



200907240043  
Skagit County Auditor

7/24/2009 Page 1 of 4 9:48AM

When recorded return to:

Mr. and Mrs. Thomas D. Fouts  
6443 Nootka Lane  
Anacortes, WA 98221

Recorded at the request of:

File Number: A97949

### Statutory Warranty Deed

A97949

GUARDIAN NORTHWEST TITLE CO

THE GRANTOR J. William Greenlaw and Gail Ann Greenlaw, as Trustees of The J. William & Gail Ann Greenlaw Family Trust, a revocable living trust dated July 20, 2006 for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to Thomas D. Fouts and Judith Fouts, husband and wife the following described real estate, situated in the County of Skagit, State of Washington.

Abbreviated Legal:

Lots 12 and 13, Block 5, "HOLIDAY HIDEAWAY NO. 1"

Tax Parcel Number(s): P65955, 3926-005-012-0000, P65956, 3926-005-013-0009

Lots 12 and 13, Block 5, "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 in Exhibit "A" attached hereto.

Dated 7/17/2009

The J. William & Gail Ann Greenlaw Family Trust

By: J. William Greenlaw, Trustee

By: Gail Ann Greenlaw, Trustee

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

2210

JUL 24 2009

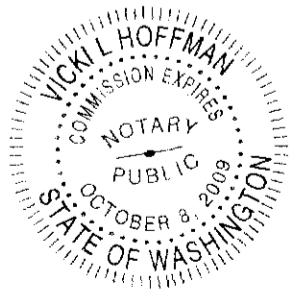
Amount Paid \$ 3298.00  
Skagit Co. Treasurer  
By Deputy

STATE OF Washington  
COUNTY OF Skagit } SS:

I certify that I know or have satisfactory evidence that J. William Greenlaw and Gail Ann Greenlaw 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 Trustees of The J. William & Gail Ann Greenlaw Family Trust to be the free and voluntary act of such party(ies) for the uses and purposes mentioned in this instrument.

Dated: 7-21-09

Notary Public in and for the State of Washington  
Residing at Anacortes  
My appointment expires: 10-8-09



# EXHIBIT A

## 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 paths, as shown on the face of the Plat of 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. AGREEMENT, AND THE TERMS AND CONDITIONS THEREOF:

Between: A.A. Cook, Inc.  
And: Square Harbor Development Corp.  
Dated: December 31, 1975  
Recorded: September 18, 1979  
Auditor's No: 7909180052  
Regarding: Supply of water to certain lots



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