

**AFTER RECORDING MAIL TO:**

Kenneth and Shirley J. Montis Trust Dated April 11, 1990.  
9465 Claybrook Road  
Sedro-Woolley, WA 98284



200204110005

Skagit County Auditor

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Filed for Record at Request of  
Land Title Company of Skagit County  
Escrow Number: S-100726-E

LAND TITLE COMPANY OF SKAGIT COUNTY

**Statutory Warranty Deed**

Grantor(s): Glen A. Latting, Shirley A. Latting  
Grantee(s): Kenneth and Shirley J. Montis Trust Dated April 11, 1990.  
Abbreviated Legal: Lot 20, Block B, CAPE HORN ON THE SKAGIT, records of Skagit County, WA  
Additional legal(s) on page:  
Assessor's Tax Parcel Number(s): 3868-002-020-0007/P62918

**THE GRANTOR** GLEN A. LATTING and SHIRLEY A. LATTING, husband and wife for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to Kenneth Montis and Shirley J. Montis, Co-Trustees of the KENNETH AND SHIRLEY J. MONTIS TRUST DATED APRIL 11, 1990 the following described real estate, situated in the County of Skagit, State of Washington: Lot 20, Block B, "CAPE HORN ON THE SKAGIT", as per plat recorded in Volume 8 of Plats, pages 92 through 97, inclusive, 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 this 2nd day of April, 2002

By Glen A. Latting  
Glen A. Latting

By APR 11 2002

By Shirley A. Latting  
Shirley A. Latting

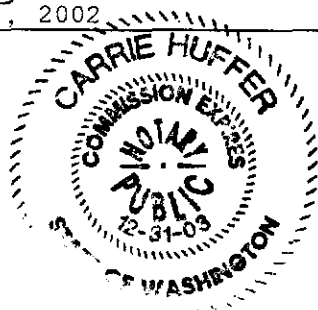
By DC Deputy  
Amount Paid \$ 252.45  
Skagit Co. Treasurer

STATE OF WASHINGTON }  
County of Skagit } SS:

I certify that I know or have satisfactory evidence that Glen A. Latting and Shirley A. Latting is the person s who appeared before me, and said person s acknowledged that they signed this instrument and acknowledged it to be they free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: April 9th, 2002

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



Schedule "B-1"

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EXCEPTIONS CONTINUED:

D. (Continued)

3. Lot owners shall be responsible for placing wells and septic-tank drainfields in accordance with the master plan as on file with the Cape Horn Maintenance Company. A minimum of 100 feet shall be maintained between all drainfields and wells. All work to be in accordance with Skagit County Regulations.

4. All lots shall be subject to the Articles and By-Laws of the Cape Horn Maintenance Company.

E. Restrictions on other lots in said plat imposed by various instruments of record which may be notice of a general plan, 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 non-profit, 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 four (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 attorneys 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.

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Schedule "B-1"

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EXCEPTIONS:

A. EASEMENT, INCLUDING TERMS AND CONDITIONS THEREOF:

Grantee: Puget Sound Power & Light Company,  
a corporation  
Purpose: Transmission line with appurtenances  
Area Affected: As constructed and extended in the future  
at the consent of Grantee and Grantor  
Dated: July 7, 1965  
Recorded: August 17, 1965  
Auditor's No.: 670429

B. Restrictions and conditions contained in the Plat, reading substantially as follows:

"The Platters do hereby declare this plat and dedicate to the public forever all roads and ways and that 40 foot easement along the river shown hereon with the right 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 the roads and ways shown hereon, following original reasonable grading of the 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 hamper proper road drainage. Any enclosing of drainage waters in culverts or drains or re-routing thereof across any lot as may be undertaken by or for the owner of any lot, shall be done by and at the expense of such owner."

C. A condition on the face of the Plat, as follows:

"Skagit County shall not be responsible for any flood control improvements."

D. Conditions and restrictions contained in instrument filed July 13, 1965, under Auditor's File No. 668869, reading as follows:

- "1. Lot owners to be advised that those areas indicated on the plat as being below elevation 140.0 feet, are subject to infrequent periodic inundation and buildings constructed therein should maintain a floor elevation above 140.0 feet;
2. The exterior of all buildings to have a completed appearance within one year from date of starting.

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*YSL*  
*JAL*



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Schedule "B-1"

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EXCEPTIONS CONTINUED:

F. COVENANTS, CONDITIONS AND RESTRICTIONS CONTAINED IN DECLARATION OF PROTECTIVE RESTRICTIONS, AS HERETO ATTACHED:

Declaration Dated: September 20, 1976  
Recorded: December 14, 1976  
Auditor's No.: 847451  
Executed By: Cape Horn Maintenance Company

G. Any prohibition of or limitation of use, occupancy or improvement of the land resulting from the rights of the public or riparian owners to use any portion which is now, or has formerly been, covered by water.

H. Rights and easements for commerce, navigation and fisheries.

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*gll*  
*J. A. L.*



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