



200102260125

, Skagit County Auditor

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**After Recording Mail to:**

Name STILES & STILES, INC., P.S.  
Address: P. O. Box 228  
City/State: Sedro-Woolley, WA 98284

Grantor(s): WILLIAM A. STILES JR. and BETTY M. STILES  
Grantee(s): WALTER F. OSTERHOUT and SHARON L. OSTERHOUT  
Legal: Lot 5 Plat of "Avery Lane"

Tax Parcel # 4731-000-005-0000 (R114996)

LAND TITLE COMPANY OF SKAGIT COUNTY

P95998

**STATUTORY WARRANTY DEED**

THE WILLIAM A. STILES JR. and BETTY M. STILES, husband and wife, for and in valuable consideration in hand paid, conveys and warrants to WALTER F. OSTERHOUT and SHARON L. OSTERHOUT, husband and wife, the following described real estate, situated in the County of Skagit, State of Washington:

Lot 5, "PLAT OF AVERY LANE", as per plat recorded in Volume 17 of Plats, pages 62 through 64, inclusive, records of Skagit County, Washington.

TOGETHER WITH a non-exclusive easement for road and utilities, over and across Tract "A" (Corporate Road) and Avery Lane as shown on the face of the plat.

Subject to exceptions as set forth in schedule B-1 under Land Title Insurance #P-95998 attached hereto.

Situate in the County of Skagit, State of Washington.

Dated February 24, 2001.

William A. Stiles Jr. (individual)

By: \_\_\_\_\_  
(President)

Betty M. Stiles (individual)

By: \_\_\_\_\_  
(Secretary)

STATE OF WASHINGTON )  
COUNTY OF SKAGIT ) ss.

STATE OF WASHINGTON )  
COUNTY OF \_\_\_\_\_ ) ss.

On this day personally appeared before me  
William A. Stiles Jr. and Betty M. Stiles  
To me known to be the individuals described in  
And who executed the within and foregoing  
Instrument, and acknowledged that they signed  
The same as their Free and voluntary act and deed  
for the uses and Purposes therein mentioned.

On this \_\_\_\_\_ day of \_\_\_\_\_, 1998,  
before me, the undersigned, a Notary Public in and for the  
State of Washington, duly commissioned and sworn,  
personally appeared \_\_\_\_\_ to me known  
to be the President and Secretary, respectfully, of \_\_\_\_\_  
The Corporation that executed the foregoing instrument and  
acknowledged the said instrument to be the free and voluntary act  
and deed of said corporation, for the uses and purposes therein  
Mentioned, and on oath stated that they authorized to execute the  
Said instrument, and that the seal affixed is the corporate seal of  
said corporation.  
Witness my hand and official seal hereto affixed the day  
and year first above written.

GIVEN under my hand and official seal  
This 24<sup>th</sup> day of February 2001  
Black D. Stiles  
Notary Public in and for the State of Washington  
Residing at: Sedro Woolley  
Commission Expires: 6-20-2002

Notary Public in and for the State of Washington  
Residing at: \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

# 39561  
SKAGIT COUNTY WASHINGTON  
Real Estate Excise Tax

FEB 26 2001

Amount Paid \$ 918.00  
Skagit Co. Treasurer  
By BJ Deputy



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Schedule "B-1"

P-95998

EXCEPTIONS:

A. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Avery Lane Community Association, a non-profit Washington Corporation  
Purpose: For the ingress, egress, road, drainage and utilities  
Area Affected: Avery Lane  
Dated: October 21, 1985  
Recorded: October 22, 1985  
Auditor's No.: 8510220044

B. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Puget Sound Power & Light Company, a Washington Corporation  
Purpose: An underground electric transmission and/or distribution system  
Area Affected: 60 foot wide private road known as Avery Lane (including cul-de-sac) as shown on Exhibit "A" attached  
Dated: December 27, 1985  
Recorded: January 20, 1986  
Auditor's No.: 8601200034

C. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Puget Sound Power and Light Company, a Washington Corporation  
Purpose: An underground electric transmission and/or distribution system  
Area Affected: Avery Lane and Avery Court  
Recorded: April 4, 1994  
Auditor's No.: 9404040156

D. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Eric Ralph Johnson and Julie Marie Johnson, husband and wife  
Purpose: Ingress, egress and utility  
Area Affected: Avery Lane and Avery Court  
Dated: August 9, 1994  
Recorded: August 17, 1994  
Auditor's No.: 9408170047



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EXCEPTIONS CONTINUED:

E. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Brian L. Stiles and Dianne K. Stiles,  
husband and wife and James Falconer and  
Nancy Falconer, husband and wife  
Purpose: For ingress, egress and utilities  
Area Affected: Avery Lane (formerly known as Avery  
Court)  
Dated: October 4, 1994  
Recorded: October 14, 1994  
Auditor's No.: 9410140120

F. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: C. Wesley Richards and Jeanie M.  
Richards, husband and wife  
Purpose: Ingress, egress and utility  
Area Affected: Avery Lane and/or Avery Court  
Dated: December 21, 1994  
Recorded: January 19, 1995  
Auditor's No.: 9501190025

G. TERMS AND CONDITIONS OF ARTICLES OF INCORPORATION FOR AVERY  
LANE COMMUNITY ASSOCIATION:

Recorded: February 8, 1996  
Auditor's No.: 9602080032

H. Dedication shown on face of the Plat, as follows:

"...rights to make all necessary slopes for cuts and fills,  
and the right to continue to drain said roads and ways over and  
across any lot or lots, where water might take a natural course, in  
the original reasonable grading of roads and ways shown hereon.  
Following original reasonable grading of roads and ways hereon, no  
drainage waters on any lot or lots shall be diverted or blocked  
from their natural course so as to discharge upon any public road  
right of way, or to Harper Road drainage. Any enclosing of  
drainage waters in culverts or drains or rerouting shall be done by  
and at the expense of such owner.

The cost of construction and maintaining all roads not herein  
dedicated as county roads and all access roads to the plat, unless  
the same are dedicated as county roads, shall be the obligation of  
all of the owners of the lots in the plat and/or any additional  
plats that may be served by said roads, streets, and/or alleys, and  
that the obligation to maintain shall be concurrently the  
obligation of any corporation in whom title of said roads, streets,  
and/or alleys be held, in the event that the owners of any of these  
lots or the corporate owners of any of the roads, streets and/or  
alleys of this plat or any additional plats served by these roads,  
streets, and/or alleys shall petition the board of County  
Commissioners to include these roads, streets and/or alley in the  
road systems, said petitioner shall be obligated to bring the same  
to the county road standards in all respects prior to acceptance by  
the county.



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EXCEPTIONS CONTINUED:

H. (continued):

Additionally, we hereby dedicate open space Tract E and the recreational trail system shown to the Avery Lane Community Association.

I. Utility Easement shown on the face of plat, as follows:

"An easement is hereby reserved for and conveyed to Puget Sound Energy, Cascade Natural Gas Corp., GTE Northwest, Northland Cable TV, and their respective successors and assigns under and upon the private street(s), if any, and the exterior ten (10) feet of all lots, tracts and spaces within the plat lying parallel with and adjoining all street(s) in which to construct, operate, maintain, repair, replace and enlarge underground pipes, conduits, cables and wires with necessary or convenient underground or groundmounted appurtenances thereto for the purpose of serving this subdivision and other property with electric, gas, telephone and other utility service, together with the right to enter upon the streets, lots, tracts and spaces at all times for the purposes herein stated."

J. Notes shown on the Plat, as follows:

1. Road maintenance Agreement is recorded under Auditor's File No. 9905110006;
2. Zoning - Residential (R);
3. Water - Avery Lane Community Association;
4. Sewer - Avery lane Community Association;
5. No building permit shall be issued for any residential and/or commercial structures which are not, at the time of application, determined to be within an official designated boundary of a Skagit County Fire District;
6. Change in location of access, may necessitate a change of address, contact Skagit County Permit Center.
7. Reserve land Tracts C, D, and F are set aside for future development as permitted by local, county, and state laws, ordinances and regulations.
8. Voluntary park impact fees of \$100.00 per lot shall be paid to the Skagit County Parks Department upon sale of each lot, except Lot 3.
9. For additional information regarding protected critical area easement affecting designated wetlands and geologically hazardous area - steep.

- continued -



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Schedule "B-1"

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EXCEPTIONS CONTINUED:

K. DECLARATION OF RESTRICTIVE AND PROTECTIVE COVENANTS OF EVERY  
LANE PLANNED UNIT DEVELOPMENT PL #97-0201, AS FOLLOWS:

Executed By:	William A. Stiles, Jr., et ux
Recorded:	May 11, 1999
Auditor's No.:	9905110006



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