

AFTER RECORDING MAIL TO:
Earl D. Honomichl
1956 Florio CR
Pleasanton, CA 94566



200401300227
Skagit County Auditor

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Filed for Record at Request of
Land Title Company Of Skagit County
Escrow Number: 110598-PAE

LAND TITLE OF SKAGIT COUNTY

Statutory Warranty Deed

Grantor(s): Robert T. Fraser
Grantee(s): Earl D. Honomichl
Abbreviated Legal: Lot 5, Marine Heights.
Assessor's Tax Parcel Number(s): P111743/4695-000-005-0000

THE GRANTOR ROBERT T. FRASER, AN UNMARRIED MAN, AS HIS SEPARATE PROPERTY for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to EARL D. HONOMICHL, AN UNMARRIED MAN, AS HIS SEPARATE PROPERTY the following described real estate, situated in the County of Skagit, State of Washington.

Lot 5, "PLAT OF MARINE HEIGHTS," as per Plat recorded in Volume 16 of Plats, pages 173 through 175, inclusive, records of Skagit County, Washington.

Situate in the County of Skagit, State of Washington.

SUBJECT TO: SEE ATTACHED SCHEDULE B-1.

Dated January 26, 2004

Robert T. Fraser

#474
SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax
PAID

JAN 30 2004

Amount Paid \$ 2305¹⁰
By: Skagit County Treasurer
Deputy

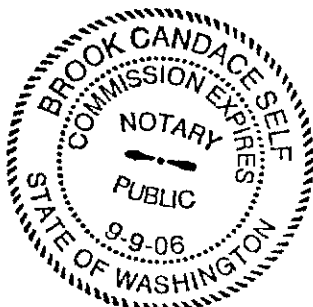
STATE OF Washington }
COUNTY OF Skagit } SS:

I certify that I know or have satisfactory evidence that **Robert T. Fraser**
the person(s) who appeared before me, and said person(s) acknowledged that he/she/they
signed this instrument and acknowledge it to be his/her/their free and voluntary act for the
uses and purposes mentioned in this instrument.

Dated: January 29, 2004

Brook Candace Seif

Notary Public in and for the State of Washington
Residing at Woodenville
My appointment expires: 9/9/06



Schedule "B-1"

Order No.: 110598-SAE

EXCEPTIONS:

- A. Right of the public to make necessary slopes for cuts or fills upon property herein described in the reasonable original grading of streets, avenues, alleys and roads, as dedicated in the plat.
- B. Easements shown on face of Plat, as follows:

UTILITIES EASEMENT:

"An easement is hereby reserved for and granted to the City of Anacortes, Puget Power, G.T.E., Cascade Natural Gas Corp., and TCI Cablevision of Washington, Inc. and their respective successors and assigns under and upon the exterior ten (10) feet of front boundary lines of all lots and tracts as shown on the face of the Plat and other utility easements, if any, 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 right to enter upon the lots and tracts at all times for the purpose 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."

STORM WATER DETENTION PONDS:

The storm water detention ponds, Tract "A", Tract "B" and access road is hereby dedicated to the City of Anacortes for operation and maintenance by the City of Anacortes."

- C. Notes shown on face of Plat, as follows:

1. No more than 35% of any lot shall have man-made impervious surfaces. This includes, but is not limited to patios, driveways, buildings, etc.
2. No trees in this area shall be removed without the written permission of the city parks and recreation director.
3. All lots within this subdivision are subject to covenants, conditions, and restrictions as recorded in Book ___, page ___ of Auditor's File No. _____.
4. No parking is allowed in the two cul-de-sacs as shown on the plat.
5. Lots 29, 30, 31, 32, 33, 34, 35, and 37 shall each provide two additional on-site parking spaces to make up for lost on-street parking in the cul-de-sac.
6. Prior to securing a building permit for Lots 8, 9, 10, 14 through 25, 38, 39, 41, 42, 43, 44 and 47 through 49 the property owner shall submit to the city building department a geotechnical engineering report providing site and plan specific recommendations for building foundation, design, construction and other site considerations as required. The building department reserves the right to ask for specific site geotechnical study and engineering on Lots 1, 2, 3, 4, 5, 6, 7, 11, 12, 13, 26, 27, 28, 29, 30, 36, 37, 45 and 46 that have received fill or exhibit steep slopes.
7. Ownership and maintenance of the detention facility and all on-site storm water improvements shall initially be with the developer until 25 homes are completed. After the 25th home ownership and maintenance of said facilities will transfer to the City of Anacortes.

- Continued -



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EXCEPTIONS CONTINUED:

C. (Continued):

8. AF#9002120093 describes a right of way from the South line of Skyline Div. #10 to the North line of Marine Drive. The grantors only conveyed the portion that passed through their ownership. The r/w referenced in Parcel "B" of the description (AF# 235194) was vacated per AF# 9002130115. The South boundary of AF# 235194 does not mathematically match the North boundary of Marine Drive. The owner to the West makes reference to the same document. This right of way seems to be represented on the Plat of Anaco Beach for the purposes of this plat boundary. It was assumed that AF# 2335194 intended to match the North line of Marine Drive.

9. All lots shown with drainage or sewer easements are subject to the right of ingress, egress and for the installation, replacement and maintenance of said utility line for the benefit of the lots shown hereon.

10. Lot 35 is subject to a 20 foot storm and sanitary sewer easement for the benefit of Lot 34 with the right of ingress and egress for the installation, replacement and maintenance of said storm and sewer line.

11. Lot 12 is subject to a 10 foot sanitary sewer easement for the benefit of Lot 27 with the right of ingress-egress for the installation, replacement and maintenance of said sewer line.

12. Lot 10 is subject to a sanitary sewer easement for the benefit of Lots 28 and 29 with the right of ingress-egress for the installation, replacement and maintenance of said sewer line.

13. Lot 39 is subject to a 10' x 20' easement for the benefit of Lot 40, to be used for stairway and landscape purposes only.

D. DECLARATION OF COVENANTS, CONDITIONS, AND EASEMENTS CONTAINED IN SAID PLAT, AS HERETO ATTACHED:

Declaration Dated: July 30, 1997
Recorded: July 30, 1997
Auditor's No.: 9707300089
Executed By: Charger, Inc.

AMENDED DECLARATION OF COVENANTS, CONDITIONS, AND EASEMENTS FOR MARINE HEIGHTS:

Recorded: August 5, 1997
Auditor's No.: 9708050055

AMENDED DECLARATION OF COVENANTS, CONDITIONS, AND EASEMENTS FOR MARINE HEIGHTS:

Recorded: September 13, 1999
Auditor's No.: 199909130145

FIRST AMENDMENT TO AMENDED DECLARATION OF COVENANTS, CONDITIONS AND EASEMENTS FOR MARINE HEIGHTS:

Recorded: October 9, 2002
Auditor's No.: 200210090113



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