN DEED:

Executed By: Dana McCoy and Anita L. McCoy, a married couple
Recorded: May 18, 1994
Auditor's No.: 9405180002
As Follows:

Subject to a reservation to all coal, oil, gas, casinghead gas and all ores and minerals of every kind and nature underlying the surface of the premises, together with the full right, privilege and license at any and all times to explore, or drill for and to protect, conserve, mine, take, remove and market any and all such products in any manner which will not damage structures on the surface of the premises.

Reservation contained in various instruments of record, substantially as follows:

"This boundary adjustment is not for the purposes of creating an additional building lot."



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Terms and conditions of Order of Waiver (Six year development moratorium), as recorded under Skagit County Auditor's File Nos. 200708070101 and 200710040112.
(See instruments for full particulars).

LOT CERTIFICATION AND THE TERMS AND CONDITIONS THEREOF:

Recorded: October 5, 2007
Auditor's File No.: 200710050127

COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, NOTES, DEDICATIONS, PROVISIONS AND SURVEY MATTERS AS DESCRIBED AND/OR DELINEATED ON THE FACE OF SAID PLAT OR SHORT PLAT, AS HERETO ATTACHED:

Plat/Short Plat: PL07-0253
Recorded: November 21, 2008
Auditor's No.: 200811210031

Matters disclosed and/or delineated on the face of Short Plat No. PL07-0253, including but not limited to the following:

- 1.) Rural Resource – NRL; minimum setback requirements;
- 2.) Agriculture – NRL; minimum setback requirements;
- 3.) Rural Reserve; minimum setback requirements;
- 4.) Well Protection Zones;
- 5.) Mislocated fencelines;
- 6.) Easement; "Henry Lane (PVT)".

LOT CERTIFICATION AND THE TERMS AND CONDITIONS THEREOF:

Recorded: November 21, 2008
Auditor's File No.: 200811210031



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PROTECTED CRITICAL AREA SITE PLAN AND/OR EASEMENT, AND THE TERMS AND CONDITIONS THEREOF:

Executed By: Robert V. Sjoboen and Marion L. Sjoboen
Recorded: November 21, 2008
Auditor's File No.: 200811210033

Any prohibition of or limitation or use, occupancy or improvement of the land resulting from the rights of the public or riparian owners to use any portion which is now, or has formerly been, covered by water.

Any prohibition of or limitation or use, occupancy or improvement of the land resulting from the rights of the public or riparian owners to use any portion which is now, or has formerly been, covered by water.

Any change in the boundary or legal description of the real property, or title to the estate insured, that may arise due to the shifting and changing in the course of the Skagit River.

Any adverse claim based upon the assertion that:

- (a) Said land or any part thereof is now or at any time has been below the ordinary highwater mark of the Skagit River;
- (b) Some portion of said land has been created by artificial means or has accreted to such portion so created.
- (c) Some portion of said land has been brought within the boundaries thereof by an avulsive movement of the Skagit River or has been formed by accretion to any such portion.



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DESCRIPTION:

Lots 3 and 4, including Tract 'A' Fish and Wildlife Habitat Area, Short Plat No. PL07-0253, approved November 9, 2008, recorded November 21, 2008, under Auditor's File No. 200811210030, being a portion of Lot 4, Short Plat No. 94-044, approved January 11, 1995, recorded January 12, 1995 under Auditor's File No. 9501120094, all records of Skagit County, Washington, lying within the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, and the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 24, Township 35 North, Range 8 East, W.M.; And also lying within the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, and the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 19, Township 35 North, Range 9 East, W.M.;

TOGETHER WITH a non-exclusive easement for ingress, egress and utilities depicted as "Henry Lane (PVT)" on the face of said Short Plat No. PL07-0253;

Situate within the County of Skagit, State of Washington.



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