



200304170146
Skagit County Auditor

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WHEN RECORDED RETURN TO

Name Kelly M and Randy J Willis

Address 1061 Opal Ln

City, State, Zip Burlington, WA 98233



LAND TITLE
COMPANY

FILED FOR RECORD AT REQUEST OF

Land Title 105752-P

LAND TITLE COMPANY OF SKAGIT COUNTY

Statutory Warranty Deed

THE GRANTOR THE GREAT AMERICAN DREAM, INC. A Washington Corporation
for and in consideration of TEN DOLLARS AND OTHER VALUABLE CONSIDERATION
in hand paid, conveys and warrants to RANDY J. WILLIS AND KELLY M. WILLIS,
Husband and Wife
the following described real estate, situated in the County of Skagit, State of Washington:

LOT 13, "PLAT OF NIELSEN PARK," AS PER PLAT RECORDED
ON JANUARY 2, 2003 UNDER AUDITOR'S FILE NO. 200301030077,
RECORDS OF SKAGIT COUNTY, WASHINGTON.

SITUATE IN THE COUNTY OF SKAGIT, STATE OF WASHINGTON.

SUBJECT TO EASEMENTS, CONDITIONS, COVENANTS AND
RESTRICTIONS PER ATTACHED EXHIBIT "B" AND BY THIS
REFERENCE MADE A PART HEREOF.

Tax #4807-000-013-0000

1820
SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax
PAID

APR 17 2003

Dated April 16th, 2003

Amount Paid \$ 2394.10
Skagit County Treasurer
By: [Signature] Deputy

THE GREAT AMERICAN DREAM, INC.

By [Signature] President

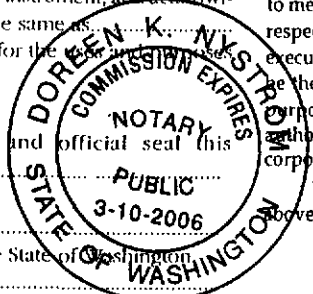
John W Ellis (President)
By [Signature] (Secretary)

STATE OF WASHINGTON }
COUNTY OF _____ } ss.

On this day personally appeared before me
to me known to be the individual described in and who
executed the within and foregoing instrument, and acknowl-
edged that _____ signed the same as
free and voluntary act and deed, for the purposes
therein mentioned.

GIVEN under my hand and official seal this
_____ day of _____

Notary Public in and for the State of Washington
residing at _____
My appointment expires: _____



STATE OF WASHINGTON }
COUNTY OF Skagit } ss.

On this 17th day of April, before me, the undersigned, a
Notary Public in and for the State of Washington, duly commissioned and
sworn, personally appeared John W Ellis and

to me known to be the X President and Secretary,
respectively of The Great American Dream, the corporation that
executed the foregoing instrument, and acknowledged the said instrument to
be the free and voluntary act and deed of said corporation, for the uses and
purposes therein mentioned, and on oath stated that he
authorized to execute the said instrument and that the seal affixed is the
corporate seal of said corporation.

Witness my hand and official seal hereto affixed the day and year first
above written

Doreen K Nystrom
Notary Public in and for the State of Washington,
residing at Mount Vernon
My appointment expires: 3/10/06

Schedule B-1

EXCEPTIONS:

- A. Notes contained on the face of Short Plat No. Burl-2-94.
- B. Any question as to the location of the fence line along or near the Northerly boundary, as shown on the face of Short Plat No. Burl-2-94, recorded September 1, 1994, under Auditor's File No. 9409010088.
- C. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Puget Sound Energy, Inc., a Washington Corporation
Purpose: 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. Such systems may include, but are not limited to: Overhead facilities and underground facilities.

Area Affected: Easement #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 #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.
Easement #3: Beginning at a point on the North line of Gilkey Road, said point being the Southeast corner of Lot 1 of the above described Burlington Short Plat 2-94; thence East along the North line of Gilkey Road a distance of 20 feet; thence North 20 feet; thence West to the East line of said Lot 1; thence South along the said East line to the point of beginning.

Dated: October 3, 2002
Recorded: October 17, 2002
Auditor's No.: 200210170075

- D. Dedication as contained on the face of the Plat, as follows:

"...the use of the public forever all roads and ways, 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 roads and way hereon, no drainage water on any lot or lots shall be diverted or blocked from its 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."

- E. Private Drainage Easement as contained on the face of the Plat, as follows:

"An easement for the purpose of conveying local storm water runoff is hereby granted in favor of all abutting lot owners in the areas designated as private drainage easements. The maintenance of private drainage easements established and granted herein shall be the responsibility of the lot owners and their heirs, personal representatives, and assigns.

The City of Burlington is hereby granted the right to enter said easements for emergency purposes at its own discretion."



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Schedule B-1

EXCEPTIONS CONTINUED:

F. Easements as contained on the face of the Plat, as follows:

"An easement is hereby reserved for and granted to City of Burlington, Public Utility District No. 1, Puget Sound Energy, Verizon, Cascade Natural Gas Corp., and AT&T Broadband and their respective successors and assigns under and upon the road and utility easements as shown hereon and other utility easements shown on the face of the plat, in which to install, 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."

G. Water Pipeline Easement, as 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 P.U.D. 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 with necessary appurtenances for 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 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."

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

- 1.) This plat is subject to notes and dedication shown on Short Plat No. BURL-2-94, approved August 24, 1994, recorded September 1, 1994 in Volume 11 of Short Plats, pages 117 and 118, under Auditor's File No. 9409010088, records of Skagit County, Washington.
- 2.) Zoning – R-8400.
- 3.) Survey description is from Subdivision Guarantee, Order No. 71743, First American Title Insurance Company, dated November 14, 2002.
- 4.) This property is subject to and together with easements, reservations, restrictions, covenants and other instruments of record including, but not limited to, those instruments recorded under Auditor's File Nos. 9211200089, 9409150097, 9409010088, 774881, 200210170075 and 200208270141.
- 5.) Instrumentation: Leica TCA 1105, Theodolite distance meter.
- 6.) For additional survey and subdivision information, see Skagit County Short Plat No. 1-77, recorded in Volume 2 of Short Plats, page 21, Plat of Umbarger Tracts, recorded in Volume 9 of Plats, pages 107-108, and the Plat of Country Aire Phase 1 recorded in Volume 15 of Plats, pages 91 and 94 and Plat of Sahlbom Annex recorded in Volume 15 of Plats, pages 179-180, all records of Skagit County, Washington.



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Schedule B-1

EXCEPTIONS CONTINUED:

H. (continued):

- 7.) Buyer should be aware that this Short Plat is located in the floodplain of the Skagit River and significant elevation may be required for the first floor of residential construction.
- 8.) Road drainage system is an infiltration system. Any and all residences on Lots in this plat shall have the first floor elevation at a minimum of one(1) foot above the highest top of curb grade adjoining said lot.

I. Special Conditions as contained on the face of the Plat, as follows:

- "1.) Each new home shall have lawn planted, shrubs adjacent to the house and at least one tree per lot prior to sale of occupancy.
- 2.) The new subdivision shall maximize the rear yard setback by keeping the front yards at the 20 foot minimum, and require that any windows constructed in two story homes be limited to the side facing the new street, structures located in the rear yard would be limited to storage buildings no larger than 120 square feet, garages would be attached to the houses.
- 3.) A Homeowner's Association shall be formed to maintain the open space and detention pond area.
- 4.) Downspouts shall be connected through the curbs or directly to the storm sewer where feasible.
- 5.) Lots 1, 2, 3 and 4 shall be limited to single story homes or two story homes with no windows facing East.
- 6.) Lots 5, 6, 7 and 8 shall maximize the rear yard setback by keeping the front yards at the 20 foot minimum.
- 7.) Structures located in the rear yards on Lots 1-8 shall be limited to storage buildings no larger than 120 square feet. Garages shall be attached to the houses.
- 8.) Trees shall be preserved on Lots 1, 2, 5, 6, 7, and 8. One new evergreen tree shall be planted on Lots 5, 7 and 14 to replace the cedars that were removed to accommodate house plans. A covenant shall be filed against all lots that runs with the land to notify future property owners of the requirements to preserve the trees. The covenant shall also state that the trees shall be preserved unless a hazard is identified by a certified arborist, in which case the City Planning Department shall be notified.
- 9.) Prior to house construction, a temporary 6 foot chain link fence, or alternate approved by the Planning Department, shall be installed around the drip lines of each tree or group of trees to be protected during construction.



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Schedule B-1

EXCEPTIONS CONTINUED:

J. Building setback requirements as contained on the face of the Plat, as follows:

- 1.) Front yard minimum mean depth: 20 feet;
- 2.) Side yard minimum mean width: five feet, the total of the two side yards shall be: 15 feet, side of building means the outer face of any part of the building roof eaves;
- 3.) Rear yard minimum mean depth: 20 feet, except Lots 5, 6, 7 and 8.
- 4.) Lots 5, 6, 7 and 8 shall maximize the rear yard setback by keeping the front yards at the 20 foot minimum.

K. Water Utility, Sidewalk and Drainage Easement as delineated on the face of said Plat.

L. DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS AS CONTAINED IN SAID PLAT, AS HERETO ATTACHED:

Declaration Dated:	November 19, 2002
Recorded:	January 3, 2003
Auditor's No.:	200301030078
Executed By:	John Ellis dba Landmark Building & Development



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