

AFTER RECORDING MAIL TO:  
Steven W. Heathers  
13287 Signe Place  
Mount Vernon, WA 98273



200210040123  
Skagit County Auditor  
10/4/2002 Page 1 of 4 11:59AM

Filed for Record at Request of  
Land Title Company of Skagit County  
Escrow Number: P-102812-E

LAND TITLE COMPANY OF SKAGIT COUNTY

### Statutory Warranty Deed

Grantor(s): Warren Brokaw, Jeri Jo Brokaw  
Grantee(s): Steven W. Heathers, Catherine R. Heathers  
Abbreviated Legal: ptn SW 1/4 of NW 1/4, 10-34-4 E W.M., aka Lot 1, SP 99-0030  
Additional legal(s) on page: 2  
Assessor's Tax Parcel Number(s): 340410-2-009-0100/P116245

**THE GRANTOR** WARREN BROKAW and JERI JO BROKAW, husband and wife  
for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION  
in hand paid, conveys and warrants to STEVEN W. HEATHERS and CATHERINE R. HEATHERS,  
husband and wife  
the following described real estate, situated in the County of Skagit, State of Washington:  
See Attached Exhibit A

4678  
SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

OCT 04 2002

Amount Paid \$ 3,411.90  
Skagit Co. Treasurer  
By *[Signature]* Deputy

Dated this 1st day of October, 2002

By Warren Brokaw  
Warren Brokaw

By \_\_\_\_\_

By Jeri Jo Brokaw  
Jeri Jo Brokaw

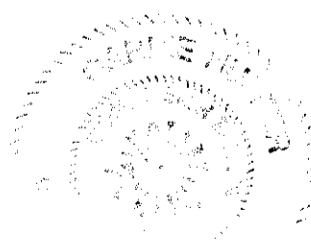
By \_\_\_\_\_

STATE OF WASHINGTON }  
County of Skagit } SS:

I certify that I know or have satisfactory evidence that Warren Brokaw & Jeri Jo Brokaw  
\_\_\_\_\_ 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: October 2nd, 2002

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



## Exhibit A

Lot 1, Skagit County Short Card No. SP-99-0030, approved March 20, 2000 and recorded March 21, 2000, under Skagit County Auditor's File No. 200003210085, being a portion of the Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 10, Township 34 North, Range 4 East, W.M.

TOGETHER WITH a non-exclusive easement for ingress and egress over and across said Tract "A", Signe Place, private road, utilities, and water pipeline easement as shown on said Short Card No. SP-99-0030, as recorded under Skagit County Auditor's File No. 200003210085 on March 21, 2000.

Situate in the County of Skagit, State of Washington.

Schedule "B-1"

P-102812-E

### EXCEPTIONS:

A. Reservations contained in deed from Puget Mill Company, a corporation, dated November 29, 1926, and recorded in Volume 142 of Deeds, page 110, as follows:

"The Grantor hereby reserves unto itself and unto its successors and assigns, the full, complete and absolute rights to all oils, gases, coal, fossils, metals and minerals of every name and nature, also sand and gravel in commercial quantities, which may be in or upon said land or any part thereof, with the right of entry upon said land to prospect and explore for and also to take, mine and remove the same, provided, said Grantee, his successors, heirs and assigns, shall be reasonably compensated for all damage done to the surface of said land and the improvements thereon in carrying on of any of such operations.

### B. CLAIM OF OWNERSHIP OF MINERAL RIGHTS:

Executed By: Pope Resources  
Recorded: May 22, 1986  
Auditor's No.: 8605220031

### C. DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND THE TERMS AND CONDITIONS THEREOF:

Executed By: Nordco Group, L.L.C., a Washington limited liability company  
Recorded: March 21, 2000  
Auditor's No.: 200003210086  
(copy attached)

### D. UNDERGROUND UTILITY EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Puget Sound Energy, Inc., a Washington Corporation  
Purpose: Grantee shall have the right to construct, operate, maintain, repair, replace, improve, remove, enlarge, and use the easement area for one or more utility systems for purposes of transmission, distribution and sale of electricity  
Area Affected: A nonexclusive perpetual easement over, under, along across and through the following described real property: Lots 1, 2, 3 and 4, frontage of buildable area of Lot 4, Skagit County Short Card No. SP-99-0030; and a strip of land 10 feet in width across all lots located within the above described property being parallel to and coincident with the boundaries of all private/public street and road rights-of way; Except Swan Road.

- continued -



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EXCEPTIONS CONTINUED:

D. (Continued):

Dated: March 30, 2000  
 Recorded: March 31, 2000  
 Auditor's No.: 200003310155 and 200003310156,  
 respectively

Contains covenant prohibiting structures over said easement or other activity which might endanger the underground system.

E. NOTES AS SHOWN ON THE FACE OF SHORT PLAT, AS FOLLOWS:

1. All maintenance and construction of private roads are the responsibility of the lot owners and the responsibility of maintenance shall be in direct relationship to usage of road. See Declaration of covenants, conditions and restrictions recorded under Skagit County Auditor's File No. 200003210086;
2. Short Card Number and date of approval shall be included in all deeds and contracts;
3. Zoning: Rural and Agriculture; Comprehensive Plan Designation Rural Reserve and Agricultural NRL;
4. Sewage disposal: Individual septic system, conventional systems Lots 1, 2, and 3. Alternative system Lot 4. Alternative on-site sewage disposal systems may have special design, construction and maintenance requirements. See Skagit County Health Department for details.
5. Water: P.U.D. No. 1;
6. 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 officially designated boundary of a Skagit County Fire District.
7. Change in location of access, may necessitate a change of address, contact Skagit County Planning and Permit Center.
8. Open space designated (PA) represents a portion of Lot 4 set aside as a protective open space area to be utilized for buffers, drainfields, water system, possible future utilities and critical area (steep slope, wetlands) protection. This area shall fall within the guidelines set forth in Skagit County Code 14-06 for conservation and maintenance purposes.
9. Ownership and maintenance of the land designated Tract "A" shall be conveyed to a Homeowners' Association for ownership and maintenance. Land designated protective area (PA) is to be conveyed via boundary line adjustment to an adjoining land owner (Skagit Land Trust), partially or entirely, with the condition that the open space retain its restriction as being non-buildable unless otherwise approved by Skagit County Planning Official. Neither parcel PA or Tract "A" are to be considered a separate buildable tract.

LTC-SC-2

*WUB JSP*



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EXCEPTIONS CONTINUED:

E. (Continued):

10. This property lies within 300 feet of land designated Natural Resource lands by Skagit County. A variety of natural resource 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 or extractions, which generate 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.

11. Future buyers should be aware that a portion of this short subdivision (Open Space/Protective Area) is located in the flood plain and significant elevation may be required for the first living floor of residential construction.

F. WATERLINE EASEMENT SHOWN ON THE FACE OF 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.

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 (Tract "A" and additional 60' strip as shown) 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.

G. SECOND DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, INCLUDING THE TERMS AND CONDITIONS THEREOF:

Executed By: Nordco Group, L.L.C.  
Dated: October 26, 2000  
Recorded: October 30, 2000  
Auditor's No.: 200010300159

AMENDMENT TO SECOND DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS:

Recorded: May 8, 2002  
Auditor's No.: 200205080112

*WCB Jm*

AMENDMENT TO SECOND DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS:

Recorded: May 8, 2002  
Auditor's No.: 200205080113

*WCB*



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