

AFTER RECORDING MAIL TO:
Mr. and Mrs. David R. Schell
29 Whistling Swan
Irvine, CA 92604



200405280323
Skagit County Auditor

5/28/2004 Page 1 of 3 4:14PM

Filed for Record at Request of
First American Title Of Skagit County
Escrow Number: A81307

FIRST AMERICAN TITLE CO.
A81307E-1

Statutory Warranty Deed

Grantee(s): David R. Schell and Laura L. Schell
Assessor's Tax Parcel Number(s): 4688-000-003-0000 P110954

THE GRANTOR Leonard Johnson and Suenema Jean Johnson, husband and wife for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION and as part of an IRS 1031 Tax Deferred Exchange in hand paid, conveys and warrants to David R. Schell and Laura L. Schell, husband and wife the following described real estate, situated in the County of Skagit, State of Washington.

Lot 3, "PLAT OF WESTWOOD P.U.D.", as per plat recorded in Volume 16 of Plats, pages 152 and 153, records of Skagit County, Washington.

SUBJECT TO covenants, conditions, restrictions and easements, as per attached Exhibit "A".

Dated: May 25, 2004

2691
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

Leonard Johnson

MAY 26 2004

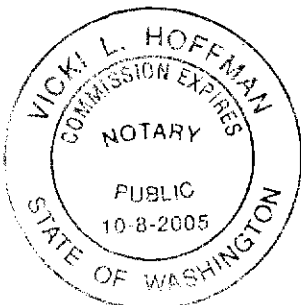
Suenema Jean Johnson

Amount Paid \$ 6194.40
Skagit Co. Treasurer
By Deputy

STATE OF Washington }
COUNTY OF SKAGIT } SS:

I certify that I know or have satisfactory evidence that Leonard Johnson and Suenema Jean Johnson, the persons 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.

Date: 5-26-04



Vicki L. Hoffman
Notary Public in and for the State of Washington
Residing at ANACORTES
My appointment expires: 10-8-05

SCHEDULE "B-1"

Exceptions:

A. AGREEMENT, AND THE TERMS AND CONDITIONS THEREOF:

Between: City of Anacortes
Dated: September 8, 1987
Recorded: October 10, 1988
Auditor's No: 8810100046
Regarding: Latecomer connection charges for water extension

B. AGREEMENT, AND THE TERMS AND CONDITIONS THEREOF:

Between: City of Anacortes
And: Woolworth Development
Dated: July 19, 1991
Recorded: January 10, 1992
Auditor's No: 9201100074
Regarding: Latecomer agreement for sewer connection

C. MATTERS AS DISCLOSED AND/OR DELINEATED ON THE FACE OF THE FOLLOWING PLAT/SUBDIVISION:

Plat/Subdivision Name: Westwood PUD
Recorded: January 3, 1997
Auditor's No.: 9701030038
(Copy attached)

Said matters include but are not limited to the following:

1. Forty (40) foot NGPA Buffers labeled Tracts "A" and "B", as set forth on the Plat.
2. Ten (10) foot utility easement, as delineated on the plat adjoining Westwood Drive.
3. Water Supply - City of Anacortes, and
4. Sewer Disposal - City of Anacortes.
5. An easement is hereby reserved for and conveyed to the City of Anacortes; Puget Sound Power & Light Company; GTE Telephone Company; Cascade Natural Gas Company and TCI Cable Television Company, and their respective successors and assigns, under and upon the exterior ten (10) feet of front boundary lines all lots, tracts and spaces within the plat lying parallel with and adjoining all street(s) in which to construct, operate, maintain, repair, replace and enlarge underground pipes, conduits, cables and wires, all necessary or convenient underground or ground mounted appurtenances thereto for the purpose of serving this subdivision and other property with electric, gas, telephone and other utility service, together with the right to enter upon the streets, lots, tracts and spaces at all times for the purposes herein stated.



200405280323
Skagit County Auditor

5/28/2004 Page

2 of

3 4:14PM

6. A Native Growth Protection Easement (NGPE) is hereby dedicated to the public for Tracts "A" and "B", a beneficial interest in the land within the easement. This interest includes the preservation of a native vegetation for all purposes that benefit the public health, safety and welfare, including control of the surface water and erosion, maintenance of slope stability, visual and rural buffering, and protection of plant and animal habitat. The NGPE imposes upon all present and future owners and occupiers of the land subject to the easement obligation, enforceable on behalf of the public by the City of Anacortes, to leave undisturbed all trees and other vegetation within the easement. The vegetation within the easement may not be cut, pruned, covered by fill, removed or damaged without express permission from the City of Anacortes, which permission must be obtained in writing from the City of Anacortes Planning Department.

Before and during the course of any grading, building construction, or other development activity on a lot subject to the NGPE, the common boundary between the easement and the area of development activity must be fenced or otherwise marked to the satisfaction of the City of Anacortes.

The above tracts contain storm water conveyance systems and may require maintenance and/or repair by the City of Anacortes.

7. The storm water detention pond and access road are hereby dedicated to the City of Anacortes for Tract "E" for operation and maintenance by the City of Anacortes.

8. Tract "D" is hereby dedicated to the City of Anacortes for purposes as utility and fire access and for purposes of operation and maintenance by the City of Anacortes.

9. Tract "C" is hereby dedicated to the Home Owner's Association for purposes of park area.

10. Rights contained in the dedication of the Plat to the use of the public forever, streets and avenues shown hereon and the use thereof for all public purposes consistent with the use thereof for public highway purposes together with the right to make all necessary slopes for cuts and fills upon the lots and blocks shown hereon in the original reasonable grading of all such streets and avenues shown hereon. And also, Tract "D" for fire access road purposes.

D. EASEMENT AS DELINEATED AND/OR DEDICATED ON THE FACE OF THE PLAT:

Purpose: Utility easement
Affects: Exterior 10 foot portion abutting "B Circle"

E. PROTECTIVE COVENANTS AND/OR EASEMENTS, BUT OMITTING RESTRICTIONS, IF ANY, BASED ON RACE, COLOR, RELIGION OR NATIONAL ORIGIN, A COPY OF WHICH IS HERETO ATTACHED:

Dated: April 14, 1997
Recorded: April 14, 1997
Auditor's No: 9704140108
Executed by: BBC Investment, Inc.

F. Terms and Conditions of An Ordinance Changing the Names of Certain Streets:

Dated: April 5, 1999
Recorded: May 11, 1999
Auditor's No.: 9905110116
Affects: Lots 11, 12, 13, 14, 15 and 16



200405280323
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5/28/2004 Page

3 of

3 4:14PM