



200408060073
Skagit County Auditor

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AFTER RECORDING MAIL TO:

Larry Mitzel and Kerri Mitzel

1260 montero lane
Burlington, WA 98233

Filed for Record at Request of
First American Title Of Skagit County
Escrow Number: B81366

FIRST AMERICAN TITLE CO.
B81366-E-1

Statutory Warranty Deed

Grantor(s): Gary McCormick Homes, Inc.

Grantee(s): Larry Mitzel and Kerri Mitzel

Portion Lots 9 and 10, Block 135 "First Addition to Burlington" aka Lot 4 of Short Plat BURL-04-01

Assessor's Tax Parcel Number(s): 4077-135-009-0300 P121471

THE GRANTOR Gary McCormick Homes, Inc. for and in consideration of **TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION** in hand paid, conveys and warrants to **Larry D. Mitzel and Kerri R. Mitzel, husband and wife** the following described real estate, situated in the County of Skagit, State of Washington.

Lot 4, Short Plat BURL-4-01, approved March 19, 2004, recorded March 23, 2004, under Skagit County Auditor's File No. 200403230031; being a portion of Lots 9 and 10, Block 135, "FIRST ADDITION TO BURLINGTON, Skagit County, Washington", as per plat recorded in Volume 3 of Plats, page 11, records of Skagit County, Washington;

TOGETHER WITH a non-exclusive easement for ingress, egress and utilities over, under and across Montero Lane.

Subject to paragraphs A thru C of Schedule B-1 of First American Title Company's preliminary commitment no. B81366 attached hereto and made a part hereof by this reference.

Dated August 3, 2004

Gary McCormick Homes, Inc. by:
Gary McCormick

State of Washington }
County of Skagit } SS:

4121
SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

AUG 05 2004

Amount Paid \$ 3380.00
Skagit Co. Treasurer
By Deputy

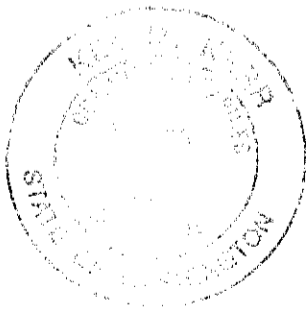
I certify that I know or have satisfactory evidence Gary McCormick is the person(s) who appeared before me, and said person(s) acknowledged that he signed this instrument, on oath stated he is authorized to execute the instrument and is President of Gary McCormick Homes Inc. to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Date: August 3, 2004

Kim M. Kerr

Kim M. Kerr
Notary Public in and for the State of Washington
Residing at Mount Vernon

My appointment expires: 12/15/2005



SCHEDULE "B-1"

Exceptions:

A. EASEMENT AND PROVISIONS CONTAINED THEREIN AS CREATED OR DISCLOSED INSTRUMENT:

In Favor Of: Gary McCormick Homes, Inc., a Washington corporation
Recorded: December 12, 2003
Auditor's No.: 200312120126
For: Ingress, egress, utilities and the maintenance thereof
Affects: Montero Lane

B. MATTERS AS DISCLOSED AND/OR DELINEATED ON THE FACE OF THE FOLLOWING SHORT PLAT:

Short Plat No.: BURL-4-01
Recorded: March 23, 2004
Auditor's No.: 200403230031
(Copy attached)

Said matters include but are not limited to the following:

1. The right to make all necessary slopes for cuts and fills and the right to continue to drain said roads and ways over and across any Lot or Lots, where water might take a natural course in the original reasonable grading of the roads and ways shown hereon. Following original reasonable grading of roads and ways hereon, no drainage waters on any Lot or Lots shall be diverted or blocked from their natural course so as to discharge upon any public road right-of-way, or to hamper road drainage. Any enclosing of drainage waters in culverts or drains or rerouting shall be done by and at the expense of such owner.
2. All maintenance and construction of private roads are the responsibility of the Lot owners and the responsibility of maintenance shall be in direct relationship to usage of road.
3. Short Plat Number and Date of Approvals shall be included in all deeds and contracts.
4. Sewage Disposal – City of Burlington sanitary sewer system.
Water – P.U.D. No. 1
Power – Puget Sound Energy
Telephone – Verizon
T.V. – Comcast
Drainage: City of Burlington storm drainage system.
5. Buyer should be aware that this Short Plat is located in the floodplain of the Skagit River and the floodway of Gages Slough and significant elevation may be required for the first floor of residential construction.
6. No certificate of occupancy will be given for any new construction until all required utilities and roadway are approved and installed to the satisfaction of the City of Burlington Public Works Department.



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7. The "Plat of First Addition to Burlington" dimensions Rio Vista Avenue as being 80 feet wide, Lot dimensions on the Plat, existing road centerline monumentation and previous Surveys and Short Plat in Block 135 of "First Addition to Burlington" indicate that a 30 foot right-of-way (Half Street) is being used contiguous to Block 135. This Survey holds the 30 foot Half Street width for Rio Vista Avenue.
8. Comply with Title 14, Surface Water Management Standards for temporary construction and long-term runoff quantity and quality and prevent any adverse impact on adjacent properties.
9. Construct utility and access improvements as required by the City Engineer. Sewer is required to be a minimum of 8 inches in diameter.
10. Access easement shall be paved throughout the Short Plats, provide a sidewalk on one side and comply with Fire Department standards for construction, turnarounds and location of two required fire hydrants.
11. The East line of Lot 1 of the Montgomery Short Plat will need to be moved 6 inches or so to the East meet the 9,600 square foot minimum Lot size requirement.
12. A screening fence six feet in height is required adjacent to or near abutting property lines. The fence will be cedar pressure-treated wood.
13. New homes shall be limited to one story in height to protect privacy of adjacent residences.
14. The easement and entrance driveway shall be installed as close as possible to the existing rental home and paved as far as possible from the property line to the South, to protect existing bedrooms.
15. Landscaping and maintenance standards shall be met, including planting at least one tree per Lot and grass seeding the lawns before final building permits are issued.
16. New homes shall be constructed on site.
17. A homeowner's association shall be formed to maintain the driveways.
18. A streetlight shall be installed and a private street sign.
19. Easement for ingress, egress and utilities affecting Lots 1 through 3.
20. Typical building setbacks.
21. Location of concrete wall and fences.



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C. EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF:

Grantee: Puget Sound Energy, Inc.
Dated: January 12, 2004
Recorded: January 20, 2004
Auditor's No.: 200401200185
Purpose: "...utility systems for purposes of transmission, distribution and sale of gas and electricity..."
Area Affected: A strip of land ten (10) feet in width with five (5) feet on each side of the centerline of grantee's facilities as now constructed, to be constructed, extended or relocated



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