

AFTER RECORDING MAIL TO:  
Mr. and Mrs. James M. Russell  
2317 42<sup>nd</sup> Street  
Anacortes, WA 98221



200406090055  
Skagit County Auditor

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Filed for Record at Request of  
First American Title Of Skagit County  
Escrow Number: A81491

## Statutory Warranty Deed

Grantor(s): John D. Leibundgut and Terry R. Brass  
Grantee(s): James M. Russell and Sandra J. Russell  
Assessor's Tax Parcel Number(s): 4727-000-017-0000 P114082

FIRST AMERICAN TITLE CO.

A81491E

THE GRANTOR John D. Leibundgut and Terry R. Brass, husband and wife for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to James M. Russell and Sandra J. Russell, husband and wife the following described real estate, situated in the County of Skagit, State of Washington.

Lot 17, "PLAT OF FOREST HILLS P.U.D.", according to the plat thereof, recorded in Volume 17 of Plats, pages 42 and 43, records of Skagit County, Washington.

SUBJECT TO the Exceptions contained on Schedule B-1 attached hereto.

Dated: 6/02/2004

John D. Leibundgut

Terry R. Brass

# 2861  
SKAGIT COUNTY WASHINGTON  
REAL ESTATE EXCISE TAX

JUN 9 - 2004

STATE OF Washington }  
COUNTY OF Skagit } SS:

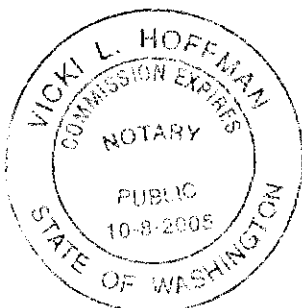
Amount Paid \$ 6497.00  
By [Signature] Skagit Co. Treasurer  
Deputy

I certify that I know or have satisfactory evidence that John D. Leibundgut and Terry R. Brass, 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: 6-7-04

[Signature]  
Notary Public in and for the State of  
Residing at Anacortes  
My appointment expires: 10-8-05

Washington



## SCHEDULE "B-1"

A. Stipulation contained in Deed dated November 7, 1905, executed by P. Halloran, Treasurer of Skagit County, Washington, recorded November 7, 1905, in Volume 56 of Deeds, page 586, as follows:

"Subject to right-of-way for road purposes."

B. Provisions and obligations contained in instrument dated August 30, 1971, recorded September 1, 1971, under Auditor's File No. 757538, records of Skagit County, Washington, relating to use of water from well located upon adjoining land shown as an exception in Exhibit A hereto attached, as follows:

"Sellers reserve the option to use water from the aforementioned well, to provide domestic water for one additional single family residence that may be built on adjoining property. If such option is exercised there will be no extra expense to the purchasers and after installation, expense of pumping and maintenance shall be shared equally by both users. The purchasers will have priority of use of water in case there is a shortage of water. When public water becomes available, this option for use of water will become null and void and all rights to well will revert to the purchasers."

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

Plat/Subdivision Name:	Forest Hills PUD
Recorded:	January 20, 1999
Auditor's No:	9901200127
(Copy attached)	

Said matters include but are not limited to the following:

1. 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 "E" for pedestrian access path purpose.

2. 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. In addition a 5' sanitary sewer easement on Lot 9 and a 5' sanitary sewer easement on Lot 10 is hereby reserved and conveyed to the City of Anacortes in which to construct, operate, maintain, repair, replace and enlarge the sanitary sewer to service properties to the East together with the right to enter upon the lots and spaces at all times for the purposes herein stated.

3. 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



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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 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.

4. The Storm Water Detention Pond will remain the responsibility of the Homeowners for purposes of operation and maintenance.

5. Tract "E" is hereby dedicated to the City of Anacortes for purposes as a pedestrian access path and for purposes of maintenance by the City of Anacortes. In addition a 5 foot path easement on Lot 9 and a 5 foot path easement is hereby dedicated to the City of Anacortes for purposes as a pedestrian access path and for purposes of maintenance by the City of Anacortes. The trail easements are for the benefit of the Forest Hills Parkside, and Westwood PUD.

6. Water Supply - City of Anacortes

7. Sewer Disposal - City of Anacortes

8. The trail easements are for the benefit of the Forest Hills, Parkside and Westwood PUD.

9. Easement for sanitary sewer and walking path affecting the South 5 feet of Lot 9, and the North 5 feet of Lot 10

10. Easement for sanitary sewer affecting the West 5 feet of Lot 18, and the East 5 feet of Lot 19

11. Easement for storm drainage affecting the Southwest portion of Lot 21

12. Easement for utilities affecting the South portion of Lot 4

D. AGREEMENT, AND THE TERMS AND CONDITIONS THEREOF:

Between:	City of Anacortes
And:	Developer
Recorded:	October 10, 1988 and January 10, 1992
Auditor's Nos.:	8810100046 and 9201100074
Regarding:	Water hook-up and extension

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:

Recorded:	January 29, 1999
Auditor's No:	9901290249
Executed By:	Vintage Investments, Inc.