



200304280229
Skagit County Auditor

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WHEN RECORDED RETURN TO
JAMES L. GASTON
11172 MICHAEL PLACE
BURLINGTON, WASHINGTON 98233

CHICAGO TITLE CO.
C241627



CHICAGO TITLE INSURANCE COMPANY

5110092

STATUTORY WARRANTY DEED

Dated: APRIL 24, 2003

THE GRANTOR

RASMUSSEN CONSTRUCTION, INC., A WASHINGTON CORPORATION.

for and in consideration of

TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION

in hand paid, conveys and warrants to

JAMES L. GASTON AND CHRISTINE GASTON, HUSBAND AND WIFE

the following described real estate situated in the County of SKAGIT

State of Washington:

Tax Account Number(s):

4753-000-001-0000

LOT 1, PLAT OF KABALO HEIGHTS, ACCORDING TO THE PLAT THEREOF, RECORDED
UNDER AUDITOR'S FILE NO. 200005250077, RECORDS OF SKAGIT COUNTY,
WASHINGTON.

SITUATED IN SKAGIT COUNTY, WASHINGTON.

SUBJECT TO: EXCEPTIONS SET FORTH ON ATTACHED EXHIBIT "A" AND BY
THIS REFERENCE MADE A PART HEREOF AS IF FULLY INCORPORATED
HEREIN.

#1988
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

APR 28 2003

Amount Paid \$ 4896.00
Skagit Co. Treasurer
By Deputy

RASMUSSEN CONSTRUCTION, INC

RASMUSSEN CONSTRUCTION, INC

CHICAGO TITLE INSURANCE COMPANY

EXHIBIT A

Escrow No.: 5110092

SUBJECT TO:

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

Easement, including the terms and conditions thereof, conveyed by instrument;
Recorded: March 11, 1960
Auditor's No.: 591915, records of Skagit County, Washington
In favor of: J.D. Benotsen and Gretchen Benotsen, husband and wife
For: Roadway
Affects: Said plat, the exact location and extent of said easement is undisclosed of record

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

Easement, including the terms and conditions thereof, granted by instrument;
Recorded: January 10, 1964
Auditor's No.: 645278, records of Skagit County, Washington
In favor of: Olympic Pipe Line Company
For: Right-of-way for pipelines and appurtenances
Affects: Westerly portion of the East Half of the Northwest Quarter

This easement was amended and restated by an instrument;
Recorded: January 22, 2001
Auditor's No.: 200101220007, records of Skagit County, Washington

Easement, including the terms and conditions thereof, disclosed by instrument;
Recorded: September 1, 1993
Auditor's No.: 9309010028, records of Skagit County, Washington
In favor of: Florence A. Berry
For: Ingress, egress and utilities
Affects: Said plat, the exact location and extent of said easement is undisclosed of record

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

An easement is hereby reserved for and granted to the Skagit County, Public Utility District No. 1 of Skagit County, Puget Sound Energy, G.T.E., Cascade Natural Gas Corp., and TCI Cablevision of Washington, Inc. and their respective successors and assigns under and upon the exterior front boundary lines of all lots and tracts 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.

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

An easement for the purpose of conveying local storm water runoff is hereby granted in favor of all abutting lot owners ("Kabalo Heights Association") in the areas designated as private drainage easements the maintenance of private drainage easements established and granted herein shall be borne equally by the present and future owners of the abutting property and their heirs personal representatives, and assigns.



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EXHIBIT A

Escrow No.: 5110092

Cont. 1

Easement delineated on the face of said plat;

For: Utilities

Affects: The exterior 10 feet adjacent to street

Easement delineated on the face of said plat;

For: Native Growth Protection Area

Affects: The Easterly portion of said premises

Easement delineated on the face of said plat;

For: 600 foot radius for the nest tree restricted zone

Affects: Said premises

Easement delineated on the face of said plat;

For: 400 foot radius for nest tree restricted zone

Affects: The Easterly portion of said premises

Easement, including the terms and conditions thereof, granted by instrument;

Dated: May 25, 2000

Recorded: May 25, 2000

Auditor's No.: 200005250078, records of Skagit County, Washington

In favor of: Public

For: The use and unobstructed passage of aircraft over and above said lands

Easement, including the terms and conditions thereof, granted by instrument(s);

Recorded: March 1, 2000

Auditor's No(s): 200003010010, records of Skagit County, Washington

In favor of: PUD #1 of Skagit County

For: Pipeline right-of-way

Affects: Lots 4, 12, 13 and 14

Notes on the face of said plat, as follows:

- A. This plat is subject to and together with easements, reservations, restrictions, covenants and other instruments of record including but not limited to those documents mentioned in title report referenced above and being recorded under Skagit County Auditor's File Number 199909170105, 327183, 591915, 645278, 9309010028 and 9804240008.
- B. Any lot within this subdivision will become subject to impact fees payable upon issuance of a building permit.
- C. Buyer should be aware that a portion of this subdivision is located in a floodplain. There shall be no construction in designated floodways except as permitted by Chapter 15.20 of the Skagit County Code, and residential construction in the floodplain may require significant elevation of the first living floor.
- D. 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.
- E. Change in location of access may necessitate a change of address, contact Skagit County Planning and Permit Center.

EXHIBIT/RDA/0999



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EXHIBIT A

Escrow No.: 5110092

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- F. This parcel lies within an area designated as agricultural by Skagit County. A variety of commercial agricultural activities occur in the area that may be inconvenient or cause discomfort to area residents. This may arise from the use of agricultural chemicals, including herbicides, pesticides and fertilizers; or from spraying, pruning and harvesting, which occasionally generate dust, smoke, noise and odor. Skagit County has established agricultural as a priority use on designated agricultural lands, and residents of adjacent property should be prepared to accept such inconveniences or discomfort from normal, necessary farm operations when performed in compliance with best management practices and local, state, and federal law.
- G. This plat of Kabalo Heights is located within a designated airport environs of the Skagit County Regional Airport. See aviation, easement recorded as Skagit County Auditor's File No. 20005250078.
- H. DELETED
- I. Each lot within Kabalo Heights will require a separate bald eagle management plan if trees are proposed for removal. Contact WDFW at (425) 379-2301.
- J. This survey may show occupational indicators as per W.A.C. Chapter 332.130. Lines of occupation may indicate areas for potential claims of unwritten ownership. This boundary survey has only shown the relationship of lines of occupation to the deeded lines of record. No resolution of ownership based on unwritten rights has been made or implied by this survey.

Easement delineated on the face of said plat;
For: Sunrise Lane

Right of way for road known as Josh Wilson Road, constructive notice of which is contained in various instruments of record.

Affects: The Northerly boundary of said plat

Right of way for ditches, constructive notice of which is contained in various instruments of record.

Agreement, including the terms and conditions thereof; entered into;

By: Florence A. Berry
And Between: P. Michael Loughlin and Kristene A. Loughlin, husband and wife
Recorded: September 1, 1993
Auditor's No.: 9309010028, records of Skagit County, Washington

Agreement, including the terms and conditions thereof; entered into;

By: Mike Loughin
And Between: Skagit County
Recorded: April 24, 1998
Auditor's No.: 9804240008, records of Skagit County, Washington
Providing: Approval of preliminary plat of Kabalo Heights

The encroachment of a fence appurtenant to said premises onto property adjacent to the West by approximately 10.3 feet at the Northwest corner and 11.3 feet at the Southwest corner of said premises.

EXHIBIT/RDA/0999



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EXHIBIT A *Cont 3* Escrow No.: 5110092

Exceptions and reservations contained in Deed whereby the Grantor excepts and reserves all oils, gases, coal, ores, minerals, fossils, etc., and the right of entry for opening, developing and working mines, etc., provided that no rights shall be exercised until provision has been made for full payment of all damages sustained by reason of such entry;

Together With the right, upon paying reasonable compensation, to acquire rights of way for transporting and moving products from other lands, contained in Deed

From: The State of Washington

Recorded: July 6, 1940

Auditor's No.: 327185, records of Skagit County, Washington

Executed By: The Federal Land Bank of Spokane

As Follows: Reserving unto the Federal Land Bank of Spokane 50% of all minerals, oil and gas in or under the above described land

Covenants, conditions, restrictions, and easements contained in declaration(s) of restriction, but omitting any covenant, condition or restriction based on race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicap persons;

Recorded: October 19, 2000

Auditor's No(s): 200010190054, records of Skagit County, Washington

Executed By: Donald H. Leavitt, Manager, Kabalo Heights

Assessments or charges and liability to further assessments or charges, including the terms, covenants, and provisions thereof, disclosed in instrument(s);

Recorded: October 19, 2000

Auditor's No(s): 200010190054, records of Skagit County, Washington

Imposed By: Donald H. Leavitt, Manager, Kabalo Heights

Affects: Lots 1-20 Kabalo Heights

Terms, conditions and restrictions of that Native Growth Protection Area Covenant;

Recorded: December 1, 2000

Auditor's No.: 200012010137, records of Skagit County, Washington

Easement, including the terms and conditions thereof, granted by instrument(s);

Recorded: June 24, 2002

Auditor's No(s): 200206240174, records of Skagit County, Washington

For: Storm Water Management

Terms, conditions, and restrictions of that instrument entitled Aerobic Treatment Unit Service Agreement;

Recorded: October 8, 2002

Auditor's No(s): 200210080106, records of Skagit County, Washington

Terms, conditions, and restrictions of that instrument entitled Title Notification;

Recorded: October 29, 2002

Auditor's No(s): 200210290180, records of Skagit County, Washington

Terms, conditions, and restrictions of that instrument entitled Title Notification;

Recorded: November 6, 2002

Auditor's No(s): 200211060092, records of Skagit County, Washington



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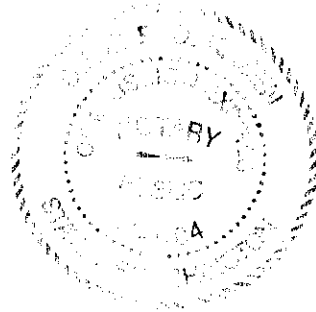
Skagit County Auditor

STATE OF WASHINGTON COUNTY OF SNOHOMISH
ON THIS 25 DAY OF APRIL 2003 BEFORE ME, THE UNDERSIGNED, A NOTARY
PUBLIC IN AND FOR THE STATE OF WASHINGTON, DULY COMMISSIONED AND SWORN,
PERSONALLY APPEARED BRENT RASMUSSEN TO ME KNOWN TO BE THE PRESIDENT OF
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 STATE THAT HE IS AUTHORIZED TO EXECUTE THE SAID INSTRUMENT
AND THAT THE SEAL AFFIXED THERETO (IF ANY) IS THE CORPORATE SEAL OF
SAID CORPORATION.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED BY OFFICIAL
SEAL THE DAY AND YEAR FIRST ABOVE WRITTEN.

Denise D. Kazen
NOTARY SIGNATURE

PRINTED NAME: DENISE D. KAZEN NOTARY PUBLIC IN AND FOR THE STATE OF
WASHINGTON,
RESIDING AT ARLINGTON
MY COMMISSION EXPIRES 11/01/04



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