

When Recorded Return to:  
NO WAKE LAKE, INC  
18055 Bow Lake Lane  
Bow WA 98232



200303280212  
Skagit County Auditor

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Island Title Company  
Order No: BE7399 MKP

026200

### STATUTORY WARRANTY DEED

THE GRANTOR WADE R. DANN and LESLIE A. DANN, husband and wife

for and in consideration of One Million Seven Hundred Five Thousand and 00/100...(\$1,705,000.00) DOLLARS which is paid by a Qualified Intermediary as part of an IRC 1031 tax deferred exchange

in hand paid, conveys and warrants to

NO WAKE LAKE, INC, a Washington corporation

the following described real estate, situated in the County of Skagit, State of Washington:

Lots 1, 2, 3, 4 and 5, PLAT OF BOW HILL LAKE, according to the plat thereof recorded in Volume 16 of Plats, pages 224 and 225, records of Skagit County, Washington.

Situated in Skagit County, Washington.

Tax Account No. : 4712-000-001-0000 P113074 see attached for all tax parcel nos.

Subject to: See attached restrictions, reservations and easements of record.

Dated: March 27, 2003

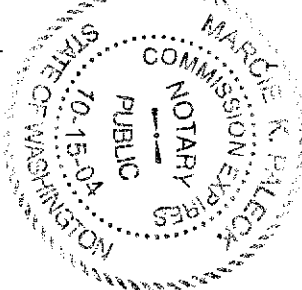
*Wade R. Dann by  
Leslie A. Dann his  
attorney in fact* 3-27-03  
WADE R. DANN, by Leslie A. Dann, his attorney-in-fact

*Leslie A. Dann* 3-27-03  
LESLIE A. DANN Date

STATE OF WASHINGTON  
COUNTY OF CLARK

I certify that I know or have satisfactory evidence that LESLIE A. DANN to me known to be the individual described in, and who executed the within instrument for herself and also as the Attorney in Fact for WADE R. DANN and acknowledged to me that she signed and sealed the same as her own free and voluntary act and deed for herself, and also as free and voluntary act and deed as Attorney in Fact for WADE R. DANN said in the capacity and for the uses and purposes therein mentioned, and that said principal is not deceased nor incompetent.

Dated: March 27 2003  
*Marcie K. Paleck*  
Marcie K. Paleck  
Notary Public in and for the State of Washington  
Residing at Mount Vernon  
My appointment expires: October 15, 2004



# 1482  
SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

MAR 23 2003

Amount Paid \$26,080.50  
Skagit Co. Treasurer/  
By *[Signature]* Deputy

TAX CODE PARCELS  
NO WAKE LAKE  
BE7399/C26200

Tax Account No.: 4712-000-001-0000 P113074  
4712-000-002-0000 P113075  
4712-000-003-0000 P113076  
4712-000-004-0000 P113077  
4712-000-001-0100 ~~P113071~~ P113071  
4712-000-005-0010 P113072  
4712-000-005-0000 P113078



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SCHEDULE B-001

1. Easement contained in Dedication of said plat;  
For: All necessary slopes for cuts and fills and continued drainage of roads  
Affects: Any portions of said premises which abut upon streets, avenues, alleys, and roads and where water might take a natural course
2. Easement, including the terms and conditions thereof, reserved by instrument(s);  
Recorded: June 28, 1943  
Auditor's No(s).: 367853, records of Skagit County, Washington  
In favor of: Bloedel Donovan Timber Company, a Washington corporation  
For: Road purposes

**Note:** Exact location and extent of easement is undisclosed of record.

3. Easement, including the terms and conditions thereof, granted by instrument(s);  
Recorded: September 10, 1954  
Auditor's No(s).: 506570, records of Skagit County, Washington  
In favor of: Trans Mountain Oil Pipe Line Corporation  
For: Right to construct, maintain pipeline or lines, etc.

**Note:** Exact location and extent of easement is undisclosed of record.

4. Easement, including the terms and conditions thereof, granted by instrument(s);  
Recorded: April 28, 1955  
Auditor's No(s).: 517040, records of Skagit County, Washington  
In favor of: Trans Mountain Oil Pipe Line Corp.  
For: Oil pipeline

**Note:** Exact location and extent of easement is undisclosed of record.

5. Easement, including the terms and conditions thereof, granted by instrument(s);  
Recorded: September 16, 1954  
Auditor's No(s).: 506567, records of Skagit County, Washington  
In favor of: Trans Mountain Oil Pipe Line Corporation  
For: Oil pipeline

**Note:** Exact location and extent of easement is undisclosed of record.

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6. Easement, including the terms and conditions thereof, granted by instrument(s);  
Recorded: September 11, 1990  
Auditor's No(s): 9009110024, records of Skagit County, Washington  
In favor of: Puget Sound Power and Light Company  
For: Electric transmission and/or distribution line, together with necessary appurtenances

**Note:** Exact location and extent of easement is undisclosed of record.

7. Easement, including the terms and conditions thereof, conveyed by instrument;  
Recorded: April 20, 1994  
Auditor's No.: 9404200069, records of Skagit County, Washington  
In favor of: Dennis Hamilton and Patricia Hamilton, husband and wife  
For: Ingress, egress and utilities  
Affects: A 60 foot strip beginning at the Southwest corner of said plat and running in an Easterly and Northerly direction

AMENDED by instrument(s):

Recorded: November 7, 1994  
Auditor's No(s): 9411070071, records of Skagit County, Washington

8. Easement, including the terms and conditions thereof, granted by instrument;  
Recorded: November 7, 1994  
Auditor's No.: 9411070071, records of Skagit County, Washington  
In favor of: Dennis Hamilton and Patricia Hamilton, husband and wife  
For: Ingress, egress and utilities  
Affects: A 60 foot strip in Government Lot 1 and the Northeast Quarter of the Northwest Quarter in Section 30 and the South 40 feet of the Southwest Quarter in Section 19
9. Easement, including the terms and conditions thereof, granted by instrument;  
Recorded: November 7, 1994  
Auditor's No.: 9411070072, records of Skagit County, Washington  
In favor of: Wade R. Dann and Leslie A. Dann, husband and wife  
For: Non-exclusive 40 foot easement for ingress, egress and utilities  
Affects: The South 40 feet of Government Lot 4 in Section 19, Township 36 North, Range 4 East of the Willamette Meridian West of the man-made lake

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10. Easement, including the terms and conditions thereof, declared by instrument;  
 Recorded: February 9, 1998  
 Auditor's No.: 9802090153, records of Skagit County, Washington  
 In favor of: Plat of Bow Hill Lake  
 For: Ingress, egress and utilities  
 Affects: Said premises and other property

Said easement contains, among other things, provisions for maintenance by the common users.

11. Easement, including the terms and conditions thereof, granted by instrument;  
 Recorded: April 22, 1999.  
 Auditor's No.: 9904220155, records of Skagit County, Washington  
 In favor of: Dennis Hamilton and Patricia Hamilton, husband and wife  
 For: Use of lake and access to the road around Bow Hill Lake  
 Affects: Portion of said premises and other property
12. Easement delineated on the face of said plat;  
 For: Pipeline  
 Affects: Westerly portion of said Lots 1 and 2
13. Easement delineated on the face of said plat;  
 For: Access and utilities  
 Affects: Portions of said Lots 2, 3, 4 and Lot 5
14. Easement delineated on the face of said plat;  
 For: 45 foot radius cul-de-sac for access and utilities  
 Affects: Southerly portion of Lot 2
15. Easement delineated on the face of said plat;  
 For: Access and utilities  
 Affects: Northerly 40 feet of Lots 1, 4 and 5
16. Easement delineated on the face of said plat;  
 For: Common easement for septic systems to Lots 1, 2, 3, 4 and 5  
 Affects: Lot 5 and other property
17. Power vault as delineated on the face of said plat.  
 Affects: Lot 5
18. Pollution control area delineated on the face of said plat.  
 Affects: Lot 5 and other property

continued.....



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19. Easement provisions contained on the face of said plat, as follows:

UTILITY EASEMENT - 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 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.

20. Relinquishment of all existing, future, or potential easements for access, light, view, and air and of all rights of ingress, egress and regress to, from, and between said premises and the highway (or highways) condemned by proceedings:

Under: Skagit County Superior Court Cause No. 26638  
To: State of Washington  
Affects: Said short plat

21. Relinquishment of all existing, future, or potential easements for access, light, view, and air and of all rights of ingress, egress and regress to, from, and between said premises and the highway (or highways) constructed on lands conveyed by Deed

Recorded: January 8, 1979  
Auditor's No.: 894385, records of Skagit County, Washington  
To: State of Washington  
Affects: Said short plat

22. Relinquishment of all existing, future, or potential easements for access, light, view, and air and of all rights of ingress, egress and regress to, from, and between said premises and the highway (or highways) constructed on lands conveyed by Deed

Recorded: November 26, 1958  
Auditor's No.: 573372, records of Skagit County, Washington  
To: State of Washington  
Affects: The Southwest Quarter of Section 19, Township 36 North, Range 4 East of the Willamette Meridian

23. Encroachment by fence as shown on the face of Short Plat No. 94-021, recorded January 17, 1995, under Auditor's File No. 9501170109, records of Skagit County, Washington, in Volume 11 of Short Plats, page 167.

Affects: The Southerly and Westerly portion of said premises

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24. Septic site as delineated on the face of said short plat.  
Affects: The Easterly portion of said lot
25. Pollution control area delineated on the face of said short plat;  
Located: Within 100 feet of well as shown
26. Agreement, including the terms and conditions thereof; entered into;  
By: Wade R. Dann and Leslie Dann, husband and wife  
And Between: Denny Hamilton and Toni Hamilton, husband and wife  
Recorded: April 20, 1994  
Auditor's No.: 9404200070, records of Skagit County, Washington  
Providing: For, but not limited to, a future conveyance by the Hamiltons to the  
Danns in fee simple of the existing access road to Bow Hill Lake  
and until such conveyance is made, the Hamiltons grant to the  
Danns an easement over said access road  
Affects: Said plat, the exact location and extent of said easement is  
undisclosed of record
27. Agreement, including the terms and conditions thereof; entered into;  
By: Wade Dann  
And Between: Skagit County  
Recorded: May 9, 1994  
Auditor's No.: 9405090067, records of Skagit County, Washington  
Providing: Variance regarding construction of subdivision road not meeting  
county standards  
Affects: Said plat
28. Agreement, including the terms and conditions thereof; entered into;  
By: Wade R. Dann and Leslie A. Dann  
And Between: All lot owners present and future  
Recorded: March 1, 1995  
Auditor's No.: 9503010033, records of Skagit County, Washington  
Providing: All lot owners, present and future, fund the entire cost of any  
maintenance required to maintain the 60-foot wide Bow Lake Lane  
to Skagit County standards

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29. Agreement, including the terms and conditions thereof; entered into;  
By: Wade Dann and Leslie Dann, husband and wife  
And Between: Skagit County  
Recorded: July 10, 1995  
Auditor's No.: 9507100103, records of Skagit County, Washington  
Providing: Alternative sewage system installations
30. Agreement, including the terms and conditions thereof; entered into;  
By: Dennis Hamilton and Patricia Hamilton, husband and wife  
And Between: Wade R. Dann and Leslie Dann, husband and wife  
Recorded: April 22, 1999  
Auditor's No.: 9904220154, records of Skagit County, Washington  
Providing: Easement agreement
31. Agreement, including the terms and conditions thereof; entered into;  
By: Dennis Hamilton and Patricia Hamilton, husband and wife  
And Between: Wade R. Dann and Leslie Dann, husband and wife  
Recorded: April 22, 1999  
Auditor's No.: 9904220155, records of Skagit County, Washington  
Providing: Easement agreement

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32. Notes as disclosed on the face of said Skagit County Short Plat No. 94-21, as approved January 11, 1995, and recorded January 17, 1995, in Volume 11 of Short Plats, page 167, under Auditor's File No. 9501170109, records of Skagit County, Washington, as follows:
- A. Short Plat number and date of approval shall be included in all deeds and contracts.
  - B. All maintenance and construction of private roads shall be the responsibility of the lot owners. See Variance #94-005, approved May 9, 1994.
  - C. Zoning – Rural District (RU).
  - D. Water – Individual wells: water will be supplied from individual water systems. Contract Health Department to determine if additional water quality or quantity testing will be required for building permit approvals. 100 foot radius well protection zone for individual water systems on Lots 1 through 4 must be located entirely on the proposed lot owned in fee simple, or the owner must have the right to exercise complete sanitary control of the land through other legal provision, such as recorded covenants or easements. A demonstration well has been provided on Lot 1, an alternative well site for Lot 1 must be provided with the proper 100 foot radius well protection zone.
  - E. Sewer – Individual on-site sewage systems - Alternative systems are proposed for Lots 1 through 4 of this Short Plat which may have special design, construction, and maintenance requirement. See Health Officer for details.
  - F. The subject property may be affected by easements or restrictions recorded in instrument listed as follows: Auditor's File No. 367853; Cause No. 26638; Auditor's File No. 894385; Auditor's File No. 909110024.
  - G. 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.
  - H. Change in location of access, may necessitate a change of address, contact Skagit County Public Works.
  - I. Abandoned well on Lot 1 requires all sanitary setbacks.

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33. Notes on the face of said plat, as follows:

- A. See road construction variance #94-005, approved May 9, 1994, and recorded under Auditor's File No. 9405090067. Road Maintenance Agreement is recorded under Auditor's File No. 9503010033.
- B. Sewer – Individual wells; water will be supplied from individual water systems. Contact the Health Department to determine if additional water quality or quantity testing will be required for building permit approvals. Skagit County requires a 100 foot radius well protection zone for new individual water systems. The zone must be contained entirely on the lot owned in fee simple and/or be provided through appropriate covenants or easements. Present and future owners of lots with an existing well shall preserve a 100 foot radius well protection zone for existing well improvement or replacement. Demonstration wells have been provided on Lot 5. Abandoned well on Lot 5 requires all sanitary setbacks.
- C. Provisions of Skagit County Code 14.06 have not been addressed in this proposal, therefore, Critical Areas review shall be required as part of future building or construction permit review, including but not limited to consideration of the reasonable use exception provisions, if necessary.
- D. Lot owners shall pay impact fees to the Burlington Edison School District in an amount equal to the calculated impact determined by the District in their Capital Facilities Plan at the time of issuance of a residential building permit.
- E. Property is subject to mitigation plan approved by U.S. Army Corp of Engineers and the Environmental Protection Agency relating to the construction of the lake.
- F. An easement is hereby granted to all present and future Lot owners of this Plat and Short Plat No. 94-021 recorded under Auditor's File No. 9501170129 for the right to the complete and full enjoyment of Bow Hill Lake.

34. Wetlands delineated on said plat.

35. Minimum set-back requirements delineated on said plat.

36. Terms and conditions of that instrument;

Recorded: April 11, 1997  
Auditor's No.: 9704110016, records of Skagit County, Washington  
Application No.: 96-0346  
Regarding: Approval of Bow Hill Lake preliminary plat

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37. Terms and conditions of that instrument;  
 Recorded: April 11, 1997  
 Auditor's No.: 9704110017, records of Skagit County, Washington  
 Variance No.: VA-97-0052  
 Regarding: Requirements on road construction
  
38. Easement, including the terms and conditions thereof, granted by instrument(s);  
 Recorded: April 20, 1994  
 Auditor's No(s): 9404200070, records of Skagit County, Washington  
 In favor of: Toni Hamilton and Denny Hamilton; and Wade Dann and Leslie Dann  
 For: Enjoyment of Bow Hill Lake  
 Affects: Bow Hill Lake and access road serving said plat
  
39. Agreement, including the terms and conditions thereof; entered into;  
 By: Wade and Leslie Dann  
 And Between: Partners of Bow Hill Lake Partnership  
 Recorded: September 30, 1996  
 Auditor's No.: 9609300095, records of Skagit County, Washington  
 Providing: Development of property located at Bow Hill Lake
  
40. Easement delineated on the face of said plat;  
 For: Common sewer line-crossing pipe easement  
 Affects: Easterly portion of Lot 3
  
41. Easement delineated on the face of said plat;  
 For: Drainage for existing creek  
 Affects: Portion of Lots 3 and 4
  
42. Easement delineated on the face of said plat;  
 For: Common easement for septic systems to Lots 1, 2, 3 and 4  
 Affects: Easterly portion of Lots 3 and 4
  
43. Any prohibition or limitation on the use, occupancy, or improvement of the land resulting from the rights of the public or riparian owners to use any waters which may cover the land or to use any portion of the land which is now or may formerly have been covered by water.  
 Affects: Unnamed pond in Lot 4
  
44. Right of use, control, or regulation by the United States of America in the exercise of power over navigation.  
 Affects: Unnamed pond in Lot 4

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45. Right of the State of Washington in and to that portion of the property described herein, if any, lying in the bed or former bed of the unnamed pond, if navigable.  
Affects: Lot 4
46. Easement delineated on the face of said plat;  
For: Access and utilities  
Affects: Northerly 40 feet of Lots 1 and 4
47. Terms, conditions, and restrictions of that instrument entitled Declaration of Covenant;  
Recorded: September 10, 2002  
Auditor's No(s): 200209100205, records of Skagit County, Washington
48. Terms, conditions, and restrictions of that instrument entitled Restrictive Covenant;  
Recorded: September 10, 2002  
Auditor's No(s): 200209100206, records of Skagit County, Washington
49. Terms, conditions, and restrictions of that instrument entitled Restrictive Covenant;  
Recorded: July 19, 2002  
Auditor's No(s): 200207190105, records of Skagit County, Washington

- END OF SCHEDULE B-001 -



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Order No.: C26200

**SCHEDULE B**

**SPECIAL EXCEPTIONS continued:**

54. Unrecorded Lease disclosed by Stipulated Judgment and Order in Superior Court Cause No. 98-2-00320-3;  
Filed April 23, 1999  
Lessor: Dennis Hamilton and Patricia Hamilton, husband and wife  
Lessee: Tournament Ski Team, Inc., a Washington corporation  
Affects: A portion of the surface area of what is commonly called Bow Hill Lake
- 
53. Terms and conditions of Stipulated Judgment and Order  
Filed: April 23, 1999  
Case No.: 98-2-000320-3 in Superior Court  
Of: Skagit County, Washington  
Petitioner: Wade Dann and Leslie Dann, and the marital community composed thereof  
Respondent: Dennis Hamilton and Patricia Hamilton, and the marital community composed thereof



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