

After Recording Return to:
Steve R. Gage
3009 Eastwind Street
Mount Vernon WA 98273



200306180101
Skagit County Auditor

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Filed for Record at Request of:
**CHICAGO TITLE
INSURANCE COMPANY**
PO Box 1115
1616 Cornwall Avenue, Suite 115
Bellingham, WA 98225

Escrow No.: 169115-SLG
CHICAGO TITLE C26066 ✓
Abbreviated Legal: Lot, a plat
Additional Legal(s) on page:
Assessor's Tax Parcel No.: 4769-000-004-0000/P117591

STATUTORY WARRANTY DEED

THE GRANTOR M. Hawk Construction, a Washington corporation for and in consideration of TEN DOLLARS AND OTHER VALUABLE CONSIDERATION in hand paid, conveys and warrants to Steve R. Gage and Holly G. Gage, husband and wife the following described real estate, situated in the County of Whatcom, State of Washington:

Lot 4, "PLAT OF TJ TOWNHOUSES", as recorded November 30, 2000 under Skagit County Auditor's File No. 200011300053, records of Skagit County, Washington.

Situated in Skagit County, Washington.

Subject to Exhibit "A" attached hereto and by this reference made a part hereof.


Subject to Exhibit "B" attached hereto and by this reference made a part hereof.


2943
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

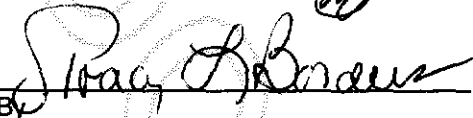
Dated: June 12, 2003

JUN 18 2003

M. Hawk Construction


By Martin Hochfeld
President

Amount Paid \$ 2686.⁹¹
Skagit Co. Treasurer
By  Deputy


By Tracy L. Borders

STATE OF WASHINGTON
COUNTY OF

I certify that I know or have satisfactory evidence that M. Hawk Construction and Martin Hochfeld the person(s) who appeared before me, and said person(s) acknowledged that he signed this instrument, on oath stated that he is authorized to execute the instrument and acknowledged it as the and President of M. Hawk Construction to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Dated: 6/13/03

Tracy L. Borders

Notary Public in and for the State of Washington
Residing at Kirkland, WA
My appointment expires: 9/9/05

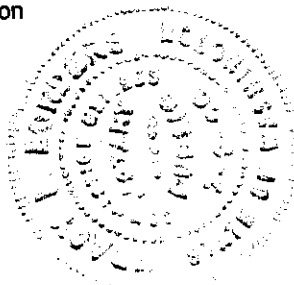


Exhibit "A"

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

Recorded: July 22, 1977

Auditor's No(s): 861138, records of Skagit County, Washington

In favor of: Continental Telephone Company

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

Auditor's No.: 67757, records of Skagit County, Washington

Executed By: State of Washington

10 foot by 10 foot easement, including the terms and conditions thereof, granted by instrument(s);

Recorded: November 5, 1985

Auditor's No(s): 8511050076, records of Skagit County, Washington

In favor of: Puget Sound Power & Light Company

For: Electric transmission and/or distribution line, together with necessary appurtenances

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

Recorded: July 2, 1986

Auditor's No(s): 8607020048, records of Skagit County, Washington

In favor of: Puget Sound Power & Light Company

For: Electric transmission and/or distribution line, together with necessary appurtenances

Terms, conditions, and restrictions of that instrument entitled Mount Vernon Land Use Ordinance 2394-A;

Recorded: September 13, 1990

Auditor's No(s): 9009130055, records of Skagit County, Washington

Terms, conditions, and restrictions of that instrument entitled Mount Vernon Land Use Ordinance No. 2934;

Recorded: March 2, 1999

Auditor's No(s): 9903020122, records of Skagit County, Washington

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

Recorded: January 27, 2000

Auditor's No(s): 200001270030, records of Skagit County, Washington

In favor of: Public Utility District No. 1 of Skagit County



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Easement, including the terms and conditions thereof, granted by instrument(s);
Recorded: September 12, 2000
Auditor's No(s): 200009120116, records of Skagit County, Washington
In favor of: Puget Sound Energy, Inc.
For: Electric transmission and/or distribution line, together with necessary appurtenances

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: September 12, 2000
Auditor's No(s): 200009120118, records of Skagit County, Washington

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

An easement is hereby reserved for and granted to Public Utility District No. 1 of Skagit County, Puget Sound Energy, Inc., TCI Cablevision of Washington Inc., GTE Northwest, Inc. Cascade Natural Gas Corp. and the City of Mount Vernon and their respective successors and assigns under and upon the exterior 10 feet of front boundary lines of all lots and other easements and upon the exterior 20 feet of front boundary lines of all lots and other easements fronting the street bubbles (Lots 11-34), all as shown on the face of the plat, in which to install, lay, construct, renew, operate, maintain, and remove utility systems, drainage 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 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.

Note on the face of said plat.

Those areas designated "CATEGORY III STREAM & WETLAND BUFFER" are for Landscaping, maintained in its natural state by the property owners and preserved free of buildings or structures in accordance with the NGPA Easement restrictions hereinabove.



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

An easement for the purposes of conveying local storm water runoff is hereby granted in favor of all abutting lot owners in the areas designated as "Private Drainage Easements" and/or "Wetland Buffer and Drainage Easements". The maintenance of private drainage easements established and granted herein shall be the responsibility of, the costs thereof shall be borne equally by, the present and future owners of the abutting property and their heirs, personal representatives and assigns.

Those private drainage easements lying within the boundaries of the wetland areas shown upon the face of the plat, shall be subject to the conditions as stipulated within the Native Growth Protection Area Easement hereinabove.

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

) **NATIVE GROWTH PROTECTION AREA;**

No clearing, grading or filling of any kind, building construction or placement or road construction shall occur within any Native Growth Protection Area (NGPA, designated as "wetland Buffer and Drainage Easement area upon the face of the plat) without first obtaining a permit from the Army Corps of Engineers. Removal of trees by the owner shall be limited to those which are dead, diseased or hazardous.

Upon satisfaction of Note 7 herein by the developer, each individual lot owners shall hereafter be responsible for maintaining and repairing those Native Growth protection Areas situated upon their lot or lots and are hereby required to leave said areas undisturbed in a natural state.

By acceptance of the easement for the purposes described, the plat developer and the City of Mount Vernon do not accept or assume any liability of acts or omissions of the fee owners, his or her invitees, licensees or other third parties within the easement area. Lot owners shall hold the developer and the City of Mount Vernon harmless from any damage or injury to any property or person by any person entering the easement area not expressly authorized to do so by the provisions of this plat.



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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 in the areas designated as "Private Drainage Easements" and/or Wetland Buffer and Drainage Easements. The maintenance of private drainage easements established and granted herein shall be the responsibility of, the costs thereof shall be borne equally by, the present and future owners of the abutting property and their heirs, personal representatives and assigns.

Those private drainage easements lying within the boundaries of the wetland areas shown upon the face of the plat, shall be subject to the conditions as stipulated within the Native Growth Protection Area Easement hereinabove.

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

Impact Fee Notice;

Any lot within this subdivision will be subject to impact fees payable upon issuance of a building permit to a non-senior or payable upon transfer of title to a non-senior. Auditor's File No. 200009120118, records of Skagit County, Washington.

Zoning Classification;

- A. General commercial District (C2): Lot 35
Single Family Attached Townhouse Residential District (R-2A); Lots 1-34
- B. This plat has been approved by the City of Mount Vernon subject to the following conditions:
 - 1. All future purchase agreements, constructs, and or deeds involving properties contained within this plat EXCEPT Lot 35, shall contain language that requires purchasers to contact appropriate agencies and to ensure that all necessary critical areas permits have been obtained.
 - 2. No building permits will be issued on Lots 1 through 34, inclusive, of this subdivision until such time that all wetland mitigation plans, wetland mitigation sites and wetland mitigation permits have been approved by all appropriate agencies.

Terms, conditions, and restrictions of that instrument entitled Notice;

Recorded: April 25, 2002

Auditor's No(s): 200204250057, records of Skagit County, Washington



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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 30, 2001

Auditor's No(s): 200110300103, records of Skagit County, Washington

AMENDED by instrument(s):

Recorded: March 27, 2001

Auditor's No(s): 200103270101, records of Skagit County, Washington

Easement delineated on the face of said plat;

For: Utilities

Affects: Exterior 10 feet of said premises

Easement delineated on the face of said plat;

For: Stream and wetland buffer

Affects: North 10 feet of said premises

Easement delineated on the face of said plat;

For: Drainage

Affects: North 15 feet of said premises

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 30, 2001

Auditor's No(s): 200110300103, records of Skagit County, Washington

AMENDED by instrument(s):

Recorded: March 27, 2001 and May 8, 2003

Auditor's No(s): 200103270101 and 200305080235, records of Skagit County, Washington



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Agreement, including the terms and conditions thereof; entered into;
By: M. Hawk Construction, Inc.
And Between: Public
Recorded: April 29, 2003
Auditor's No.: 200304290205, records of Skagit County, Washington
Providing: Joint Maintenance Agreement



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EXHIBIT "B"

SKAGIT COUNTY RIGHT TO FARM ORDINANCE

The following shall constitute the disclosure required by this section:

The subject property is within or near designated AGRICULTURE lands or farm operations upon which a variety of commercial activities may occur that are not compatible with residential development for certain periods of limited duration. You may be subject to inconveniences or discomforts arising from such operations, INCLUDING BUT NOT LIMITED TO NOISE, ODORS, FLIES, FUMES, DUST, SMOKE, THE OPERATION OF MACHINERY OF ANY KIND DURING ANY 24 HOUR PERIOD (INCLUDING AIRCRAFT), THE STORAGE AND DISPOSAL OF MANURE, AND THE APPLICATION BY SPRAYING OR OTHERWISE OF CHEMICAL FERTILIZERS, SOIL AMENDMENTS, HERBICIDES AND PESTICIDES. Skagit County has determined that the use of real property for agricultural operations is a high priority and favored use and will not be considered as a nuisance for those inconveniences or discomforts arising from far operations, if such operations are consistent with commonly accepted good management practices and otherwise comply with local, state, and federal laws.

Advised 6/13/03
Date

Date



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Steve R. Hage 6/13/03
Date

Dolly H. Hage 6/13/03
Date



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