

202105210053

05/21/2021 09:50 AM Pages: 1 of 5 Fees: \$107.50  
Skagit County Auditor, WA

When recorded return to:

Cory Elliott  
1100 Borseth Street  
Sedro Woolley, WA 98284

GNW 21-11161

### STATUTORY WARRANTY DEED

THE GRANTOR(S) Amy Marie Byerly and Adam Dee Byerly, a married couple, 1841 NE 9th Ave, Oak Harbor, WA 98277,

for and in consideration of ten dollars and other valuable consideration

in hand paid, conveys, and warrants to Cory Elliott, a married man as his separate estate

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

FOR PROPERTY DESCRIPTION SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART  
HEREOF.

Abbreviated legal description: Property 1:  
Lot 26, Block F, CAPE HORN ON THE SKAGIT

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 "B" attached hereto

Tax Parcel Number(s): P63107

SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

Affidavit No. 2021-2257

May 21 2021

Amount Paid \$341.00

Skagit County Treasurer

By Heather Beauvais Deputy

Dated: May 18, 2021

Amy M. Byerly  
Amy Marie Byerly

Adam Dee Byerly  
Adam Dee Byerly

Statutory Warranty Deed  
LPB 10-05

Order No.: 21-11161-TJ

Page 1 of 5

STATE OF WASHINGTON  
COUNTY OF Island

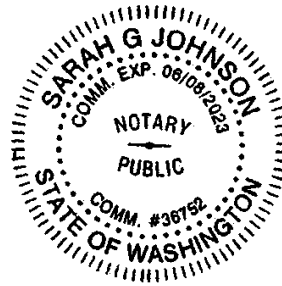
I certify that I know or have satisfactory evidence that Amy Marie Byerly and Adam Dee Byerly is the person who appeared before me, and said person acknowledged that he/she signed this instrument and acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 18<sup>th</sup> day of May, 2021

Sarah G. Johnson  
Signature

Notary  
Title

My appointment expires: 6-8-23



**EXHIBIT A  
LEGAL DESCRIPTION**

Property Address: 0 Cape Horn Drive, Concrete, WA 98237  
Tax Parcel Number(s): P63107

**Property Description:**

Lot 26, Block F, "CAPE HORN ON THE SKAGIT", as per plat recorded in Volume 8 of Plats, pages 92 to 97, inclusive, records of Skagit County, Washington.

**EXHIBIT B**

21-11161-TJ

1. Terms and conditions of Articles of Incorporation and Bylaws of Cape Horn Maintenance Company, including restrictions, regulations and conditions for dues and assessments, as established and levied pursuant thereto, including, but not limited to those as set forth under Auditor's File No. 200611200088, recorded November 20, 2006.

An amendment to Bylaws was recorded as Auditor's File No. 200301160063.

2. Any and all offers of dedications, conditions, restrictions, easements, fence line/boundary discrepancies and encroachments, notes, provisions and/or any other matters as disclosed and/or delineated on the face of the following plat/short plat/survey named Plat of Cape Horn on the Skagit recorded July 13, 1965 as Auditor's File No. 668870.

3. Protective covenants, easements and/or assessments, but omitting restrictions, if any, based on race, color, religion or national origin, recorded July 13, 1965 as Auditor's File No. 668869.

4. Easement affecting a portion of subject property for utility lines and related facilities and provisions therein, granted to Puget Sound Energy and/or its predecessors, recorded August 17, 1965, as Auditor's File No. 670429.

5. Protective covenants, easements and/or assessments, but omitting restrictions, if any, based on race, color, religion or national origin, recorded December 14, 1976 as Auditor's File No. 847451.

6. Declaration of Covenant recorded June 21, 1993 under Auditor's File No. 9306210022 regarding Well and Waterworks located on the "Community Park" area.

7. Restrictions on lots in this plat imposed by various instruments of record which reads as follows:

"Grantees covenant and agree that the above described real estate shall be subject to the charges and assessments as provided for in and for the purposes set forth in the articles of incorporation and the by-laws of the Cape Horn Maintenance Co., a nonprofit, non-stock Washington corporation and that said corporation shall have a valid first lien against the above described real estate for said charges and assessments; and, in addition to the remedies set forth in said articles of incorporation and by-laws, that if said charges and assessments levied by said corporation shall not be paid within (4) months after they shall become due and payable, then said corporation may proceed by appropriate action to foreclose its lien together with such sum as the court may adjudge reasonable attorney fees in such action. The grantee hereby acknowledges receipt of copies of said articles of incorporation and by-laws of the Cape Horn Maintenance Co. This provision is a covenant running with the land and is binding on the grantees, their heirs, successors and assigns.

Subject To:

(a) Restrictions, reservations, agreements and easements of record and as shown on the face of said recorded plat.

(b) Use of said property for residential purposes only.

(c) Questions that may arise due to shifting of Skagit River."

8. Any adverse claim by reason of any change in the location of the boundaries of said premises which may have resulted from any change in the location of the Skagit River, or its banks, or which may result from such change in the future.

Statutory Warranty Deed  
LPB 10-05

Order No.: 21-11161-TJ

Page 4 of 5

9. 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.)

10. Right of the State of Washington in and to that portion, if any, of the property herein described which lies below the line ordinary high water of Skagit River.