

AFTER RECORDING MAIL TO:

Name **McDonald's Corporation**
Address **One McDonald's Plaza**
City, State, Zip **Oak Brook, Illinois 60523**
Attn: **Karen Burns**
B61297

Filed for Record at Request of First American Title of Skagit County



200009150078

, Skagit County Auditor

9/15/2000 Page 1 of 6 1:34:03PM

ORIGINAL Statutory Warranty Deed

FIRST AMERICAN TITLE CO.

B 61297 E-1

THE GRANTOR JOHN V. GUBRUD and CLAUDETTE S. GUBRUD, husband and wife, as to 49.6% of the South 114 feet of the subject property and 100% of the remainder; and DEAN A. SMILEY and COLLEEN K. SMILEY, husband and wife, as to an undivided 50.4% of the South 114 feet of the subject property for and in consideration of Ten Dollars and other valuable consideration & as part of a 1031 tax deferred exchange in hand paid, conveys and warrants to SYSTEM CAPITAL REAL PROPERTY CORPORATION, a Delaware corporation the following described real estate, situated in the County of Skagit, State of Washington:

Lot 1, Binding Site Plan No. MV-BSP-1-96 approved January 24, 1997, recorded January 24, 1997, in Volume 12 of Short Plats, pages 181 and 182, under Auditor's File No. 9701240087, records of Skagit County Washington, being a portion of the Northwest 1/4 of the Southwest 1/4 of Section 16 Township 34 North, Range 4 East, W.M.

SUBJECT TO: See Exhibit "A" attached hereto and made a part hereof.

ABBREVIATED LEGAL: Section 16, Township 34, Range 4; Ptn. NW-SW aka Lot 1, MV-BSP-1-96

37294
SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax
PAID

SEP 15 2000

Amount Paid \$ 2437.91
Skagit County Treasurer
By: Deputy

Assessor's Property Tax Parcel Account Number(s): 8014-000-001-0000, R111461

Dated September, 14, 2000

John V. Gubrud
JOHN V. GUBRUD

Dean A. Smiley
DEAN A. SMILEY

Claudette S. Gubrud
CLAUDETTE S. GUBRUD

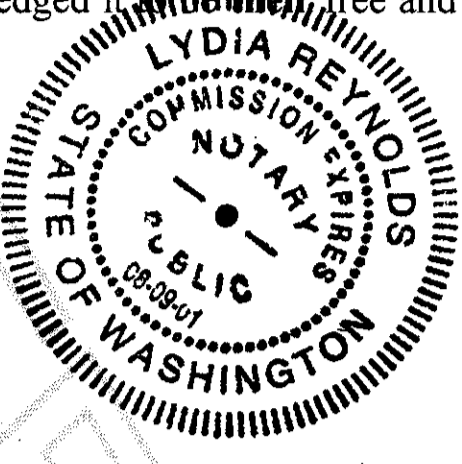
Colleen K. Smiley
COLLEEN K. SMILEY

STATE OF WASHINGTON
COUNTY OF Skagit

} ss

I certify that I know or have satisfactory evidence that **JOHN V. GUBRUD and CLAUDETTE S. GUBRUD** are the persons who appeared before me, and said persons acknowledged that they signed this instrument and acknowledged it to be **their** free and voluntary act for the uses and purposes mentioned in this instrument.

Dated: 9-14-00



Lydia Reynolds

Lydia Reynolds

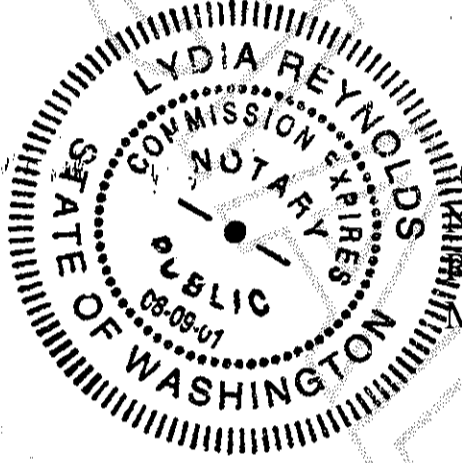
Notary Public in and for the State of Washington
Residing at Mount Vernon
My appointment expires: August 9, 2001

STATE OF WASHINGTON
COUNTY OF Skagit

} ss

I certify that I know or have satisfactory evidence that **DEAN A. SMILEY and COLLEEN K. SMILEY** are the persons who appeared before me, and said persons acknowledged that they signed this instrument and acknowledged it to be **their** free and voluntary act for the uses and purposes mentioned in this instrument.

Dated: 9-14-00



Lydia Reynolds

Lydia Reynolds

Notary Public in and for the State of Washington
Residing at Mount Vernon
My appointment expires: August 9, 2001



EXHIBIT "A"

- A. Reservation contained in Deed from the State of Washington recorded in Volume 111 of Deeds, Page 73, reserving to the Grantor all oil, gases, coal, ores, minerals, fossils, etc., and the right of entry for opening, developing and working the same and providing that such rights shall not be exercised until provisions has been made for full payment of all damages sustained by reason of such entry.

Right of State of Washington or its successors, subject to payment of compensation therefore, to acquire rights-of-way for private railroads, skid roads, flumes, canals, water courses or other easements for transporting and moving timber, stone, minerals and other products from this and other property, as reserved in Deed referred to above.

- B. BUILDING SET BACK LINES AS DELINEATED ON SAID SHORT PLAT NO. MV-7-79:

Area Affected: North 25 feet of subject property

- C. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee: Puget Sound Power and Light Company
Dated: OCTOBER 17, 1990
Recorded: OCTOBER 25, 1990
Auditor's No.: 9010250088
Purpose: Right to construct, operate, maintain, repair, replace and enlarge transmission and/or distribution lines over and/or under the right-of-way
Area Affected: That portion of the above described property lying West of a line drawn parallel to and 55 feet East of the West line of the above described Section 17

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EXHIBIT "A" CONTINUED

- D. AN EASEMENT AFFECTING THE PORTION OF SAID PREMISES AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES:

For: Sewer Pipe Line
In Favor Of: City of Mount Vernon
Recorded: JULY 10, 1973
Auditor's No.: 787743
Affects: North 20 feet of the South 99 feet of premises

- E. PROVISION CONTAINED IN THE CONTRACT BETWEEN JAMES GRAY, A SINGLE MAN, AS SELLER AND BRAD PICKEN AND SANDY PICKEN, HUSBAND AND WIFE, AS PURCHASERS, DATED AUGUST 10, 1977, RECORDED AUGUST 18, 1977, UNDER AUDITOR'S FILE NO. 862941, AS FOLLOWS:

"...and also subject to easement for relocation of existing sewer over, under and upon the East 20 feet of the South 79 feet thereof, and also subject to easement for relocation of existing sewer over, under and upon the South 20 feet thereof."

- F. PROVISION SET FORTH ON THE FACE OF THE SHORT PLAT:

A Standard Participation Contract must be executed prior to issuance of a sewer permit.

- G. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee: Simplified Exchange Accounting Systems, Inc.
Dated: DECEMBER 28, 1995
Recorded: JANUARY 17, 1996
Auditor's No.: 9601170049
Purpose: Utility Easement
Area Affected: A 20 foot wide portion of Lot "C" of Parcel "C"

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EXHIBIT "A" CONTINUED

H. TERMS, COVENANTS, CONDITIONS, NOTES AND RESTRICTIONS CONTAINED IN SAID SHORT PLAT, SOME OF WHICH MAY HAVE CHANGED OR EXPIRED WITHOUT NOTICE ON THE PUBLIC RECORD:

Binding Site Plan No.: MV-BSP-1-96
As Follows:

- 1.) Zoning - C-2;
- 2.) Sewage Disposal - City of Mount Vernon Sanitary Sewer System;
- 3.) Water - Public Utility District Number 1
Power - Puget Sound Power and Light
Gas - Cascade Natural Gas
Telephone - GTE
- 4.) An easement for the purpose of conveying local storm water runoff is hereby granted in favor of the property owners of Lot 1 and the property owners of property adjacent to the East of Lot 1, in the areas designated as private drainage easements. The maintenance of private drainage 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 above property and their heirs, personal representatives and assigns.

The City of Mount Vernon is hereby granted the right to enter said easement for emergency purposes at its own discretion.
- 5.) All lots within this subdivision will become subject to impact fees payable upon issuance of building permit.

I. RIGHT OF THE PUBLIC TO MAKE NECESSARY SLOPES FOR CUTS OR FILLS UPON SAID PREMISES IN THE REASONABLE ORIGINAL GRADING OF STREETS, AVENUES, ALLEYS AND ROADS, AS DEDICATED IN THE PLAT.

J. EASEMENT AS DELINEATED AND/OR DEDICATED ON THE FACE OF THE SHORT PLAT:

Purpose: Street and Utilities
Affects: North 4 feet of the East 138.6 feet, and
West approximately 4 feet

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EXHIBIT "A" CONTINUED

K. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee: Public Utility District No. 1 of
Skagit County, Washington, a
Municipal Corporation

Dated: MARCH 24, 1997

Recorded: MARCH 26, 1997

Auditor's No.: 9703260048

Purpose: 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

Area Affected: The North 60.00 feet of the West 80.00
feet of the Northwest 1/4 of the
Southwest 1/4

L. Matters disclosed by that certain METRON and Associates, Inc. Survey dated March 9, 2000
entitled "McDonald's Corporation Project No. LC 046-0497.

Said matters include the following:

- a. Landscape railroad ties encroaching over the South line
- b. A curb encroaching over the Southerlymost West line
- c. A curb encroaching over the East line
- d. Neighboring trees encroaching over the East line

END OF SCHEDULE "B-1"



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