

AFTER RECORDING MAIL TO:

Scott Millar
1242 Fenske Lane
Burlington, WA 98233



200111280063
Skagit County Auditor
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Filed for Record at Request of
Wells Fargo Escrow Company
Escrow Number: 04-00429-01

LAND TITLE COMPANY OF SKAGIT COUNTY **Statutory Warranty Deed**

P-98758

Grantor(s): John W. Ellis and Shannon E. Ellis
Grantee(s): Scott W. Millar and Ruth E. Millar
Abbreviated Legal:
Lot 9, Gages Circle
Additional legal(s) on page:
Assessor's Tax Parcel Number(s): 4774-000-009-0000 P117822

THE GRANTOR John W. Ellis and Shannon E. Ellis, Husband and Wife for and in consideration of **TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION** in hand paid, conveys and warrants to Scott W. Millar and Ruth E. Millar, Husband and Wife the following described real estate, situated in the County of Skagit, State of Washington

Lot 9, "PLAT OF GAGES CIRCLE," as per plat recorded on February 13, 2001 under Auditor's File No. 200102130017, records of Skagit County, Washington. Situate in the County of Skagit, State of Washington.

Subject to: Schedule "B-1" attached hereto and made a part thereof.

Dated November 26, 2001

John W. Ellis

Shannon E. Ellis

#44012
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

NOV 28 2001

State of Washington
County of Skagit

Amount Paid \$ 2288.19
By [Signature] Skagit Co. Treasurer
S Deputy

I certify that I know or have satisfactory evidence that **John W. Ellis and Shannon E. Ellis**

is/are the person(s) 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.

Dated: November 27, 2001



[Signature]
Carrie Huffer
Notary Public in and for the State of Washington
Residing at Burlington
My appointment expires: 12/31/2003

EXCEPTIONS:

A. 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 River/Creek herein named, or its banks, or which may result from such change in the future.

River/Creek: Gages Slough

B. MATTERS AS DISCLOSED AND/OR DELINEATED ON THE FACE OF THE FOLLOWING PLAT/SUBDIVISION:

Plat/Subdivision

Name: Plat of Gages Circle
Recorded: February 13, 2001
Auditor's No.: 200102130017

Said matters include, but are not limited to the following:

Easements for ingress, egress and utilities easement areas
Sidewalk easements
Turnaround easement(s)

C. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee: Puget Sound Energy, Inc.
Dated: October 31, 2000
Recorded: November 14, 2000
Auditor's No.: 200011140036
Purpose: "...utility systems for purposes of transmission, distribution and sale of gas and electricity..."

Easement No. 1: All streets and road rights-of-way as now or hereafter designed, platted, and/or constructed within the above described property. (When said streets and road are dedicated to the public, this clause shall become null and void.)



Easement No. 2: A strip of land 10 feet in width across all lots, tracts and open spaces located within the above described property being parallel to and coincident with the boundaries of all private/public street and road rights-of-way.

D. Utilities Easement as contained on the face of the Plat, as follows:

"An easement is hereby reserved for and granted to the City of Burlington, Public Utility District No. 1, Puget Sound Energy, G.T.E., Cascade Natural Gas Corp., and TCI Cable Vision of Washington, Inc., and their respective successors and assigns under and upon the exterior ten (10) feet of front boundary lines of all lots and tracts as shown on the face of the plat and other utility easements, if any, shown on the face of the Plat in which to install,

- continued -

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EXCEPTIONS CONTINUED:

D. (continued):

lay, construct, renew, operate, maintain and remove utility systems, lines, fixtures, and appurtenances attached thereto, for the purpose of providing utility services to the subdivision and other property. Together with the right to enter upon the lots and tracts at all times for the purposes stated, with the understanding that any grantee shall be responsible for all unnecessary damage it causes to any real property owner in the subdivision by the exercise of rights and privileges herein granted."

E. Notes contained on the face of said Plat, as follows:

1. Zoning Classification - R-1.8.4 cluster development minimum lot area = 6720 Sq. ft.
2. Set backs:
 - front yard: 20 feet
 - side yard: 5 feet for each side giving the two side yards to be 10 feet
 - rear yard: 20 feet
3. Sewage Disposal - City of Burlington;
4. Storm Drainage - City of Burlington;
5. Street Standard - City of Burlington;
6. Water - Skagit County P.U.D. No. 1;
7. Power - Puget Sound Energy;
8. Telephone - GTE;
9. Gas - Cascade Natural Gas;
10. Television Cable TV - TCI Cablevision;
11. Garbage Collection - City of Burlington, Solid Waste Collection for Lots 16, 17, 18 and 19 shall be at the edge of the public right of way, Gages Circle;
12. Buyers should be aware that portion of this plat are located in the flood plain of the Skagit River and significant elevation may be required for the first living floor of residential construction. The foundation wall of all permitted structures shall be at elevation 28 feet or higher, which is the boundary of the Gates Slough special flood risk zone at this location and all other floodplain and special flood risk critical areas standards shall be met. Contact City of Burlington Building Department for details.

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EXCEPTIONS CONTINUED:

E. (continued):

13. Impact fees shall be paid for schools, fire, bridge and parks at the time of building permit issuance.
14. A Homeowners Association shall be formed to maintain the storm drainage pond. The access easement and the RV/boat storage area, in lieu of specified side yard access locations to be rear yards of lots. The plat will include a gravel RV storage area for use of the property owners.
15. Siltation control devices may be required for each lot during construction or subsequent soil disturbances, see City of Burlington Engineering Department for details.
16. Design review is required prior to issuance of any building permits, street tree are required to be planted, one per lot. Lawn and a minimum of one shrub shall be planted in front of each house prior to occupancy;
17. Homes shall be built on site and no modular or manufactured homes are permitted.
18. The delineated wetlands together with all or a portion of the required buffer area within Tract "X" will be conveyed in fee to the City of Burlington in exchange for park impact credits. This area will provide a substantial area of continuous public accessible open space in and along Gages Slough. The remaining upland area Tract "Y" will contain storm drainage facilities and a RV storage area that will be retained and managed by the Gages Circle Homeowners Association.

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, Skagit County Auditor

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