

UNRECORDED INSTRUMENT



When recorded return to:  
ELENA87 LLC  
901 S 30th Street  
Mount Vernon, WA 98274

Skagit County Auditor \$79.00  
3/14/2018 Page 1 of 6 1:33PM

Recorded at the request of:  
Guardian Northwest Title  
File Number: 115555

### Statutory Warranty Deed

115555  
GUARDIAN NORTHWEST TITLE CO.

THE GRANTORS Daniel R. Mitzel and Patricia R. Burklund, husband and wife for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to ELENA87 LLC, a Washington Limited Liability Company the following described real estate, situated in the County of Skagit, State of Washington

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX  
2018988  
MAR 14 2018

Abbreviated Legal:  
Lot 193, Nookachamp Hills RUD Phase 3 and 4

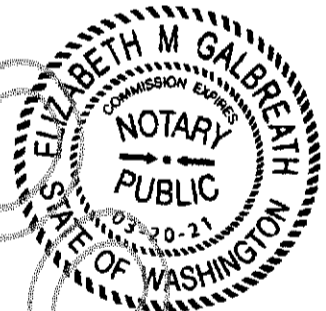
Tax Parcel Number(s): P127746, 4963-000-193-0000

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

Lot 193, "NOOKACHAMP HILLS PUD PHASES 3 AND 4, PL07-0870", as per plat recorded as Skagit County Auditor's File No. 200807240089, records of Skagit County, Washington. This conveyance is subject to covenants, conditions, restrictions and easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey as described in Exhibit "A" attached hereto

Dated 3-12-18  
*[Signature]*  
Daniel R Mitzel

*[Signature]*  
Patti Burklund



STATE OF Washington }  
COUNTY OF Skagit } SS:

I certify that I know or have satisfactory evidence that Daniel R Mitzel and Patti Burklund, 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: 3-14-18

*[Signature]*  
Printed Name: ~~Katie Hickok~~ Elizabeth Galbreath  
Notary Public in and for the State of Washington  
Residing at Cummins Island  
My appointment expires: ~~10/7/2019~~ 3-20-21

## Exhibit A

### EXCEPTIONS:

#### A. EASEMENT, INCLUDING TERMS AND CONDITIONS THEREOF:

Grantee: Skagit Valley Telephone Company  
Recorded: September 21, 1967  
Auditor's No.: 704645  
Purpose: Telephone lines  
Area Affected: The Southeast ¼ of Section 25, Township 34 North, Range 4 East, W.M., and West ½ of Section 30, Township 34 North, Range 5 East, W.M.

B. Stipulation contained in Deed executed by Walking Circle M., Inc., to MV Associates, dated July 25, 1979, recorded August 31, 1979, under Auditor's File No. 7908310024, as follows:

This transfer is subject to that perpetual easement which exists, and has existed, in favor of David G. McIntyre for:

1. The right to maintain, repair, inspect and otherwise use his existing septic tank on the subject property and, if necessary, to replace said septic tank by installing a new septic tank on the subject property;
2. The right to use the existing well and waterlines on the subject property, and to take water from the existing well as needed; and
3. The right to use any and all roadways on the subject property for ingress and egress to the property owned by David G. McIntyre, which is located in Skagit County, Washington, in Section 30, Township 34 North, Range 5 East, W.M.

#### C. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

In Favor Of: Many nearby parcels of land  
Recorded: December 10, 1982  
Auditor's No.: 8212100052  
Purpose: Ingress, egress, drainage and utilities  
Area Affected:

An easement lying within the Southeast ¼ of Section 24, and all of Section 25, Township 34 North, Range 5 East, W.M., in Skagit County, Washington, for the purpose of ingress, egress, drainage and utilities over, under and across a strip of land 60.00 feet in width, having 30.00 feet of such width lying on each side of a centerline described on this easement document.

#### D. RESERVATION CONTAINED IN DEED

Executed by: Union Lumber Company  
Recorded: November 11, 1909  
Auditor's No.: 76334

As Follows:

Minerals and right of entry. Said mineral rights are now vested of record in Skagit County.

E. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Puget Sound Power & Light Co.  
Dated: July 19, 1950  
Recorded: July 19, 1950  
Auditor's No.: 448498  
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  
Area Affected: The right of entry for this easement is 30 feet in width, the center line of which is described on this easement document affecting Government Lot 3 in said Section 30

F. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Puget Sound Power & Light Co.  
Dated: March 22, 1929  
Recorded: March 22, 1929  
Auditor's No.: 221300  
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  
Area Affected:

Commencing at a point on the East line of the Mount Vernon and Big Lake Road 450 feet North of the South line of the Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 25, Township 34 North, Range 4 East, W.M.; thence run East along the North line of a private road running through said described 40 and also through the Southwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of said Section, Township and Range for a distance of about 1400 feet, said line and easement so given is to hereafter be surveyed, staked and laid out and when so staked and laid out and poles and lines erected thereon the same shall be the easement hereby intended to be conveyed.

G. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Duncan McKay  
Dated: January 5, 1910  
Recorded: July 5, 1910  
Auditor's No.: 80143  
Purpose: Road purposes  
Area Affected: A portion of the subject property

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

I. EASEMENT, INCLUDING 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: 60-foot wide strip of land in South ½ of Section 25 and in the Northeast ¼ of Section 36, all in Township 34 North, Range 4 East, W.M.

J. EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF:

Grantee: Skagit County Sewer District No. 2  
Dated: June 21, 2005  
Recorded: September 16, 2005  
Auditor's No.: 200509160140  
Purpose: Sewer easement  
Area Affected: Many strips of land

K. AGREEMENT, AND THE TERMS AND PROVISIONS THEREOF:

Between: Skagit County Sewer District No. 2  
And: Nookachamp Hills LLC  
Dated: April 5, 2006  
Recorded: May 18, 2006  
Auditor's No.: 200605180169  
Regarding: Sewer lines

L. AGREEMENT, AND THE TERMS AND PROVISIONS THEREOF:

Between: Nookachamp Hills LLC, a limited liability company of the State of Washington and Nookachamp Hills Homeowners Association, a nonprofit association in the State of Washington  
And: Skagit County Sewer District No. 2, a Municipal Corporation of the State of Washington  
Dated: September 19, 2006  
Recorded: October 6, 2006  
Auditor's No.: 200610060124  
Regarding: Bridge Agreement

M. AGREEMENT, AND THE TERMS AND PROVISIONS THEREOF:

Between: Island Construction, Inc., a Washington corporation  
And: Nookachamp Hills, LLC, a Washington limited liability company; Daniel Mitzel, an individual and Paul Rutter, an individual  
Dated: August 11, 2006  
Recorded: February 14, 2007  
Auditor's No.: 200702140164  
Regarding: Development and access agreement

N EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee: Puget Sound Energy, Inc., a Washington corporation  
Dated: May 31, 2007  
Recorded: June 11, 2007  
Auditor's No.: 200706110187  
Purpose: "...utility systems for purposes of transmission, distribution and sale of gas and electricity..."  
Area Affected: Portion of the subject property

O. ANY AND ALL OFFERS OF DEDICATIONS, CONDITIONS, RESTRICTIONS, EASEMENTS, FENCE LINE/BOUNDARY DISCREPANCIES, NOTES, PROVISIONS AND/OR ANY OTHER MATTERS AS DISCLOSED AND/OR DELINEATED ON THE FACE OF THE FOLLOWING PLAT/SHORT PLAT/SURVEY:

Name: Nookachamp Hills PUD Phases 3 and 4, PL07-0870  
Recorded: July 24, 2008  
Auditor's No.: 200807240089

P. 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 AS FOLLOWS:

Declaration Dated: August 8, 2005  
Recorded: August 23, 2005, July 24, 2008, December 31, 2008 and September 15, 2015  
Auditor's No.: 200508230083, 200807240091, 200812310104 and 201509150041

Q. 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: July 24, 2008  
Auditor's No.: 200807240090  
Affects: Lots 162 through 252

R. AGREEMENT, AND THE TERMS AND PROVISIONS THEREOF:

Between: Nookachamp Hills LLC, a limited liability company of  
the State of Washington  
And: Skagit County Sewer District No. 2, a Municipal  
Corporation of the State of Washington  
Dated: March 27, 2008  
Recorded: January 21, 2009  
Auditor's No.: 200901210087  
Regarding: Easement for sewer mains  
Affects: Tracts 1 and 7, and Lots 162, 163, 167, 168, 169, 190,  
193, 194, 196, 199 through 205, 208 through 211, and  
232 through 238

S. Any tax, fee, assessments or charges as may be levied by Nookachamp Hills PUD  
Homeowners Association.