

WHEN RECORDED RETURN TO:

JACK O. SWANSON
BELCHER, SWANSON, LACKEY, DORAN,
LEWIS & ROBERTSON, P.L.L.C.
1200 HARRIS AVENUE, SUITE 307
BELLINGHAM, WA 98225



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Skagit County Auditor

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Skagit County Auditor

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Document Title: Statutory Warranty Deed
Grantor/borrower: 1) G. Paul Ware 2) Suzanne Ware
Grantee/assignee/beneficiary: 1) Stephen W. Brisbane 2) Laura T. Brisbane
Legal Description: PTN, NE NE, SEC. 24, T34N, R3EWM
Assessor's Tax Parcel No.: 380324-0-016-0001

ISLAND TITLE CO.

SB-16276v

STATUTORY WARRANTY DEED

THE GRANTOR, G. PAUL WARE and SUZANNE WARE (aka A. Suzanne Ware), husband and wife, for and in consideration of Ten Dollars and Other Valuable Consideration, as Part of an IRS 1031 Tax Deferred Exchange, conveys and warrants to STEPHEN W. BRISBANE and LAURA T. BRISBANE, husband and wife, the following described real estate, situated in the County of Skagit, State of Washington:

38007
SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax

SEE ATTACHED EXHIBIT "A."

Rerecord to Correct Legal Description

SUBJECT TO:

- 1) General real estate taxes for the second half of the year 2000.
- 2) Exceptions shown on Exhibit "B," which is attached hereto and incorporated herein.

Amount Paid \$
Skagit Co. Treasurer
By Deputy

DATED this 22nd day of August, 2000.

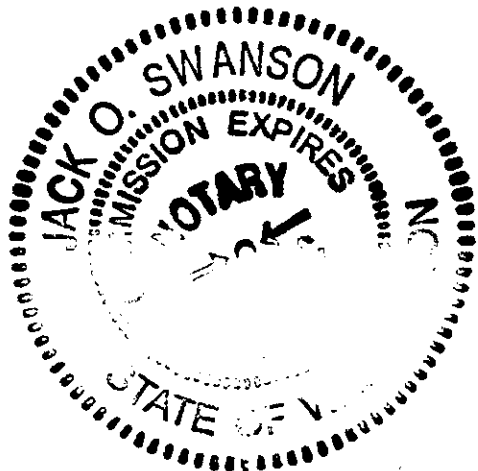
G. PAUL WARE

SUZANNE WARE

State of Washington)
County of Whatcom) ss.

On this 22nd day of August, 2000, before me personally appeared G. PAUL WARE and SUZANNE WARE, husband and wife, who executed the within and foregoing instrument as their free and voluntary act and deed for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.



NOTARY PUBLIC for the State of Washington,
residing at Bellingham
My Commission Expires: 6/6/03

37557
SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax

SEP 29 2000

Amount Paid \$ 10558.27
Skagit Co. Treasurer
By Deputy

STATUTORY WARRANTY DEED - 1

Exhibit A
Legal Description

That portion of the Northeast Quarter of the Northeast Quarter of Section 24, Township 34 North, Range 3 East of the Willamette Meridian, lying Southerly of the State Highway commonly known as Memorial Highway, and lying Easterly of that certain tract of land conveyed to Frank Bernik and Evelyn Bernik, husband and wife, by deed recorded May 9, 1939, in Volume 177 of Deeds, page 12, under Auditor's File No. 312883, records of Skagit County, Washington, and lying Westerly of the following described line:

Beginning at the Southwest corner of that certain tract of land conveyed to Smiley's, Inc., a Washington corporation, by deed recorded March 30, 1976, under Auditor's File No. 832505, records of Skagit County, Washington;

Thence North along the West line of said Smiley Tract to the Northwest corner thereof, which point is also the Southwest corner of Parcel B of those two tracts labeled Parcels A and B, conveyed to Willard Hammer and Bernice Evelyn Hammer, husband and wife, by deed recorded April 22, 1975, under Auditor's File No. 816409, records of Skagit County, Washington;

Thence North and Northwesterly along the West lines of said Hammer Parcels B and A to the most Westerly corner of said Parcel A;

Thence Northeasterly along the Northwesterly line of said Parcel A to the Southwesterly line of Memorial Highway, which is the terminal point of this line.

ALL situated in Skagit County, Washington.

That portion of the Northeast Quarter of the Northeast Quarter of Section 24, Township 34 North, Range 3 East of the Willamette Meridian, described as follows:

PARCEL T:

That portion of Parcel R, described below, lying Southeasterly of the line drawn between Points A and B below, and Easterly of the line drawn between Points B and C below, and Northeasterly of the line drawn between Points C and D, said points being shown on that survey recorded May 26, 1999, in Volume 21 of Surveys, pages 204 and 205, under Auditor's File No. 9905260005, records of Skagit County, Washington:

Beginning at the Northeast corner of Tract 3 of Skagit County Short Plat No. 68-79, approved August 9, 1979, and recorded August 17, 1979, in Volume 3 of Short Plats, page 166, under Auditor's File No. 7908170009, records of Skagit County, Washington;

Thence along the Southwesterly right-of-way line of the Memorial Highway, South 52°03'10" East a distance of 230.01 feet to Point A;

Thence South 35°10'46" West to a point on a line running parallel with and 60 feet East of the East line of the hereinabove mentioned Bernik property, said point hereinafter labeled Point B;

Thence South on said parallel line to a point on a line parallel with and 275 feet Southwesterly of the Southwesterly line of Memorial Highway, said point hereinafter known as Point C;

Thence Southeasterly along said parallel line to the East line of Parcel R, said point hereinafter known as Point D.



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Exhibit B

SCHEDULE B-001

1. Easement, including the terms and conditions thereof, granted by instrument;
Recorded: September 6, 1938
Auditor's No.: 305475 and 305474, records of Skagit County, Washington
In favor of: Puget Sound Power & Light Company
For: Electric transmission and/or distribution line, together with necessary appurtenances
Affects: Said premises and other property
2. Easement, including the terms and conditions thereof, by instrument;
Dated: April 9, 1999
Recorded: April 21, 1999
Auditor's No.: 9904210088, records of Skagit County, Washington
In favor of: Arlu Wilson and Eileen Wilson, husband and wife; and G. Paul Ware and A. Suzanne Ware, husband and wife
For: Ingress, egress and utilities
Affects: Portions of said premises and other property
3. Easement, including the terms and conditions thereof, by instrument;
Dated: April 9, 1999
Recorded: April 21, 1999
Auditor's No.: 9904210088, records of Skagit County, Washington
In favor of: G. Paul Ware and A. Suzanne Ware, husband and wife
For: Septic line and drainfield
Affects: Portions of said premises and other property
4. Easement, including the terms and conditions thereof, by instrument;
Dated: April 9, 1999
Recorded: April 21, 1999
Auditor's No.: 9904210088, records of Skagit County, Washington
In favor of: G. Paul Ware and A. Suzanne Ware, husband and wife
For: 25 foot strip for ingress, egress and utilities
Affects: The Southwesterly 25 feet of said premises


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Exhibit B Cont...

SCHEDULE B-001
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5. Easement delineated on the face of said survey recorded May 26, 1999, in Volume 21 of Surveys, pages 204 and 205, under Auditor's File No. 9905260005, records of Skagit County, Washington;
For: Septic drainfield
6. Notes as disclosed on the face of that survey recorded on May 26, 1999, in Volume 21 of Surveys, pages 204 and 205, under Auditor's File No. 9905260005, records of Skagit County, Washington, as follows:
 - A. This survey was prepared at the request of self help housing for the delineation and staking of the described boundary lines.
 - B. Except as specifically stated or shown on this survey map, this survey does not purport to reflect all of the following which may be applicable to the subject real estate easements, building setback lines. Restrictive covenants, subdivision restrictions, zoning or other land-use regulations and any other facts that an accurate and current title search may disclose.
 - C. All distances shown hereon are in feet.
 - D. This survey has shown occupational indicators (fence line) as per WAC Chapter 332.130. Lines of occupation may indicate areas for potential claims of unwritten ownership. This boundary survey has only shown the relationship of lines of occupation to the deeded lines of record. No resolution of ownership based on unwritten rights has been made or implied by this survey.
7. Encroachment onto the Southeasterly portion of said premises by a fence appurtenant to property adjoining on the East, approximately an undisclosed distance at the Southeast corner of said premises and encroaching along the East boundary of property under search.
8. Right, title, and interest of owners of property adjoining on the East to that portion of said premises lying East of the fence running North to South which encroaches by an undisclosed amount.
9. Right of way for road known as Memorial Highway, constructive notice of which is contained in various instruments of record.
11. Right, title and interest of;
Name: Kountry Cafe
Disclosed by: Various instruments of record
12. Right, title and interest of;
Name: Tenants in possession
Disclosed by: Inspection of said premises
Inspection date: March 13, 2000
Tenants: Bel-Air Heating, Shoe Save, B.J. Motor Co. and Dillyn's Family Restaurant



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EXHIBIT A
LEGAL DESCRIPTION

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PARCEL T:

That portion of parcel R, described below, lying Southerly of the line drawn between Points A and B below, and Easterly of the line drawn between Points B and C below, and Northeasterly of the line drawn between Points C and D, said points being shown on that survey recorded May 26, 1999, in Volume 21 of Surveys, pages 204 and 205, under Auditor's File No. 9905260005, records of Skagit County, Washington:

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Thence South on said parallel line to a point on a line parallel with and 275 feet Southwesterly of the Southwesterly line of Memorial Highway, said point hereinafter known as Point C;

Thence Southeasterly along said parallel line to the East line of parcel R, said point hereinafter known as Point D.

PARCEL R:

That portion of the Northeast Quarter of the Northeast Quarter of Section 24, Township 34 North, Range 3 East of the Willamette Meridian, lying Southerly of the State Highway commonly known as Memorial Highway, and lying Easterly of that certain tract of land conveyed to Frank Bernik and Evelyn Bernik, husband and wife, by deed recorded May 9, 1939, in Volume 177 of Deeds, page 12, under Auditor's File No. 312883, records of Skagit County, Washington, and lying Westerly of the following described line:

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ALL situated in Skagit County, Washington.



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