

When Recorded Return To:

Mr. and Mrs. Gregory W. Day
1112 E. Cascade Lane
Lynden, WA 98264



200407010102
Skagit County Auditor

7/1/2004 Page 1 of 4 12:26PM

Escrow No. 5531

LPB-10

CHICAGO TITLE CO. STATUTORY WARRANTY DEED

1C31612 ✓

Reference Numbers of related documents: on page of document

Grantor(s): **HOMESTEAD NW DEV. CO.**

Grantee(s): **DAY, GREGORY W. and SHERRY K.**

Legal Description (abbreviated): **UNIT 12B, CEDAR POINT** Full legal on page 1 of document

Assessor's Property Tax Parcel Account Number(s): **4788-000-012-0200**

THE GRANTOR HOMESTEAD NW DEV. CO., a Washington Corporation,

for and in consideration of **Completion of an I.R.C. Section 1031 Tax-Deferred Exchange**

in hand paid, conveys and warrants to **GREGORY W. DAY and SHERRY K. DAY, husband and wife,**

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

UNIT 12B, CEDAR POINT (A CONDOMINIUM), ACCORDING TO FIRST AMENDED DECLARATION THEREOF RECORDED APRIL 27, 2004, UNDER AUDITOR'S FILE NO. 200404270060 AND (AMENDED) SURVEY MAP AND PLANS THEREOF RECORDED UNDER AUDITOR'S FILE NO. 200201100078, RECORDS OF SKAGIT COUNTY, WASHINGTON; BEING A PORTION OF TRACT 17, BURLINGTON ACREAGE PROPERTY IN VOLUME 1 OF PLATS, PAGE 49, RECORDS OF SKAGIT COUNTY, WASHINGTON.

SITUATE IN SKAGIT COUNTY, WASHINGTON.

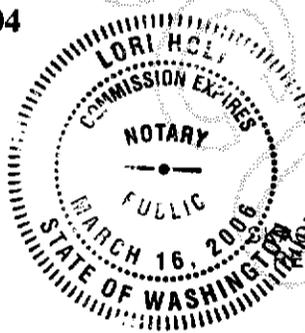
SUBJECT TO: SEE EXHIBIT A WHICH IS ANNEXED HERETO AND BY THIS REFERENCE INCORPORATED HEREIN.

Assessor's Property Tax Parcel Account Number(s): **4788-000-012-0200**

Dated this 30 day of **June, 2004**

HOMESTEAD NW DEV. CO., a Washington Corporation

By: *James A. Wynstra*
James A. Wynstra, President



3398
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

State of Washington
County of Whatcom

} ss.

JUL 01 2004
Amount Paid \$ 3,737.11
Skagit Co. Treasurer

I certify that I know or have satisfactory evidence that **James A. Wynstra** is/are the DC Deputy person(s) who appeared before me, and said person(s) acknowledged that he signed this instrument, on oath stated that he is authorized to execute the instrument and acknowledged it as the **President** of **HOMESTEAD NW DEV. CO.** to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

DATED: June 30, 2004

Lori Holt
Lori Holt
Notary Public in and for the State of Washington,
residing at Lynden
My appointment expires: 3/16/06

EXHIBIT A

1. Easement, including the terms and conditions thereof, granted by instrument(s);
Recorded: September 9, 1997
Auditor's No(s): 9709090114, records of Skagit County, Washington
In favor of: Puget Sound Energy, Inc.
For: Electric transmission and/or distribution line, together with necessary appurtenances
2. Easement, including the terms and conditions thereof, granted by instrument(s);
Recorded: September 9, 1997
Auditor's No(s): 9709090115, records of Skagit County, Washington
In favor of: Puget Sound Energy, Inc.
For: Electric transmission and/or distribution line, together with necessary appurtenances
3. Easement, including the terms and conditions thereof, granted by instrument;
Recorded: November 1, 1999
Auditor's No.: 199911010143, records of Skagit County, Washington
In favor of: Public Utility District No. 1 of Skagit County, Washington, a Municipal corporation
For: Water pipeline
Affects: Portion of said premises and other property
4. Easement, including the terms and conditions thereof, granted by instrument(s);
Recorded: October 12, 1999
Auditor's No(s): 9910120069, records of Skagit County, Washington
In favor of: Puget Sound Energy, Inc.
For: Electric transmission and/or distribution line, together with necessary appurtenances
5. Easement, including the terms and conditions thereof, granted by instrument;
Recorded: June 29, 2000
Auditor's No.: 200006290057, records of Skagit County, Washington
In favor of: Puget Sound Energy, Inc., a Washington corporation
For: Electric transmission and/or distribution line, together with necessary appurtenances
Affects: Said premises
6. Storm water detention pond as delineated on the map and plan of the Second Amendment to the Cedars.
7. Easement, including the terms and conditions thereof, granted by instrument(s);
Recorded: August 11, 2000
Auditor's No(s): 200008110019, records of Skagit County, Washington
In favor of: Public Utility District No. 1 of Skagit County, Washington
For: Water pipeline
Affects: Portion of said premises
8. Easement, including the terms and conditions thereof, granted by instrument(s);
Recorded: September 11, 2001
Auditor's No(s): 200109110082, records of Skagit County, Washington
In favor of: Puget Sound Energy, Inc.
For: Electric transmission and/or distribution line, together with necessary appurtenances
Affects: Portion of said premises
9. Easement, including the terms and conditions thereof, granted by instrument(s);
Recorded: December 13, 2001
Auditor's No(s): 200112130003, records of Skagit County, Washington
In favor of: Public Utility District No. 1 of Skagit County, Washington
10. Easement, including the terms and conditions thereof, granted by instrument(s);
Recorded: March 27, 2002
Auditor's No(s): 200203270001, records of Skagit County, Washington
In favor of: Homestead Development N.W., Inc.
For: TCI Cablevision of Washington



200407010102
Skagit County Auditor

11. Agreement, including the terms and conditions thereof; entered into;
 By: Public Utility District No. 1 of Skagit County
 And Between: Homestead Northwest Inc.
 Recorded: September 23, 1998
 Auditor's No.: 9809230032, records of Skagit County, Washington
 Providing: Irrigation Water Service Agreement
12. Agreement, including the terms and conditions thereof; entered into;
 By: Public Utility District No. 1 of Skagit County
 And Between: Homestead Northwest Development Co.
 Recorded: July 17, 2002
 Auditor's No.: 200207170008, records of Skagit County, Washington
 Providing: Irrigation water service
13. Terms, covenants, conditions, easements, and restrictions **And** liability for assessments contained in Declaration of Condominium;
 Recorded: January 10, 2002
 Auditor's No.: 200201100079, records of Skagit County, Washington

AMENDED by instrument(s):
 Recorded: April 27, 2004
 Auditor's No(s): 200404270060, records of Skagit County, Washington

14. Easement delineated on the face of said Condominium;
 For: Utilities
 Affects: Various portions of said condominium
15. Easement delineated on the face of said Condominium;
 For: Access and utilities
 Affects: Exterior 15 feet adjacent to street

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

An easement is hereby reserved for and granted to the City of Burlington, Public Utility District No. 1 of Skagit County, Puget Sound Energy, G.T.E., Cascade Natural Gas Corp. and TCI Cablevision of Washington Inc. and their respective successors and assigns under and upon the private roadways and utilities easements shown hereon, and along the routes of the as built or yet to be built utility alignments, in which to install, lay, construct, renew, operate, maintain and remove utility systems, lines, fixtures, appurtenances attached thereto for the purpose of providing utility services to the condominium and other property as may be developed in association with expansions to this condominium. Together with the right to enter upon the units (lots) 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 condominium by the exercise of rights and privileges herein granted.

17. Notes on the face of said condominium as follows:

- A. All units include the existing building, or building to be built, as referenced in the declaration. Together with the surroundings land shown hereon. The vertical limits of each unit extend from an elevation of 20.0 feet NGVD 29 (Mean Sea Level) up to and elevation of 100.0 feet NGVD 29.
- B. 10 utility locations are shown on the recorded plan of first amendment to the Cedars, a condominium and the second amendment to the Cedars, a condominium, as referenced in note 6 above. Said plan shows the storm water detention pond and said pond encroaches in the unit boundaries the pond is to be reshaped in the future phases to accommodate for any loss of volume caused by construction within the units of the first and second amendment.
- C. The property herein platted is subjected to and together with easements, reservations, restrictions, covenants and other instruments of record, including but not limited to those documents recorded under Auditor's File Nos. 9709090114, 9709090115, 199911010143, 200005290057, 200008110019, 200109110082, 200112130003, 200007190069, 200102020070, 200110260163, 200109100159 and 200110260163.



200407010102

Skagit County Auditor

D. All road rights of way shown hereon: Sinclair Way, Cypress Court, Lopez Lane, Fidalgo Drive and Decatur Circle (including the access roadway to the West) are private and are to be maintained by the Condominium Association (Common Elements). The road rights of way shown hereon are subject to the future development rights with respect to future phases as well as any additional development rights which may be done within the bounds of the property described hereon which may not be a part of the condominium.

E. This plan is an amendment to that certain document recorded in Volume 16 of Plats, pages 198-208, records of Skagit County, Washington and reflects additional information with respect to lots, access easements, common elements. Modified future phasing and vertical unit limits.

18. Dues, charges and assessments, if any, levied by Cedar Point Condominium Homeowners Association.
19. Liability to future assessments, if any, levied by the City of Burlington.



200407010102
Skagit County Auditor

7/1/2004 Page

4 of

4 12:26PM