



200406250105

Skagit County Auditor

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AFTER RECORDING MAIL TO:
Mr. and Mrs. Melvin E. Peterson
1409 Apine View Place
Mount Vernon, WA 98274

Filed for Record at Request of
First American Title Of Skagit County
Escrow Number: 81529

FIRST AMERICAN TITLE CO.

81529-E

Statutory Warranty Deed

Grantor(s): Frederick B. Cox and Sandra L. Cox
Grantee(s): Melvin E. Peterson and Dorothy F. Peterson
Assessor's Tax Parcel Number(s): 4723-000-009-0200 P113995

THE GRANTOR Frederick B. Cox and Sandra L. Cox, husband and wife, for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to Melvin E. Peterson and Dorothy F. Peterson, husband and wife, the following described real estate, situated in the County of Skagit, State of Washington.

Unit 9D , "SURVEY MAP AND PLANS FOR ALPINE FAIRWAY VILLA CONDOMINIUM, PHASE 1", recorded in Volume 17 of Plats, Pages 67 to 71, recorded May 26, 1999 under Auditor's File No. 9905260006, and according to the Declaration thereof recorded under Skagit County Auditor's File No. 9905260007, inclusive, records of Skagit County, Washington;

TOGETHER WITH the rights to the common areas and limited common areas appurtenant thereto; ALSO TOGETHER WITH a non-exclusive easement over, across and under Alpine View Place, (a private road), as delineated on the face of said condominium and the underlying Plat of "ALPINE FAIRWAY VILLA", in Volume 17 of Plats, pages 32 and 33.

SUBJECT TO easements, restrictions and other exceptions described on the attached Schedule "B-1", which by this reference is incorporated herein as though fully set forth.

Dated: June ²⁴ 22, 2004.

Frederick B. Cox
Frederick B. Cox

Sandra L. Cox
Sandra L. Cox

3238
SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax
PAID

JUN 25 2004

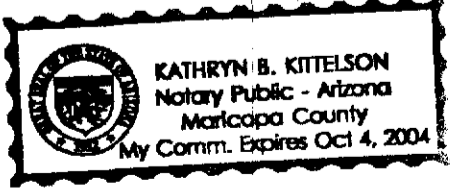
Amount Paid \$ 418.00
Skagit County Treasurer
Deputy

STATE OF Arizona }
COUNTY OF Maricopa } SS:

I certify that I know or have satisfactory evidence that Frederick B. Cox and Sandra L. Cox are the persons who appeared before me, and said persons acknowledged that they signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in this instrument.

Date: 6/24/06

Kathryn B. Kittelson
Notary Public in and for the State of Arizona
Residing at Mesa, Ariz
My appointment expires: 10-4-04



SCHEDULE "B-1"

Exceptions:

A. RESERVATIONS CONTAINED IN DEED

Executed by: James E. Moore and Myrtle Moore, his wife
Recorded: February 4, 1942
Auditor's No: 348986
As Follows:

Reserving unto English Lumber Company, its successors and assigns, all oil, gases, coal, ores, minerals, fossils, etc., and the right of entry for opening, developing and working the same.

Affects: Northeast 1/4 of the Southwest 1/4;
EXCEPT the Northwest 1/4 thereof, all in
Section 27, Township 34 North, Range 4
East, W.M.

B. RESERVATIONS CONTAINED IN DEED

Executed by: Marie Fleitz Dwyer, Frances Fleitz Rucker and Lola
Hartnett Fleitz
Recorded: October 22, 1918
Auditor's No: 128138
As Follows:

Undivided 1/2 in all oil, gases, coal, ores, minerals, fossils, etc., and the right of entry for opening, developing and working the same.

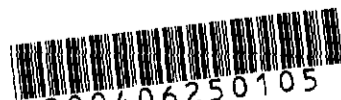
Affects: Southwest 1/4 of Section 27, Township 34
North, Range 4 East, W.M.

C. RESERVATIONS CONTAINED IN DEED

Executed by: Atlas Lumber Company
Recorded: April 18, 1914
Auditor's No: 102029
As Follows:

Reserving to the Grantor all oil, gases, coal, ores, minerals, fossils, etc., and the right of entry for opening, developing and working the same and providing that such rights shall not be exercised until provision has been made for full payment of all changes substantial by reason of such entry.

Affects: Southeast 1/4 of Section 27, Township 34
North, Range 4 East, W.M., and other
property



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D. EASEMENT AS DELINEATED AND/OR DEDICATED ON THE FACE OF THE SURVEY,
RECORDED UNDER AUDITOR'S FILE NO. 9211250027:

Purpose: Sanitary sewer, access and utility
Affects: Various strips as delineated on the face of
said survey

E. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee: Cascade Natural Gas Corporation
Dated: September 28, 1993
Recorded: October 11, 1993
Auditor's No: 9310110127
Purpose: Natural gas pipeline or pipelines
Area Affected: 10 feet in width per mutual agreement

F. EASEMENT AND PROVISIONS CONTAINED THEREIN:

Grantee: Puget Sound Power & Light Company
Dated: August 8, 1993
Recorded: November 2, 1993
Auditor's No: 9311020145
Purpose: Right to enter said premises to operate, maintain and
repair underground electric transmission and/or
distribution system, together with the right to remove
brush, trees and landscaping which may constitute a
danger to said lines

Location:

Easement No. 1: All streets, road rights of way, green belts, open spaces and utility easements as now or hereafter designed, platted and/or constructed within the above described property. (When said streets and roads are dedicated to the public, this clause shall become null and void).

Easement No. 2: A strip of land 10 feet in width, across all lots, tracts and spaces located within the above described property being parallel to and coincident with the boundaries of all private/public street and road rights of way.

Easement No. 3: A strip of land 20 feet in width parallel to and coincident with the boundaries of Waugh Road as designed, platted and/or constructed within the above described property.

G. 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: January 11, 1994
Recorded: January 25, 1994
Auditor's No: 9401250030
Executed by: Sea-Van Investments Associates, a Washington
general partnership



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ABOVE COVENANTS, CONDITIONS AND RESTRICTIONS WERE AMENDED AS HERETO ATTACHED:

Declaration Dated: December 11, 1995
Recorded: December 11, 1995
Auditor's No: 9512110030

ABOVE COVENANTS, CONDITIONS AND RESTRICTIONS WERE AMENDED AS HERETO ATTACHED:

Declaration Dated: March 13, 1996
Recorded: March 18, 1996
Auditor's No: 9603180110

ABOVE COVENANTS, CONDITIONS AND RESTRICTIONS WERE AMENDED AS HERETO ATTACHED:

Declaration Dated: January 31, 2000
Recorded: February 1, 2000
Auditor's No: 200002010099

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

Plat/Subdivision Name: Alpine Fairway Villa
Recorded: December 1, 1998
Auditor's No: 9812010023
(Copy attached)

Said matters include but are not limited to the following:

- a. An easement is hereby reserved for and granted to Public Utility District No. 1, Puget Sound Power & Light Co., TCI Cablevision of Washington, Inc., GTE Northwest, Inc. and their respective successors and assigns under and upon the 10 feet adjoining Lots 7 through 10, inclusive, as shown, in which to install, lay, construct, renew, operate, maintain and remove utility systems, drainage systems, lines, fixtures and appurtenances attached thereto for the purpose of providing utility services to the subdivision and other property, together with the right to enter upon the lots and tracts at all times for the purposes 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.
- b. An easement for the purpose of conveying local storm water runoff is hereby granted in favor of all abutting lot owners in the areas designated as private drainage easements. The maintenance of private drainage easements established and granted herein shall be the responsibility of, the costs thereof shall be borne equally by, the present and future owners of the abutting property and their heirs, personal representatives and assigns.

The City of Mount Vernon is hereby granted the right to enter said easement for emergency purposes at its own discretion.



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c. Utilities:

Water – Skagit County PUD
Power – Puget Sound Energy
Gas – Cascade Natural Gas
Sanitary Sewer – City of Mount Vernon
Telephone – General Telephone
Cable – TCI

d. All lots are subject to and together with the easement as shown, the purpose of which is for ingress, egress, utilities and parking. As shown on Sheet 1, an easement is hereby granted to the City of Mount Vernon for the purposes of maintenance, inspection and construction of sanitary sewage facilities with necessary appurtenances. The City shall be responsible for the maintenance of the sewer main line, but not the side sewer laterals. The City shall not be responsible for the maintenance of the road, bridge or storm drainage. See PUD Easement this sheet.

e. Lot 6, is subject to a 20-foot easement for installation and maintenance of a waterline in favor of Skagit County PUD. See PUD Easement provision this sheet.

f. Lots 1 through 6, inclusive, are subject to an easement for storm water conveyance. For the equal benefit of Lots 1 through 10, inclusive, together with the right of ingress and egress for the installation and maintenance of said storm lines over, under and across. See Easement Dedication this sheet.

g. Lots 1 and 2, inclusive, are subject to a 4-foot easement as shown for storm water conveyance, for the equal benefit of Lots 1 through 10, inclusive, together with the right of ingress and egress for the installation and maintenance of said storm lines over, under and across. See Easement Dedication this sheet.

h. The 10-foot utility easement is located adjoining the roadway-utility easement as shown and reference under sub-paragraph d.

i. Lot 1, is subject to a 20-foot sewer easement for the benefit of Lot 2.

j. All development within this subdivision shall conform to the recommendations and conditions of approval for the Eaglemont Tract 202 Phase I Final Planned Unit Development approved by the City of Mount Vernon Council on February 25, 1998.

k. P.U.D. Water Pipeline Easement provisions, as disclosed on the face of the subject plat, as follows:

Easements are granted to the Public Utility District No. 1 of Skagit County, Washington, a Municipal Corporation, its successors or assigns, the perpetual right, privilege and authority enabling the P.U.D. to do all things necessary or proper in the construction and maintenance of a water line, lines 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 lines or related facilities, along with necessary appurtenances for the transportation of water 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, timber, trees or other growth standing or growing upon the lands of the grantor which, in the opinion of the District, constitutes a menace or danger to said line or to persons or property by reason of proximity to the line. The grantor agrees that title to all timber, brush, trees, other vegetation or debris trimmed, cut and removed from the easement pursuant to this agreement is vested in the District.



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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 general manager of the District. 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 District's use of the easement.

l. Buffer Easement provisions, as disclosed on the face of the subject plat, as follows:

Those areas designated Buffer Easement are for landscape zones, maintained by the property owners and preserved free of buildings or structures.

m. Dedication of "Alpine View Place", a private road to Eaglemont Homeowner's Association, as disclosed on the face of the subject plat.

n. Private drainage easement affecting the Southeasterly 20 feet, Lots 1 - 6.

o. Private drainage easement affecting the Northeasterly 8 feet of Lot 3.

p. Easement for ingress, egress and utilities affecting Alpine View Place.

q. Utility easement affecting the Northerly 10 feet of Alpine View Place.

r. "... the undersigned owners of "Alpine Fairway villa Condominium" in fee simple and/or mortgage holders of the property herein described, hereby declare this survey map and plans and dedicate the same for condominium purposes. This survey map and plans and any portion thereof shall be restricted by the terms of the condominium declaration filed contemporaneously herewith. This dedication is not for any other use than to meet the requirements of the Washington Condominium Act (RCW 64.34) for a survey and plans, and to submit the property to the Act as provided in the declaration."

s. Terms, covenants, provisions, notes and restrictions contained in said plat, come of which may have changed or expired without notice on the public record:

Plat: Alpine Fairway Villa Condominium, Phase I
As Follows:

"All development within the subject parcels shall conform to the recommendations and conditions of approval for the Eaglemont Tract 202 Phase I Final Planned Unit Development approved by the City of Mount Vernon City Council on February 25, 1998."

J. Easement and set back requirements as set forth in the covenants to *Eaglemont recorded under Auditor's File No. 9401250030.*

K. Terms, provisions, requirements and limitations contained in the Horizontal Property Regimes Act, Chapter 156, Laws of 1963 (R.C.W. 64.32) as now amended or as may hereafter be amended.

L. Terms, provisions, requirements and limitations contained in the Washington Condominium Act, Chapters 43 and 428, Laws of 1989, (R.C.W. 64.34), and as may be hereafter amended.



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M. Terms, provisions, covenants, conditions, definitions, options, obligations and restrictions contained in the Condominium Declaration and as may be contained in the by-laws adopted pursuant to said Declaration:

Recorded: May 26, 1999
Auditor's No: 9905260007

Said instrument was modified by instruments recorded under Auditor's File Nos. 199912030105, 200007210061, 200012130024, 200012260127, 200101120079, 200107230105 and 200202140093.

N. Any assessment now or hereafter levied under the provisions of the Condominium Declaration of Alpine Fairway Villa Condo, Phase 1, or any amendment thereto, or under the bylaws adopted pursuant to said Declaration.

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

Plat/Subdivision Name: Survey Map and Plans for Alpine Fairway Villa Condo, Phase 1
Recorded: May 26, 1999
Auditor's No.: 9905260006
(Copy Attached)

P. AGREEMENT, AND THE TERMS AND CONDITIONS THEREOF:

Between: Alpine Fairway Villa Condominium Owner's Association
And: Jeff Hansell
Dated: September 7, 1999
Recorded: September 10, 1999
Auditor's No: 199909100027
Regarding: Easement/Maintenance Agreement pertaining to common area/easement and use by Lot 49, "Eaglemont Phase 1A"

Q. Terms, provisions, requirements and limitations contained in the Horizontal Property Regimes Act, Chapter 156, Laws of 1963, (R.C.W. 64.32) as now amended or as may hereafter be amended.



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