



201003120074

Skagit County Auditor

3/12/2010 Page 1 of 6 1:40PM

When recorded return to:

MATTHEW S. WARREN  
817 SHANTEL ST.  
MOUNT VERNON, WA 98274

CHICAGO TITLE CO.

**STATUTORY WARRANTY DEED**

Escrow No.: 18780  
Title Order No.: 620008646 ✓

THE GRANTOR(S)

ENCORE HOMES, INC., A Washington Corporation

for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys, and warrants to

MATTHEW S. WARREN and SUSAN M. PETERS, both unmarried persons, each as their respective separate estates

the following described real estate, situated in the County of Skagit, State of Washington:

LOT 126, PLAT OF CEDAR HEIGHTS PUD PHASE 2, ACCORDING TO THE PLAT THEREOF, RECORDED MAY 31, 2007, UNDER AUDITOR'S FILE NO. 200705310138, RECORDS OF SKAGIT COUNTY, WASHINGTON.  
SITUATED IN SKAGIT COUNTY, WASHINGTON.

Tax Parcel Number(s): 4929-000-126-0000

Dated: MARCH 9, 2010

ENCORE HOMES, INC., A Washington Corporation

BY: David B. Johnson  
DAVID B. JOHNSON, President

STATE OF Washington ) ss.  
COUNTY OF Snohomish

I certify that I know or have satisfactory evidence that DAVID B. JOHNSON is the person who appeared before me, and said person acknowledged that she signed this instrument, on oath stated that she was authorized to execute the instrument and acknowledged it as the President of ENCORE HOMES, INC. to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Dated: 11th day of March, 2010.

Candace A. Rummelhart  
CANDACE A. RUMMELHART  
Notary Public in and for the State of Washington  
residing at LAKE STEVENS  
My Commission Expires: 12/07/13

CANDACE A. RUMMELHART  
NOTARY PUBLIC  
STATE OF WASHINGTON  
COMMISSION EXPIRES  
DECEMBER 7, 2013

1026  
SKAGIT COUNTY WASHINGTON  
Real Estate Excise Tax

MAR 11 2010

Amount Paid  
By: CD Skagit County Treasurer  
4041.51  
Deposited

EXHIBIT A

1. Terms, conditions, and restrictions of that instrument entitled Mound Fill System Installation Conditional Agreement;  
Recorded: August 31, 1987  
Auditor's No(s): 8708310002, records of Skagit County, Washington  
Affects: West 165 feet of the North 528 feet of the East Half of the Northeast Quarter of the Southwest Quarter of Section 22, Township 34 North, Range 4 East of the Willamette Meridian
2. Agreement, including the terms and conditions thereof; entered into;  
By: Arnold P. Libby  
And Between: AAA Mechanical Cont.  
Recorded: December 9, 1998  
Auditor's No.: 9812090103, records of Skagit County, Washington  
Affects: The East 100 feet of the West 265 feet of the North 300 feet of the East Half of the Northeast Quarter of the Southwest Quarter of Section 22, Township 34 North, Range 4 East of the Willamette Meridian
3. Agreement, including the terms and conditions thereof; entered into;  
By: Lee M. Utke, Grantor  
And Between: Cedar Heights, LLC, Grantee  
Recorded: November 22, 2005  
Auditor's No.: 200511220026, records of Skagit County, Washington  
As Follows: Grantee agrees to pay all costs associated to plat the new subdivision, including sewer hookup fees for existing house. Grantee agrees that Grantor's existing house shall have a storm drain connection. Grantee agrees, if overhead lines to existing house are required to be relocated, it will be at Grantee's expense.
4. Terms, conditions, and restrictions of that instrument entitled Notice of Interest in Real Property;  
Recorded: July 11, 2006  
Auditor's No(s): 200607110067, records of Skagit County, Washington  
Affects: The Southeast Quarter of the Southeast Quarter of the Southwest Quarter of Section 22, Township 34 North, Range 4 East of the Willamette Meridian
5. Easement, including the terms and conditions thereof, granted by instrument(s);  
Recorded: May 22, 2006  
Auditor's No(s): 200605220165, records of Skagit County, Washington  
In favor of: Puget Sound Energy, Inc.  
For: Electric transmission and/or distribution line, together with necessary appurtenances  
Affects:  
Easement No. 1: All streets and road rights-of-way as now or hereafter designed, platted, and/or constructed within the above described property. (When said streets and road are dedicated to the public, this clause shall become null and void).  
Easement No. 2: A strip of land 10 feet in width across all lots, tracts and open spaces located within the above described property being parallel to and coincident with the boundaries of all private/public street and road rights-of-way.
6. Easement, including the terms and conditions thereof, granted by instrument(s);  
Recorded: May 22, 2006  
Auditor's No(s): 200605220165, records of Skagit County, Washington  
In favor of: Puget Sound Energy, Inc.  
For: Electric transmission and/or distribution line, together with necessary appurtenances  
Affects: A strip of land 10 feet in width with five feet on each side of the centerline of grantee's 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.



7. Easement contained in Dedication of said plat;  
 For: All necessary slopes for cuts and fills  
 Affects: Any portions of said premises which abut upon streets, avenues, alleys and roads
8. Tree installation details as delineated on the face of said plat.
9. Easement delineated on the face of said plat;  
 For: Private storm drainage easement  
 Affects: The West 5 feet of Lots 66, 89-92, the South 5 feet of Lots 10-12 and 4-6 the North 5 feet of Lots 7-9, and the West 10 feet of Lots 124-126
10. Terms, conditions, and restrictions of that instrument entitled Notice of Interest in Real Property;  
 Recorded: July 11, 2006  
 Auditor's No(s): 200607110067, records of Skagit County, Washington  
 Affects: The Southeast Quarter of the Southeast Quarter of the Southwest Quarter of Section 22, Township 34 North, Range 4 East of the Willamette Meridian
11. Easement, including the terms and conditions thereof, granted by instrument(s);  
 Recorded: May 22, 2006  
 Auditor's No(s): 200605220169, records of Skagit County, Washington  
 In favor of: Puget Sound Energy, Inc.  
 For: Electric transmission and/or distribution line, together with necessary appurtenances  
 Affects:
- Easement No. 1: All streets and road rights-of-way as now or hereafter designed, platted, and/or constructed within the above described property. (When said streets and road are dedicated to the public, this clause shall become null and void).
- Easement No. 2: A strip of land 10 feet in width across all lots, tracts and open spaces located within the above described property being parallel to and coincident with the boundaries of all private/public street and road rights-of-way.
12. Easement, including the terms and conditions thereof, granted by instrument(s);  
 Recorded: May 22, 2006  
 Auditor's No(s): 200605220170, records of Skagit County, Washington  
 In favor of: Puget Sound Energy, Inc.  
 For: Electric transmission and/or distribution line, together with necessary appurtenances  
 Affects: A strip of land 10 feet in width with five feet on each side of the centerline of grantee's 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.
13. Covenants, conditions, restrictions, and easements contained in declaration(s) of restriction, but omitting any covenants or restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law;  
 Recorded: January 19, 2007  
 Auditor's No(s): 200701190117, records of Skagit County, Washington  
 Executed By: Cedar Heights LLC
- AMENDED by instrument(s):  
 Recorded: May 23, 2007, June 20, 2007, and January 11, 2008  
 Auditor's No(s): 200705230184, 200706200115, and 200801110076, records of Skagit County, Washington



201003120074  
 Skagit County Auditor

14. Easement delineated on the face of said plat;  
For: Utilities and sidewalk  
Affects: The exterior portion of all lots adjacent to streets or alleys
15. Landscaping tree and installation details as delineated on the face of said plat.
16. Covered Area details as delineated on the face of said plat.
17. PUD Utility Easement provisions contained on the face of said plat, as follows:

Easements (within utility easements as shown hereon) 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 district 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 or other similar public services 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 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(s) or to persons or property by reason of proximity to the line(s). The grantor agrees that title to all brush, 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 grantors 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.

18. Private Drainage and Sewer Easement provisions contained on the face of said plat, as follows:

Easements for the purpose of conveying local storm water runoff and sanitary sewer are hereby granted in favor of all abutting private lot owners in the areas designated as private drainage or private sewer easements. The maintenance of private easements established and granted herein shall be the responsibility of, and the costs thereof shall be borne equally by the present and future owners of the abutting private lot owners and their heirs, owners personal representatives and assigns.

The City of Mount Vernon is hereby granted the right to enter said easements for emergency purposes at its own discretion.



201003120074

Skagit County Auditor

19. Storm Pond and Drainage Easement to City of Mount Vernon provisions contained on the face of said plat, as follows:

Storm pond and drainage easements, as shown hereon, are hereby granted to the City of Mount Vernon, to construct, maintain, replace, reconstruct, and remove drainage and detention facilities, with all appurtenances incident thereto or necessary therewith, in, under and across the said premises, and to cut and remove from said easement any trees, fences and other obstructions which may endanger the safety or interfere with the use of said drainage and detention facilities, or appurtenances attached or connected therewith; and the right of ingress and egress to and over said premises at any and all times for the purpose of doing anything necessary for the easement hereby granted. Adjoining property owners are prohibited from constructing fences, buildings or other objects within the easement area. Adjoining property owners are prohibited from placing fill, or other debris within easement area, or otherwise altering the detention facility side slop areas, or access road. Vehicular access in the easement area is restricted specifically to public maintenance vehicles.

Pond maintenance is the responsibility of the City of Mount Vernon and shall be performed per the maintenance procedure document prepared by Ravnik & Associates on file at the City of Mount Vernon.

20. Utilities, Sidewalk and Public Trail Easement provisions contained on the face of said plat, as follows:

An easement is hereby reserved for and granted to the City of Mount Vernon, Public Utility District No. 1, Puget Sound Energy, Verizon Northwest, Cascade Natural Gas Corp., and Comcast Corporation and their respective successors and assigns under and upon the exterior front boundary lines of all lots and tracts as shown on the face of this plat and other easements, if any, shown on the face of this plat, for sidewalk and trail purposes and in which to install, lay, construct, renew, operate, maintain and remove utility systems, lines fixtures, appurtenances attached thereto, for the purpose of providing utility services and pedestrian access to the subdivision and other property, together with the right to enter upon the lots and tracts at all times for the purposes stated, with the understanding that any grantee shall be responsible for all unnecessary damage it causes to any real property owner in the subdivision by the exercise of rights and privileges herein granted.

Public trail, access, sanitary, storm and sewer line easements are specifically granted over, under and across the as constructed sidewalks and or sewer lines constructed within open space tracts G, H, I, J and K.

21. Recitals on the face of the plat.
22. Assessments or charges and liability to further assessments or charges, including the terms, covenants, and provisions thereof, disclosed in instrument(s);  
Recorded: January 19, 2007 and May 31, 2007  
Auditor's No(s): 200701190117 and 200705310139, records of Skagit County, Washington  
Imposed By: Cedar Heights PUD No. 1 Homeowners Association
23. Terms, conditions, and restrictions of that instrument entitled Agreement to Participate in the Intersection Improvements for Division Street and Waugh Road;  
Recorded: January 19, 2007  
Auditor's No(s): 200701190118, records of Skagit County, Washington
24. Easement delineated on the face of said plat;  
For: Utilities  
Affects: The South 26 feet of Lot 93



201003120074  
Skagit County Auditor

25. Covenants, conditions, restrictions, and easements contained in declaration(s) of restriction, but omitting any covenants or restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law;  
Recorded: May 31, 2007  
Auditor's No(s):: 200705310139, records of Skagit County, Washington  
Executed By: Cedar Heights, LLC

AMENDED by instrument(s):  
Recorded: June 20, 2007 and January 11, 2008  
Auditor's No(s):: 200706200116 and 200801110076, records of Skagit County, Washington

- END OF SCHEDULE B-001 -



201003120074  
Skagit County Auditor