



200402240095  
Skagit County Auditor

2/24/2004 Page 1 of 5 3:38PM

AFTER RECORDING MAIL TO:

TIMOTHY J. WALTERS and TAMARA WALTERS  
1421 PORTOBELLO AVE  
SEDRO WOOLLEY, WA 98284

CHICAGO TITLE

**STATUTORY WARRANTY DEED**

Escrow No.: 14043

Title Order No.: C29843 ✓

THE GRANTOR(S)

D.B. JOHNSON 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

TIMOTHY J. WALTERS and TAMARA WALTERS, Husband and Wife

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

LOT 5, SAUK MOUNTAIN VIEW ESTATES-SOUTH, A PLANNED RESIDENTIAL DEVELOPMENT, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 9, 2003, UNDER AUDITOR'S FILE NO. 200306090032, RECORDS OF SKAGIT COUNTY, WASHINGTON. SITUATED IN SKAGIT COUNTY, WASHINGTON.

Assessor's Property Tax Parcel/Account Number: 4819 000 005 0000

SUBJECT TO: See Exhibit "A" attached hereto.

Dated: FEBRUARY 20, 2004

D.B. JOHNSON CONSTRUCTION, INC., A Washington Corporation

BY:

*Marie English*  
MARIE ENGLISH  
MANAGER

#820  
SKAGIT COUNTY WASHINGTON  
Real Estate Excise Tax  
PAID

FEB 24 2004

Amount Paid \$ 2667.11  
By: *[Signature]*  
Skagit County Treasurer Deputy

STATE OF Washington

) ss.

COUNTY OF Snohomish

I certify that I know or have satisfactory evidence that MARIE ENGLISH is the person who appeared before me, and said person acknowledged that he/she/they signed this instrument, on oath stated that she was authorized to execute the instrument and acknowledged it as the MANAGER of D.B. JOHNSON CONSTRUCTION, INC. to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Dated: \_\_\_\_\_ Day of February, 2004.

*Robert M. Livesay*  
ROBERT M. LIVESAY  
Notary Public in and for the State of Washington  
residing at MARYSVILLE  
My Commission Expires: 06/09/05

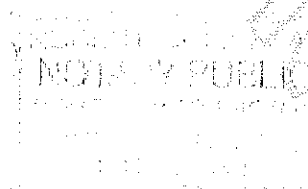


EXHIBIT A

Easement, including the terms and conditions thereof, granted by instrument(s);  
Recorded: June 6, 1946 and July 17, 1946  
Auditor's No(s): 392628 and 394047, records of Skagit County, Washington  
In favor of: The United States of America  
For: One or more lines of electric power transmission structures and appurtenant signal lines  
Affects: A strip of land 125.0 feet in width, the boundaries of said strip lying 62.5 feet distant from, on each side of, and parallel with the survey line of the Arlington-Bellingham Transmission line as now located and staked

Easement, including the terms and conditions thereof, granted by instrument(s);  
Recorded: August 7, 1963  
Auditor's No(s): 639321, records of Skagit County, Washington  
In favor of: The United States of America  
For: One or more lines of electric power transmission structures and appurtenant signal lines  
Affects: A strip of land 137.5 feet in width, the boundaries of said strip lying 62.5 feet distant Easterly from and 75.0 feet distant Westerly from, and parallel with said survey line for the Snohomish-Blaine No. 1 Transmission line as said survey line being now located and staked

Easement, including the terms and conditions thereof, granted by instrument(s);  
Recorded: June 20, 1945  
Auditor's No(s): 381240, records of Skagit County, Washington  
In favor of: Puget Sound Power & Light Company  
For: Electric transmission and/or distribution line, together with necessary appurtenances  
Affects: Portion in Southeast Quarter of the Northwest Quarter

Easement, including the terms and conditions thereof, granted by instrument(s);  
Recorded: November 5, 1979  
Auditor's No(s): 7911050071, records of Skagit County, Washington  
In favor of: Present and future owners of land  
For: Ingress, egress and utilities  
Affects: A 60-foot strip of land in the portion of the Southeast Quarter of the Northwest Quarter

Easement, including the terms and conditions thereof, granted by instrument(s);  
Recorded: April 18, 1990  
Auditor's No(s): 9004180059, records of Skagit County, Washington  
In favor of: Puget Sound Power & Light Company  
For: Electric transmission and/or distribution line, together with necessary appurtenances  
Affects:

Commencing at the Northwest corner of the above described Parcel A;  
Thence South 00°38'43" East a distance of 279.87 feet along the West line thereof to the center of an existing transmission line and the true point of beginning of this centerline description;  
Thence South 55°26'45" East a distance of 273.58 feet;  
Thence South 40°20'02" East a distance of 867.53 feet to a point on the Northerly line of the Northern Pacific Railway right-of-way and the terminus of this centerline description.

Right-of-Way No. 2: (For overhang or undergrounding of Facilities only)

Commencing at the Northeast corner of the above-described parcel B;  
Thence North 89°33'49" West a distance of 431.05 feet along the North line thereof to the center of an existing transmission line and the true point of beginning of this centerline description;  
Thence South 55°26'45" East a distance of 28.53 feet to a point on the South line of the above-described Parcel B and the terminus of this centerline description.

The above described easements to be either lengthened or shortened accordingly to intersect with the above described properties.



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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: Skagit Realty Company

Recorded: October 23, 1915

Auditor's No.: 110291, records of Skagit County, Washington

Affects: Portion in the Southeast Quarter of the Northwest Quarter

As Follows: Excepting and reserving, however, all mineral and mineral oils in or under any of said land, without, however, any right in, to or upon the surface of any of said land

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 28, 1908

Auditor's No.: 68626, records of Skagit County, Washington

Executed By: The Wolvering Company

Affects: Portion in the Southwest Quarter of the Northeast Quarter

As Follows: Excepting and reserving unto grantor, its successors and assigns, all mineral and mineral oils in, or under any of said lands, whether said mineral or mineral oils are now known, or shall hereafter be discovered; without however any right in, to or upon the surface of any of said lands

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

Recorded: February 26, 1935

Auditor's No(s): 267764, records of Skagit County, Washington

In favor of: Drainage District No. 14 of Skagit County Washington

For: Right of way for drainage ditch purposes. Together with right of ingress and egress

Affects: Portion in the Southwest Quarter of the Northeast Quarter and other property

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

Recorded: September 14, 1956

Auditor's No(s): 541476, records of Skagit County, Washington

In favor of: Pacific Northwest Pipeline Corporation

For: Constructing, maintaining, etc. pipeline or pipelines

Affects: Portion in the Southwest Quarter of the Northeast Quarter and other property

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

Recorded: November 26, 1956

Auditor's No(s): 544543, records of Skagit County, Washington

In favor of: Cascade Natural Gas Corporation

For: Constructing, maintaining, etc. Pipeline or pipelines

Affects: Portion in the Southwest Quarter of the Northeast Quarter and other property

Said instrument was corrected by instrument dated August 3, 1957, and recorded September 9, 1957, under Auditor's File No. 555867, records of Skagit County, Washington.

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

By: Northwest Pipeline Corporation

And Between: John A. Lange and Gayle Lange

Recorded: October 10, 2001

Auditor's No.: 200110100109, records of Skagit County, Washington

Providing: Authorization for specific encroachment

Affects: Portion in the Southwest Quarter of the Northeast Quarter



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Agreement, including the terms and conditions thereof; entered into;  
By:..... John A. Lange and Joy G. Lange  
And Between:..... North County Bank  
Recorded:..... January 22, 2002  
Auditor's No.:..... 200201220096, records of Skagit County, Washington  
Providing:..... Hazardous Substances Agreement  
Affects:..... Said premises

Easement, including the terms and conditions thereof, created by instrument(s);  
Recorded:..... July 5, 2002  
Auditor's No(s):..... 200207050100, records of Skagit County, Washington  
In favor of:..... ~ Northwest Pipeline Corporation  
For:..... Pipeline and related rights  
Affects:..... Portion in the Northeast Quarter

Easement, including the terms and conditions thereof, created by instrument(s);  
Recorded:..... July 25, 2002  
Auditor's No(s):..... 200207250019, records of Skagit County, Washington  
In favor of:..... John A. Lange and Gayle Lange  
For:..... Utilities, Drainage, Sewer lines, etc.  
Affects:..... This and other property

Easement, including the terms and conditions thereof, granted by instrument(s);  
Recorded:..... April 7, 2003  
Auditor's No(s):..... 200304070119, records of Skagit County, Washington  
In favor of:..... Puget Sound Energy, Inc.  
For:..... Electric transmission and/or distribution line, together with necessary appurtenances

Agreement, including the terms and conditions thereof; entered into;  
By:..... Sauk Mountain Village, L.L.C., et al  
And Between:..... City of Sedro Woolley, et al  
Recorded:..... May 7, 2003  
Auditor's No.:..... 200305070172, records of Skagit County, Washington  
Providing:..... Development conditions and provisions

Agreement, including the terms and conditions thereof; entered into;  
By:..... City of Sedro Woolley, et al  
And Between:..... City of Sedro Woolley, et al  
Recorded:..... May 7, 2003  
Auditor's No.:..... 200305070171, records of Skagit County, Washington  
Providing:..... Development conditions and provisions

Said instrument is a re-recording of instrument (s);  
Recorded:..... March 26, 2003  
Auditor's File No(s):..... 200303260180, records of Skagit County, Washington

Agreement, including the terms and conditions thereof; entered into;  
By:..... John and Gayle Lange, et al  
And Between:..... City of Sedro Woolley, et al  
Recorded:..... June 9, 2003  
Auditor's No.:..... 200306090031, records of Skagit County, Washington  
Providing:..... Development conditions and provisions

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:..... June 9, 2003  
Auditor's No(s):..... 200306090033, records of Skagit County, Washington  
Executed By:..... John and Gayle Lange

AMENDED by instrument(s):  
Recorded:..... June 30, 2003, and January 28, 2004  
Auditor's No(s):..... 200306300001 and 200401280120, records of Skagit County, Washington

Easement delineated on the face of said plat;  
For:..... Utilities  
Affects:..... 10 feet adjoining road



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

Easements are granted to Sauk Mt. View Estates South Homeowners Association, its successors and assigns, the perpetual right, privilege and authority enabling the Grantee to do all things necessary or proper in the construction and maintenance of stormwater utilities or related facilities, including the right to construct, operate, maintain, inspect, improve, remove, restore, alter, replace, relocate, connect to and locate at any time a pipe or pipes, ditches, conveyances, ponds and other facilities 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. Also, the right to cut and/or trim all brush or other growth standing or growing upon the land of the Grantor, which, in the opinion of the Sauk Mt. View Estates South Homeowners Association, constitutes a menace or danger to said line(s) or to persons or property by reason of proximity to the line(s).

Grantor, its heirs, successor 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 Sauk Mt. View Estates South Homeowners Association. Grantor shall conduct its activities and all other activities on Grantor's property so as not to interfere with, construct 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 City's use of the easement.

The Sauk Mt. View Estates South Homeowners Association may assign its rights under this easement to any municipality, public district or other entity.

Easements are granted to the City of Sedro-Woolley, Washington, a municipal corporation, its successors and assigns, the perpetual right, privilege and authority enabling the City to do all things necessary or proper in the construction and maintenance of sewer, stormwater and communication line(s), and other municipal and public utilities or related facilities, including the right to construct, operate, maintain, inspect, improve, remove, restore, alter, replace, relocate, connect to and locate at any time a pipe or pipes, line or sewer, stormwater, and communication lines or other municipal and public facilities or other similar public services 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; also, the right to cut and/or trim all brush or other growth standing or growing upon the land of the Grantor which, in the opinion of the City, constitutes a menace or danger to said line(s) or to persons or property by reason of proximity to the line(s). The Grantor agrees that title to all brush, other vegetation or debris trimmed, cut and removed from the easement pursuant to this agreement is now vested in the City.

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 City Public Works Director. 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 City's use of the easement.

Grantee may assign the rights under this easement by agreement, assignment, franchise or other device to any public or privately owned utility.

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

Recorded: June 9, 2003

Auditor's No(s): 200306090033, records of Skagit County, Washington

Imposed By: Sauk Mt. View Estates South Homeowners Association



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