

When recorded return to:

1801 Grove Street Unit B
Marysville, WA 98270

Recorded at the request of:
Guardian Northwest Title & Escrow
File Number: 96907



200903310053
Skagit County Auditor

3/31/2009 Page 1 of 6 11:26AM

Statutory Warranty Deed

96907

GUARDIAN NORTHWEST TITLE CO.

THE GRANTOR Horizon Bank, a Washington banking corporation for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to D.B. Johnson Construction Inc. the following described real estate, situated in the County of Skagit, State of .

Abbreviated Legal:
"PLAT OF ROSARIO TERRACE"; and
Section 28, Township 33, Range 4; Ptn. NW SE & NE SW

For Full Legal See Attached Exhibit "A"

Subject to Covenants, Conditions, Restrictions and Easements, as per attached Exhibit "B"

Tax Parcel Number(s): P124158, 330428-4-002-0500, P17413, 330428-3-001-0008

Dated 3-30-09

Horizon Bank

[Signature]
By: John Voth, Vice President

[Signature]
By: Jay Kaemingk, Senior Vice President

STATE OF Washington }
COUNTY OF Skagit } SS:

I certify that I know or have satisfactory evidence that John Voth and Jay Kaemingk is/are the person(s) who appeared before me, and said person(s) acknowledged that they signed this instrument, on oath stated their is/are authorized to execute the instrument and acknowledge that as the vice president and senior vice president of Horizon Bank to be the free and voluntary act of such party(ies) for the uses and purposes mentioned in this instrument.

Dated: 3-30-09

[Signature]

Notary Public in and for the State of WA
Residing at Mt Vernon
My appointment expires: 1-7-11



EXHIBIT A

PARCEL "A":

Lot 1, Short Card No. PL05-0273, approved November 28, 2005 and recorded December 6, 2005 under Auditor's File No. 200512060129 and being a portion of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ and of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 28, Township 33 North, Range 4 East, W.M..

PARCEL "B":

Lots 1 through 9, inclusive, "PLAT OF ROSARIO TERRACE", as approved on August 19, 2008 and recorded on August 19, 2008 under Auditor's File No. 200808190039, records of Skagit County, Washington.

TOGETHER WITH "Fieldstone Lane" as delineated on the face of said plat.



200903310053
Skagit County Auditor

Exhibit B

Schedule "B-1"

EXCEPTIONS:

A. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Olympic Pipe Line Company, a Delaware Corporation
Dated: November 30, 1963
Recorded: January 7, 1963
Auditor's No.: 645104
Affects: Parcel "B"
Purpose:

The rights of way, easements and privileges to construct, maintain, operate, repair, replace, change the size of, and remove in whole or in part, a pipe line for the transportation of oil and gas, and the products thereof, water or any other fluid or substance with the necessary fittings, fixtures, valves, appurtenances, and cathodic protection devices, and the right to maintain the right of way clear of trees, underbrush, buildings, and other obstructions, along a route to be selected by Grantee

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

Dated: November 9, 2005
Recorded: November 17, 2005
Auditor's No.: 200511170002
Executed By: Sunset Avenue Rentals, LLC and Rosario Terrace, LLC

C. MATTERS AS DISCLOSED AND/OR DELINEATED ON THE FACE OF THE FOLLOWING SHORT CARD:

Short Card No.: PL05-0273
Recorded: December 6, 2005
Auditor's No.: 200512060129

Said matters include but are not limited to the following:

1. Plat name and number and date of approval shall be included in all deeds and contracts.
2. No building permit shall be issued for any residential and/or commercial structures which are not, at the time of application, determined to be within an official designated boundary of a Skagit County Fire District.
3. Change in location of access may necessitate change of address. Contact Skagit County's Department of Planning and Development Services.
4. In no case shall the County accept a dedication or any obligation as to any such road street, and/or alley until the same and all roads, streets, and/or alleys connecting to the same to the full current county road system have been brought up to full county road standards and a right-of-way deed has been transferred to and accepted by the County.



200903310053
Skagit County Auditor

5. All runoff from impervious surfaces, roof drains shall be directed so as not to adversely affect adjacent properties.

6. This parcel lies within an area or within 500 feet of area designated as a natural resource lands (agricultural, forest and mineral resource lands of long-term commercial significance) in Skagit County. A variety of natural resource land commercial activities occur or may occur in the area that may not be compatible with non-resource uses and may be inconvenient or cause discomfort to area residents. This may arise from the use of chemicals or from spraying, pruning, harvesting, or mineral extraction with associated activities, which occasionally generates traffic, dust, smoke, noise and odor. Skagit County has established natural resource management operations as a priority use on designated natural resource lands and area residents should be prepared to accept such incompatibilities, inconveniences or discomfort from normal, necessary natural resource land operations when performed in compliance with best management practices and local state and federal law. In the case of mineral lands, application might be made for mining-related activities including extraction, washing, crushing, stockpiling, blasting, transporting and recycling of minerals. In addition, greater setbacks than typical may be required from the resource area, consistent with SCC 14.16.810. Contact the Skagit County Planning and Permit Center for details.

7. A Skagit County address range has been assigned along Bulson Road in this subdivision. At the time of application for building and/or access, Skagit County GIS will assign individual addresses in accordance with the provisions of Skagit County Code 15.24. Beginning range of 22336, ending range of 22642.

8. Drainage maintenance requirements for this plat are outlined in the approved Northwest Datum & Design Drainage Report Appendix. This document is available in Skagit County's Project File.

9. Water will be supplied from individual water systems.

10. Lot 3 will not be developed under current platting regulations. Future revisions to platting and zoning regulations may allow subdivision of this lot.

11. A Lot of Record Certification has been issued for all lots included in this subdivision. By virtue of recording this land division and issuance of the Lot Certification, all lots therein shall be considered Lots of record for conveyance and development purposes unless otherwise restricted. Auditor's File No. 200312060130.

12. For PCA Easement, see Auditor's File No. 200512060131.

13. Maintenance and construction of roads shall be the responsibility of the homeowner's association with the lot owners as members. This applies to Lot 1's road access in association with the adjoining road. Lots 2 and 3 have their own access from Bulson Road and are not obligated to the Association.

14. Arsenic noted below current MCL, but above recognized EPA maximum contaminate level. Contaminate levels may change in the future and wells may require treatment.

15. Setbacks within the development:

From a public road, a minimum of 20 feet. For lots designated Ag-NRL, IF-NRL and SF-NRL, lots shall be configured so that houses are no more than 200 feet from adjacent public roads.

A 200 foot setback shall be observed from adjacent NRL designated parcels.

No other setbacks shall be required except that fire separation may be required on the IBC. Internal setbacks may be established by private covenants.



200903310053
Skagit County Auditor

16. Water – Private well.
 Sewer – Private drainfields.
 Power – Puget Sound & Energy Company.
 Gas – Cascade Natural Gas Corporation.
 Cable TV – AT&T Broadband.
 Telephone – Verizon Northwest.

17. The owners of Lots 1, 2 and 3 herein known as the grantors agree and covenants that said grantors, his heirs, successors, and assigns will not construct, maintain, or suffer to be constructed or maintained upon said land of the grantors and within 100 feet of the well, either in place or to be built, so long as the same is operated to furnish water for consumption, any of the following: Cesspools, sewers, privies, septic tanks, drainfields, manure piles, garbage of any kind of description, barns, chicken houses, rabbit hutches, pigpens, or other enclosures for the keeping or maintenance of fowls or animals, or storage of liquid or dry chemicals, herbicides or insecticides. These covenants shall run with the land and shall be binding on all parties having or acquiring any right, title, or interest in the land described herein or any part thereof, and shall inure to the benefit of each owner thereof.

18. Thirty (30) foot access and utility easement over a portion of Lot 2, for the benefit of Lot 3.

19. Drainfield easement over Lot 2 for the benefit of Lot 1.

20. Fifteen (15) foot drainfield utility easement over Lot 3 for the benefit of Lot 1.

21. Ten (10) foot access easement to well over Lot 3 for the benefit of Lots 1 and 2.

22. Location of gas easement over Lot 3.

23. Location of wetlands and well protection easement over Lots 1, 2 and 3.

D. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee:	Skagit County, a political subdivision of the State of Washington
Dated:	December 1, 2005
Recorded:	December 6, 2005
Auditor's No.:	200512060131
Purpose:	Perpetual easement establishing a PCA over, along and across those portions of the project, denoted as Protected Critical Area Easement, together with the right of ingress and egress to and from this easement for the purpose of monitoring and enforcing proper operation and maintenance of the PCA described herein
Area Affected:	A portion of the subject property

E. Terms and provisions of easement recorded December 6, 2005 under Auditor's File No. 200512060132.

F. Lot Certification, including the terms and conditions thereof. Reference to the record being made for full particulars. The Company makes no determination as to its affects.

Recorded:	December 6, 2005
Auditor's No.:	200512060130
Affects:	Parcel "A"



200903310053
 Skagit County Auditor

G. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee: Puget Sound Energy, Inc., a Washington corporation
Dated: April 25, 2006
Recorded: May 8, 2006
Auditor's No.: 200605080164
Purpose: "...utility systems for purposes of transmission, distribution and sale of gas and electricity..."
Area Affected: A strip of land 10 feet in width with 5 feet on each side of the centerline of grantees' facilities as now constructed, to be constructed, extended or relocated lying within the above described parcel. This easement description may be superseded at a later date with a surveyed description provided at no cost to Grantee

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

Plat/Subdivision Name: Rosario Terrace
Recorded: August 19, 2008
Auditor's No.: 200808190039

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

Dated: June 25, 2008
Recorded: August 19, 2008
Auditor's No.: 200808190042

J. LOT CERTIFICATION, INCLUDING THE TERMS AND CONDITIONS THEREOF. REFERENCE TO THE RECORD BEING MADE FOR FULL PARTICULARS. THE COMPANY MAKES NO DETERMINATION AS TO ITS AFFECTS.

Recorded: August 19, 2008
Auditor's No.: 200808190040

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

Executed By: Landmark Building & Development
Recorded: August 19, 2008
Auditor's No.: 200808190041
Regarding: Protected Critical Area Easement

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.



200903310053
Skagit County Auditor