

AFTER RECORDING MAIL TO:

Donald McKay  
625 Cedar Tree Drive  
Sedro-Woolley, WA



200209270015  
Skagit County Auditor  
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Filed for Record at Request of  
Land Title Company of Skagit County  
Escrow Number: P-102686-E

LAND TITLE COMPANY OF SKAGIT COUNTY

**Statutory Warranty Deed**

Grantor(s): Nielsen Brothers, Inc.

Grantee(s): Donald McKay, Renee McKay

Abbreviated Legal: Lot 9, RIVER VALLEY VIEW ESTATES, records of Skagit County, WA

Additional legal(s) on page:

Assessor's Tax Parcel Number(s): 4777-000-009-0000/P118034

**THE GRANTOR NIELSEN BROTHERS, INC.**, a Washington Corporation  
for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION  
in hand paid, conveys and warrants to DONALD MCKAY and RENEE MCKAY, husband and wife  
the following described real estate, situated in the County of Skagit, State of Washington:  
Lot 9, "RIVER VALLEY VIEW ESTATES," as per plat recorded on May 7, 2001  
under Auditor's File No. 200105070102, 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 17th day of September, 2002

By Nielsen Brothers, Inc.

By 4512  
SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

By Robert C. Nielsen  
Robert C. Nielsen, President

By SEP 27 2002

STATE OF WASHINGTON  
County of Skagit Wharton

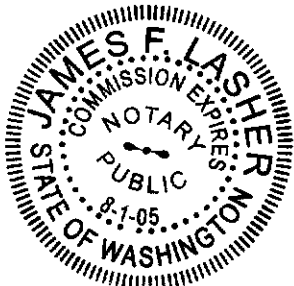
SS: Amount Paid \$ 994.50  
Skagit Co. Treasurer  
By OC Deputy

I certify that I know or have satisfactory evidence that Robert C. Nielsen  
is the person who appeared before  
me, and said person acknowledged that he signed this instrument, on oath stated that he is  
authorized to execute the instrument and acknowledge it as the President  
of Nielsen Brothers, Inc.

to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Dated: September 24, 2002

Notary Public in and for the State of WASHINGTON  
Residing at Deshayman, Wa  
My appointment expires: 9-1-05



## EXCEPTIONS:

## A. DEDICATION CONTAINED ON THE FACE OF THE PLAT, AS FOLLOWS:

Declare this plat and dedicate to the public forever all roads and ways, except private and corporate roads, shown hereon with the 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 lots shall be diverted or blocked from their natural course so as to discharge upon any public road right-of-way, or to hamper road drainage. Any enclosing of drainage waters in culverts or drains or rerouting shall be done by and at the expense of such owner.

"Jennifer Lane" and "Kim's Place", shown hereon as corporate roads (Tract A) are to be held in individual ownership by the owners of the lots served by the corporate roads. 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 of any additional plats that may be served by said roads, streets and/or alleys, and 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, 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, street, and/or alleys in the road system, said petitioner shall be obligated to being the same to the county road standards in all respects prior to acceptance by the county.

## B. WATER PIPELINE EASEMENT CONTAINED ON THE FACE OF THE PLAT, AS FOLLOWS:

Easements are granted to Public Utility District No. 1 of Skagit County, Washington, a municipal corporation, its successors or assigns, the perpetual right, privilege, and authority enabling the PUD to do all things necessary or proper in the 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 over, across along, in and under the lands as shown on this plat together with the right of ingress to and egress from said lands across adjacent lands of the grantor; Also, the right to cut and/or trim all brush, timber, trees or other growth standing or growing upon the lands of the grantor which, in the opinion of the district, constitutes a menace or danger to said line or to persons or property by reason of proximity to the line.

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## EXCEPTIONS CONTINUED:

B. (Continued) as to said line or easement or property be near proximity to the line.

The grantor agrees that title to all timber, brush, trees, other vegetation or debris trimmed, cut, and removed from the easement pursuant to this agreement is vested in the district.

Grantor, its heirs, successors, or assigns hereby conveys and agrees not to construct or permit to be constructed structures of any kind on the easement area without written approval of the general manager of the district. Grantor shall conduct its activities and all other activities on grantor's property so as not to interfere with, obstruct or endanger the usefulness of any improvements or other facilities, now or hereafter maintained upon the easement or in any way interfere with, obstruct or endanger the district's use of the easement.

C. NATURAL RESOURCE LAND DESIGNATION CONTAINED ON THE FACE OF THE PLAT, AS FOLLOWS:

This property lies within 300 feet of land designated resource land by Skagit County. A variety of natural resources land activities occur in the area that may be inconvenient or cause discomfort to area residents. This may arise from the use of chemicals, or from spraying, pruning, harvesting, or extraction, which occasionally generates dust, smoke, noise, and odor. Skagit County has established resource uses as priority uses on designated natural resource lands, and residents of adjacent property should be prepared to accept such inconveniences or discomfort from normal necessary natural resource land operations when performed in compliance with best management practices and local, state, and federal law.

D. TRACT "A" UTILITY EASEMENT CONTAINED ON THE FACE OF THE PLAT, AS FOLLOWS:

A utility easement being over, under and across Tract "A" 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 in which to construct, operate, maintain, repair, replace and enlarge under ground pipes, conduits, cables and wires with necessary or convenient underground or ground mounted 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. Tract "A" is also reserved for sewer and water easements to serve the lot within this subdivision.

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## EXCEPTIONS CONTINUED:

## E. AUTOMOTIVE RACETRACK NOTICE CONTAINED ON THE FACE OF THE PLAT, AS FOLLOWS:

Skagit Speedway, an automotive racing facility is located within 1 mile of the subject property. The facility operates from mid April until August hosting approximately 25 events per year with attendance ranging from 4,000 to 10,000 persons per event. During such events, noise, traffic and possibly other impacts, effect the general neighborhood.

## F. PLAT NOTES CONTAINED ON THE FACE OF THE PLAT, AS FOLLOWS:

1. Basis of bearings and section breakdown derived from record of survey, A.F. No. 9205080001;
2. Standard Field Traverse procedures and a One Second Leitz Set Total Station were used to accomplish this survey. Control survey done in January, 1998. Lot corners set in July, 2000;
3. Total acreage of subdivision - 49.41 acres;
4. See variance allowing private road #VA 99 0291, approved November 30, 1999, filed in Auditor's File No. 199912020002. The road maintenance documents are recorded under Auditor's File No. 200105070103;
5. Water - Skagit County P.U.D.;
6. Sewer - Individual On-Site Systems;
7. Zoning - Comprehensive Plan - Rural reserve;
8. Potential buyers should recognize that a tributary to Bob Smith Creek meanders through this subdivision and may be subject to periodic channel changes and intermittent flooding. Building sites may be limited based on creek channel migration;
9. See covenants, conditions and restrictions (CCR's) recorded under Auditor's File No. 200105070103;
10. A voluntary donation to Skagit County Park and Recreation for mitigation fee of \$100 per lot shall be collected at time of sale;
11. Plat number and date of approval shall be included in all deeds and contracts;
12. 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;

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Schedule "B-1"

EXCEPTIONS CONTINUED:

F. (Continued):

13. The total impervious surface of the proposal shall be limited to 5% of the total lot area, unless the proposed development provides mitigation that will collect runoff from the proposed development, will treat the runoff, if necessary, to protect groundwater quality and discharge that collected runoff into a groundwater infiltration system on site;
14. See Geo Engineers Report dated June 1, 1999 for setback of house foundations and drainfields;
15. See Protected Critical Area Easement recorded under Auditor's File No. 200105070104 through 200105070112;
16. See Road Maintenance and Shared Road Agreement recorded under Auditor's File No. 200105070103;
17. Change of location of access may necessitate a change of address. Contact the Planning and Permit Center.

G. EASEMENT AND TERMS AND CONDITIONS THEREOF:

Disclosed By: Plat of said addition  
 Purpose: Minimum Building Setbacks  
 Area Affected: As shown

H. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Puget Sound Power & Light Company, a Washington corporation  
 Purpose: The right to construct, operate, maintain, repair, replace and enlarge a underground electric transmission and distribution system  
 Area Affected: As described therein  
 Dated: April 11, 1988  
 Recorded: April 19, 1988  
 Auditor's No.: 8804190045

I. EASEMENT AND TERMS AND CONDITIONS THEREOF:

Disclosed By: Plat of said addition  
 Purpose: Drainfield Easement for Lot 8  
 Area Affected: Westerly and Southerly 15 feet

J. RESTRICTIVE COVENANTS, CONDITIONS AND RESTRICTIONS FOR RIVER VALLEY VIEW ESTATES, AND THE TERMS AND CONDITIONS THEREOF:

Executed By: Nielsen Brothers, Inc.  
 Recorded: May 7, 2001  
 Auditor's No.: 200105070103

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Schedule "B-1"

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EXCEPTIONS CONTINUED:

J. (Continued):

AMENDMENT AND ADDITION, AND THE TERMS AND CONDITIONS THEREOF:

Executed By: Nielsen Brothers, Inc.  
Recorded: June 21, 2001  
Auditor's No.: 200106210005

AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS:

Recorded: February 13, 2002  
Auditor's No.: 200202130058

AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS:

Recorded: July 19, 2002  
Auditor's No.: 200207190135

K. Protected Critical Area Site Plan and/or Easement, and the terms and conditions thereof:

Executed By: Robert C. Neilsen  
Recorded: May 7, 2001  
Auditor's No.: 200105070109

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