

WHEN RECORDED RETURN TO:

Christopher M. Carletti, Esq.
Preston Gates & Ellis, LLP
925 Fourth Avenue, Suite 2900
Seattle, Washington 98104-1158



200311040090
Skagit County Auditor

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Chicago Title Insurance Company

701 5th Avenue, Suite 1700, Seattle, Washington 98104

CHICAGO TITLE C29075✓

BARGAIN AND SALE DEED

THE GRANTOR SALLY A. NORDLUND, SURVIVING TRUSTEE OF THE NORDLUND REVOCABLE LIVING TRUST DATED JUNE 22, 1995,

for and in consideration of Ten Dollars and Other Valuable Consideration, in hand paid, grants, bargains, sells, conveys and confirms to

DAVID L. FULTON AND AMY C. FULTON, HUSBAND AND WIFE,

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

The abbreviated legal description is as follows: Unit 32, Findalgo Marina Condo.

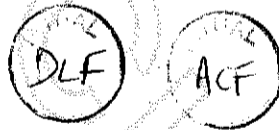
The complete legal description is located on page 2 as Exhibit A.

Subject to: Exceptions as shown on the attached Exhibit "B".

The Grantor for itself and for its successors in interest do by these presents expressly limit the covenants of the deed to those herein expressed, and exclude all covenants arising or to arise by statutory or other implication, and does hereby covenant that against all persons whomsoever lawfully claiming or to claim by, through or under said Grantor and not otherwise, will forever warrant and defend the said described real estate.

Tax Account Number: 4599-000-032-0001.


Dated: NOVEMBER 4, 2003.



SIGNATURE PAGE AND NOTARY PAGE ARE ATTACHED HERETO.

5722
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

NOV 04 2003

Amount Paid: 5240³²
Skagit Co. Treasurer
By  Deputy

CHICAGO TITLE INSURANCE COMPANY

EXHIBIT A

Escrow No.: 1181478

LEGAL DESCRIPTION

The land referred to is situated in the State of Washington, County of SKAGIT, and is described as follows:

Order No. C29075

EXHIBIT 'A'

PARCEL A:

Unit 32, FIDALGO MARINA CONDOMINIUM, according to Declaration thereof recorded under Auditor's File No. 9302250060 AND Correction and Amendment thereto, recorded under Auditor's File Nos. 9303050032 and 9508160024, AND Survey Map and Plans thereof recorded in Volume 15 of Plats, pages 75, 76 and 77, records of Skagit County, Washington;



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EXHIBIT B

Escrow No.: 1181478

SUBJECT TO:

1. Easement delineated on the face of Short Plat No. ANA-92-005;
For: 20 foot utility easement granted to City of Anacortes and Lots 1 and 2 of Short Plat No. ANA-92-005
2. Easement delineated on the face of Short Plat No. ANA-92-005;
For: Four parking stalls for short term visitor parking to benefit Lot 1 of Short Plat No. ANA-92-005
3. Easement delineated on the face of Short Plat No. ANA-92-005;
For: Ingress and egress to benefit Lots 1 and 2 of said Short Plat No. ANA-92-005
4. Easement delineated on the face of Short Plat No. ANA-92-005;
For: 10 foot sewer line to benefit Lot 1
5. Easement delineated on the face of Short Plat No. ANA-92-005;
For: 12.5 foot storm drainage easement granted to the City of Anacortes and Lots 1 and 2 of said Short Plat
6. Easement including the terms, covenants, and provisions thereof, granted by instrument
Recorded: November 16, 1992
Recording No.: 9211160117, records of Skagit County, WA
In favor of: Puget Sound Power & Light Company, a Washington corporation
For: Underground distribution and electric lines and appurtenances thereto

And as delineated on the face of Short Plat No. ANA-92-005.

7. Easement delineated on the face of said plat;
For: 10 foot unrecorded easement to Puget Sound Power & Light Company
8. Declaration of Easements, including the terms, covenants, and provisions thereof, granted by instrument
Recorded: February 25, 1993
Auditor's No.: 9302250058, records of Skagit County, WA
9. Terms, covenants, conditions, easements, and restrictions and liability for assessments contained in Declaration of Condominium for said condominium;
Recorded: February 25, 1993
Auditor's No.: 9302250060, records of Skagit County, WA

Correction thereto;

Recorded: March 5, 1993
Auditor's No.: 9303050032, records of Skagit County, WA

And amendment thereto

Recorded: August 16, 1995
Auditor's No.: 9508160024, records of Skagit County, WA

EXHIBIT/RDA/0999



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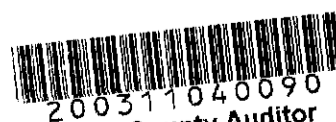
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Escrow No.: 1181478

SUBJECT TO:

10. Notes contained on the face of Short Plat No. ANA-92-005 as follows:
 - a. 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.
11. 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: November 24, 1909
Auditor's No.: 76533 and 96389, records of Skagit County, WA
12. Right of the State of Washington or any grantee or lessee thereof, upon paying reasonable compensation, to acquire rights of way for private railroads, skid roads, flumes, canals, water courses, or other easements for transporting and moving timber, stone, minerals or other products from other lands, contained in Deed
From: The State of Washington
Auditor's No.: 76533, records of Skagit County, WA
13. Assessments levied pursuant to Declaration of Condominium and/or Bylaws for said condominium and any amendments thereto, to the extent provided for by RCW 64.34
14. Any lien or liens that may arise or be created in consequence of or pursuant to an Act of the Legislature of the State of Washington entitled "An Act prescribing the ways in which waterways for the uses of navigation may be excavated by private contract, providing for liens upon lands belonging to the State, granting rights of way across lands belonging to the State: Approved March 9, 1893
15. 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.
16. Right of use, control, or regulation by the United States of America in the exercise of power over navigation.
17. Any question that may arise due to shifting or change of the line of high water of Fidalgo Bay OR due to said bay having shifted or changed its line of high water.
18. Lease, including the terms, covenants, conditions, and easements and provisions thereof, and any failure to comply with the terms, covenants, conditions and provisions:
Dated: August 10, 1987
Recorded: July 24, 1992
Recording No.: 9207240213
Lessor: State of Washington, Department of Natural Resources
Lessee: City of Anacortes
For a term of: 28 years, beginning December 31, 1987, and ending October 1, 2016
Affects: Parcel B and other property

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EXHIBIT B

Escrow No.: 1181478

SUBJECT TO:

19. Lease, including the terms and conditions thereof, and any failure to comply with the terms, covenants, conditions, and provisions;
Dated: May 6, 1990
Recorded: July 24, 1992
Auditor's No.: 9207240214, records of Skagit County, WA
Lessor: City of Anacortes
Lessee: Development Ventures, Inc.
For a term of: 27 years, beginning February 3, 1989 and ending October 1, 2016
Affects: Parcel B and other property

By instrument recorded March 11, 1996, under Auditor's File No. 9603110118, records of Skagit County, Washington, the lessee's interest was assigned to Gordon J. Nordlund and Sally A. Nordlund, as Trustee of the Nordlund Revocable Living Trust dated June 22, 1995

20. Terms, covenants, conditions and provisions of the lease referred to in Schedule A hereof, and the effect of any failure to comply with the terms, covenants, conditions and provisions thereof.
Affects: Parcel B
21. Any adverse claim or other boundary dispute which may exist or arise by reason of the failure of the sublease referred to in Schedule A as to Parcel B to locate with certainty the boundaries of the subleased premises as defined in said sublease. No insurance is given as to the dimensions or location of said subleased premises within the property described in the lease from the State of Washington, Department of Natural Resources, as lessor, to the City of Anacortes, as lessee, recorded under Recording No. 9207240213 or in the sublease from the City of Anacortes, as sublessor, to Fidalgo Marina Partnership, as sublessee, recorded under Recording Nos. 9207240214 and 9207310172, records of Skagit County, Washington.
22. Lessor's Consent, including the terms, covenants, conditions and provisions thereof;
Dated: July 27, 1992
Recorded: July 31, 1992
Auditor's No.: 9207310170, records of Skagit County, WA
Affects: Parcel B
23. Any adverse claim or other boundary dispute which may exist or arise by reason of the failure of the deed under which title to Parcel C is vested, to locate or describe with certainty the improvements described in said Parcel C. No insurance is given as to the dimensions or location of said improvements within the property described in the lease from the State of Washington, Department of Natural Resources, as lessor, to the City of Anacortes, as lessee, recorded under Recording No. 9807240213, or in the sublease from the City of Anacortes, as sublessor, to Fidalgo Marina Partnership, as sublessee, recorded under Recording Nos. 9207240214 and 9207310172.
24. Right, title and interest of the State of Washington, either present or by reversion, in and to that portion of said premises described as Parcel C.
25. Any defect in or invalidity of or any matters relating to the leasehold estate described in Schedule A which would be disclosed by an examination of the unrecorded lease referred to in the memorandum thereof referred to in Schedule A under Auditor's File No. 9303260138, records of Skagit County, Washington.
27. Dues, charges and assessments, if any, levied by Fidalgo Marina Owner's Association.

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SIGNATURE PAGE

SALLY A. NORDLUND, SURVIVING TRUSTEE
OF THE THE NORDLUND REVOCABLE
LIVING TRUST DATED JUNE 22, 1995

BY: Sally A Nordlund Trustee
SALLY A. NORDLUND, SURVIVING TRUSTEE



STATE OF Nebraska

SS

COUNTY OF Douglas

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT SALLY A. NORDLUND IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT SHE SIGNED THIS INSTRUMENT, ON OATH STATED THAT SHE WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS SURVIVING TRUSTEE OF THE NORDLUND REVOCABLE LIVING TRUST DATED JUNE 22, 1995, TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED: OCTOBER 31, 2003.

Julie K. Waring
NOTARY SIGNATURE

PRINTED NAME: Julie K. Waring

NOTARY PUBLIC IN AND FOR THE STATE OF Nebraska.

RESIDING AT 3504 S. 94th.
Omaha, NE 68124.

MY APPOINTMENT EXPIRES Oct. 23, 2004.



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